

Minutes of a meeting of the Plaquemines Parish Council, held in the Pointe-a-la-Hache Council Chambers, 18055 Hwy. 15, Pointe-a-la-Hache, Louisiana on Thursday, July 27, 2023, at 5:27 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Carlton M. LaFrance, Sr., Chairman
 Council Member Tyronne Edwards
 Council Member Brian Champagne
 Council Member Chris Schulz
 Council Member Stuart J. Guey
 Council Member Patricia McCarty
 Council Member Ronnie Newsom
 Council Member Mitch Jurisich
 Council Member Mark Cognevich

Kim M. Toups, Secretary

The Prayer and Pledge of Allegiance were dispensed with.

President Hinkley, as well as Charter Directors Billy Wichers, Crystal Taylor and Jeff DiMarco, were present representing the Administration.

The following items were deferred:

- 9b, “An ordinance to amend, and as amended readopt Ordinance No. 23-17, adopted by the Parish Council on January 26, 2023, relative to the prohibition of any Plaquemines Parish-issued permit for authorization, construction and/or operation of any Mississippi River Sediment Diversion project; and otherwise to provide with respect thereto”;
- 9c, “An Ordinance authorizing the Parish President to enter into and execute a contract with lobbyist Mercury Public Affairs, to represent Plaquemines Parish Government in any upcoming sessions of the Federal Government, or any other meetings and events deemed necessary to protect its interest in all matters for the remainder of this fiscal year with an option to renew for the following fiscal year provided funds are available in the 2024 adopted budget; and otherwise to provide with respect thereto”;
- 9d, “An Ordinance to amend, and as amended, readopt Sections 17.5-2 of Chapter 17.5, Article I, Parks, Recreation and Parish Facilities, of the Code of Ordinances; and, otherwise to provide with respect thereto”;
- 9e, “An Ordinance to amend the 2023 Public Health Fund, Operating Expenditure Budget, Ambulances-General Department; and otherwise to provide with respect thereto”;
- 9m, “An Ordinance establishing a temporary moratorium on new Trailer, RV and Camper Parks for the area from the Parish line to LaReusitte/Naomi for a period of six (6) months; and otherwise to provide with respect thereto”;

Agenda Item 11b, “District 3 update-Belle Chasse Water Plant Update” was withdrawn.

There being no matters to address under Agenda Item 2, “Executive Session” or Item 3, “Proclamations”, Council Member LaFrance moved to Agenda Item 4, “Status Report by the Parish President”. Without objection, so ordered.

President Hinkley stated that this weekend the Faux Pas Lodge Fishing Rodeo in Venice and the Empire Pass Fishing Rodeo. He also said that there would be intermittent lane closes on Hwy. 23.

Council Member LaFrance moved to Agenda Item 4a, “Update by Charter Directors”. Without objection, so ordered.

- Director of Operations, Billy Wichers stated that some new pieces of equipment have been ordered; however, it will take 9-10 months to get the equipment. He said we have an abundance of tractors. In closing Mr. Wichers said that if the Council Members need anything, just call him;
- Directors of Public Service, Jeff DiMarco, said he has two lists which consist of a list of 11 buildings that parts are on order for the A/C or repairs are need and a list of 15 locations with water mains breaks. In response to an inquiry from Council Member McCarty, Mr.

DiMarco explained that there was a situation in the early morning on July 16th wherein a car ran off the road and the guide wire wrapped around a power line. The power had to be shut off thereby shutting the water off. All issues have been resolved and all other water plants have generators; and

- Director of Administration, Crystal Taylor said that the Finance Department is working on the annual rollover and the numbers looks good. There may be pay increases. The Finance Department is prepping for the 2024 budget. There is an introduction being made today for the Sr. Accounting Clerk position. Mrs. Taylor also said that Insurance Committee meetings will be held soon.

Council Member LaFrance moved to Agenda Item 5, “Bids and Advertisement”. Without objection, so ordered.

RESOLUTION NO. 23-203

On motion of Council Member LaFrance, seconded by Council Member Schulz, and on roll call all members present and voting “YES”, the following Resolution was adopted:

A Resolution authorizing the acceptance of bids for furnishing Chest Compression Systems for a period of one year for use Parish wide; and otherwise to provide with respect thereto.

WHEREAS, after due advertisement bids were received on July 19, 2023 for furnishing Chest Compression Systems for a period of one year for use Parish wide as follows: Stryker, 800 East Centre Avenue, Portage, MI 49002; all bids on file in the Parish Purchasing Agent’s Office and made a part hereof by reference to; and

WHEREAS, Mrs. Brenda L. Stanifer, Purchasing Agent, recommends the acceptance of the only bid of Stryler, and the Council concurred in said recommendation;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes its Parish Purchasing Agent to issue purchases orders on an as needed basis to Stryker, 800 East Centre Avenue, Portage, MI 49002; for a period of one year, all in accordance with bid submitted by said company on July 19, 2023, on file in the Parish Purchasing Agent’s Office.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Stryker, for furnishing Chest Compression Systems for a period of one year, beginning with the adoption of this resolution and ending July 26, 2023.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

Council Member LaFrance moved to Agenda Item 6, “Beer and Liquor Permits”. Without objection, so ordered.

RESOLUTION NO. 23-204

On motion of Council Member Guey, seconded by Council Member Cognevich and on roll call all members present and voting “YES”, the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following application for permit to engage in the sale of liquor and/or beer only in the Parish of Plaquemines for the year 2023 is hereby approved: Family Dollar Stores of LA., INC.#29062, d/b/a Family Dollar Stores of LA INC, 9579 Highway 23, Belle Chasse, LA 70037, Table 1, Class B-Package Liquor.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member LaFrance moved to Agenda Item 7a, "Construction Permits". Without objection, so ordered.

Items 7a(1) through 7a(3) were taken *en globo*:

RESOLUTION NO. 23-205

On motion of Council Member LaFrance, seconded by Council Member Jurisich, and on roll call all members present and voting "YES", except Council Member Cognevich who "ABSTAINED", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following applications for construction permits in the Parish of Plaquemines are hereby approved: Harvest Midstream, Application No. 2022-832, Application Date 9-7-22, Remove approximately 506 linear feet of existing 8-inch pipeline and re-route approximately 1120-feet of 18-inch and 1320-feet of 24-inch pipeline for the new Oakville to St. Jude back levee and canal construction, Alliance Area; CHS INC, Application No. 2023-450, Application Date 6-28-23, 3 support (transfer towers), 1 conveyor belt system to support pneumatic piping system, Myrtle Grove; Ledco Gas Gathering, LLC, Application No. 2023-420, Application Date 6-20-23, Remove sections of a 12-inch and 14-inch pipeline, supports, riser, and jumper connection. No dredging will be required, 5.5 miles South of Empire.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 23-206

On motion of Council Member Edwards, seconded by Council Member Champagne and on roll call all members present, the following resolution was adopted:

A Resolution approving the issuance of a special permit to Martin Bonura for the construction of a new camp in a FP (Flood Plain) Zoning District at Parcel #1223300, Pointe a la Hache, Louisiana in accordance with Application No. 2023-416, dated June 14, 2023.

WHEREAS, Martin Bonura applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2023-416, dated June 14, 2023) for the construction of a new camp located in a FP (Flood Plain) Zoning District at Parcel #1223300, Pointe a la Hache, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a special permit to Martin Bonura, for the construction of a new camp located in a FP (Flood Plain) Zoning District at Parcel #1223300, Pointe a la Hache, Louisiana, all in accordance with Application No. 2023-416, dated June 14, 2023.

RESOLUTION NO. 23-207

On motion of Council Member Edwards, seconded by Council Member Champagne and on roll call all members present, the following resolution was adopted:

A Resolution approving the renewal of a trailer park permit to Thomas Gorman, for the operation of an existing trailer park, (Southern Oaks Mobile Home

Community, Inc.) located in a MH (Mobile Home) Zoning District on the 300 block of East Third Street, Belle Chasse, Louisiana, all in accordance with Application No. 2023-157, dated December 20, 2022.

WHEREAS, Thomas Gorman applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2023-157, dated December 20, 2022) for the renewal of a trailer park permit for the operation of an existing trailer park (Southern Oaks Mobile Home Community, Inc.) located on the 300 block of East Third Street, Belle Chasse, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a trailer park renewal permit to Thomas Gorman for the operation of an existing trailer park (Southern Oaks Mobile Home Community, Inc.) located in a MH (Mobile Home) Zoning District on the 300 block of East Third Street, Belle Chasse, Louisiana, all in accordance with Application No. 2023-157, dated December 20, 2022.

Council Member LaFrance moved to Agenda Item 8, “Introduction of Ordinances and Resolutions”. Without objection, so ordered. The following legislation was introduced:

1. A resolution authorizing the issuance and sale of Sixteen Million Dollars (\$16,000,000) of Hurricane Recovery Revenue Notes of the Parish of Plaquemines, State of Louisiana, the proceeds of which shall be advanced at delivery; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
2. A resolution authorizing the issuance and sale of Sixteen Million Dollars (\$16,000,000) of Hurricane Recovery Revenue Notes of the Parish of Plaquemines, State of Louisiana, the proceeds of which shall be advanced as requisitioned; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
3. An Ordinance approving a plan of resubdivision of Dewanna Colligan Treadway Property, Section 10 (1831), 15 (1860), T19S, R28E, Homeplace, Plaquemines Parish, Louisiana, into Lots DC1 and DC2, Homeplace, Plaquemines Parish, Louisiana, as shown on the plan and plat of survey by Dufrene Surveying & Engineering, Inc., dated May 18, 2023, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
4. An Ordinance to amend and amended to readopt Section IV of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, Louisiana, as amended, and the “Comprehensive Zoning District Map” therein adopted by reference and which is paraphed thereto, with reference to Application No. 2023-528 dated May 24, 2023. COUNCIL MEMBER LAFRANCE
5. An Ordinance to amend the Five-Year Capital Improvements Plan, Repairs-Fire Stations Parishwide Project; and otherwise to provide with respect thereto. COUNCIL MEMBER EDWARDS
6. An Ordinance to officially rename “Crossover Lane” in Phoenix, Louisiana, to “Enos Neely Camel Jr. Lane”; authorizing the installation of street signs therefore; and the appropriate notices to the United States Postal Service and the Registrar of Voters of the same; and otherwise to provide with respect thereto. COUNCIL MEMBER EDWARDS
7. An Ordinance to officially rename “Avenue G” in Belle Chasse, Louisiana to “Croatian Way”; authorizing the installation of street signs therefore; and otherwise to provide with respect thereto. COUNCIL MEMBER CHAMPAGNE
8. An Ordinance to amend the 2023 Manpower Structure and Operating Expenditure Budget; and otherwise to provide with respect thereto. COUNCIL MEMBER SCHULZ

9. A Resolution authorizing the Parish President to assign 104 Avenue G. Belle Chasse, LA 70037 (currently Belle Chasse Lockup) to the Louisiana Young Artists and Young Authors (LAYAYA) organization; and otherwise, to provide with respect thereto. COUNCIL MEMBER SCHULZ
10. A Resolution authorizing and directing the Parish President to send a letter to the United States Army Corps of Engineers requesting action to close or limit the flow of water through the crevasses and/or breaches located at Mardi Gras Pass, the area below the Ostrica Locks, and at Neptune Pass and Fort St. Phillip; and otherwise to provide with respect thereto. COUNCIL MEMBER JURISICH
11. An Ordinance to amend the 2023 Operating Expenditure Budget, various funds, various departments, various line items; and otherwise to provide with respect thereto. COUNCIL MEMBER SCHULZ
12. An Ordinance to amend the 2023 Public Health Fund, Operating Expenditure Budget, Ambulances-General Department; and otherwise to provide with respect thereto.
13. An Ordinance to amend the 2023 General Fund, Operating Expenditure Budget, Legal Services-General Department; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY
14. An Ordinance to amend the 2023 Library Services Fund, Operating Expenditure Budget, Libraries-General Department; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY
15. An Ordinance to amend the Five Year Capital Improvements Plan, Repairs-South Concord Road Project; and otherwise to provide with respect thereto. COUNCIL MEMBER NEWSOM
16. An Ordinance to amend the Five Year Capital Improvements Plan, Repairs-Daybrook Lift Station Replacement Project; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH

Council Member LaFrance moved to Agenda Item 9, “Ordinances and Resolutions on second reading and final passage”. Without objection, so ordered.

Agenda Item 9a(1) was offered with a change.

ORDINANCE NO. 23-104

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance to levy millages on the 2023 tax roll on all property subject to taxation by Plaquemines Parish Government; and otherwise to provide with respect thereto.

DIGEST: This purpose of this Ordinance is to levy the 2023 millages, so that the parish may collect the revenues necessary to carry out its purposes. These are not new taxes. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, ad valorem taxes are necessary to provide essential services to the people of Plaquemines Parish; and

WHEREAS, it is required by law that a public hearing be held on the levy of millages for the 2023 tax roll on all property subject to taxation by Plaquemines Parish Government; and

WHEREAS, pursuant to Article 6, Section 6.01E(1) of the Charter for Local Self-Government for the Parish of Plaquemines the preamble of this Ordinance was published in the Plaquemines

Gazette on July 25th, 2023 and notice of such meeting was provided to the public;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The following millages are hereby levied on the 2023 tax roll on all property subject to taxation by Plaquemines Parish Government:

2023 Millage

General Alimony	4.260 mills
Pollution Control	2.320 mills
Incinerator Waste Facilities	1.170 mills
Garbage & Waste Disposal	3.470 mills
Roads Parish-wide	1.760 mills
Health Unit	1.170 mills
Waterworks District	2.320 mills
Library	1.170 mills

SECTION 2

The proper administrative officials of the Parish of Plaquemines, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of the Parish of Plaquemines for the year 2023, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Cognevich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

Agenda Item 9f was offered with changes.

RESOLUTION NO. 23-208

On motion of Council Member LaFrance, seconded by Council Member Guey, and on roll call all members present and voting “YES”, the following Resolution was adopted:

A Resolution approving a cooperative endeavor agreement between Plaquemines Parish Government and Plaquemines Port, Harbor and Terminal District (Port) authorizing the Parish President to negotiate and execute an agreement for the sharing of resources and the cost share related thereto; and otherwise to provide with respect thereto.

Digest: The Resolution authorizes the Parish President to enter into a CEA with the Port to share resources and establish the cost share related thereto. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Art. VII, Sec. 14(C) of the Louisiana Constitution of 1974 provides that for a public purpose, the State of Louisiana (the “State”), and its political subdivisions or political corporations may engage in cooperative endeavors with each other or with any other private association, corporation or individuals; and

WHEREAS, SECTION 3.10(A) of the Charter for Local Self-Government for the Parish of Plaquemines states that one of the duties of the Parish President shall be to carry out the policies of the Parish Council; and

WHEREAS, the Port is a deep water port and political subdivision of the State exercising governmental powers of the State as delegated and authorized pursuant to the Louisiana Constitution of 1974 and other statutory supplemental authorities thereof, acting by and through the Port Chairman, having its office and domicile at the Plaquemines Port Harbor and Terminal District; Belle Chasse, Louisiana; and

WHEREAS, practical considerations necessitate that governmental agencies work together in order to effectively utilize all available resources to provide safety and security services of the river, fiver-front, docks, wharves, navigable waterways, vessels adjacent to or away from docks and wharves, as well as the banks, battures and contiguous and adjacent areas affected by port, harbor, terminal, water, and marine activities within the Port and Parish jurisdictions; and

WHEREAS, the Port and Parish realize the need to share and/or use of each other’s assets, resources, and personnel to maintain the security and protection of life and property in areas within and adjacent to the jurisdiction of the Port and Plaquemines Parish; and

WHEREAS, both the Parish and the Port shall bear their own respective costs in effectuating this Cooperative Endeavor Agreement to maintain the security and protection of life and property in areas within the jurisdiction of the Port and Plaquemines Parish; and

WHEREAS, having recognized the referenced authorities, responsibilities, capabilities, and resources, the Parties understand the need for cooperation and mutual assistance to protect and maintain the security and protection of life and property in areas within and adjacent to the jurisdiction of the Port and Parish, the parties desire to enter into a Cooperative Endeavor Agreement (hereinafter, “CEA”); and

WHEREAS, the Council previously adopted Resolution 20-210, which authorized the Parish and the Port to enter into a Cooperative Endeavor Agreement (CEA) for the purpose of improving harbors and access channels in Plaquemines Parish and desires to amend and extend the same through 2025;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT IT hereby approves and directs the Parish President to enter into a Cooperative Endeavor Agreement (attached hereto as Exhibit A) with Plaquemines Parish Port Harbor and Terminal District to engage in cooperative activities including the sharing of costs associated therewith.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT IT hereby approves and directs the Parish President to amend and extend through 2025 the Cooperative Endeavor Agreement (CEA), previously approved by the Council Resolution No. 20-210, for the purpose of improving harbors and access channels in Plaquemines Parish.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 23-105

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance to amend and as amended, readopt Ordinance 14-135; and otherwise to provide with respect thereto.

DIGEST: An ordinance to amend the project fees for ordinance 14-135. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Ordinance 14-135 was adopted to establish rules, regulations, definitions and procedures relative to the Plaquemines Parish Coastal Zone Management Program; and

WHEREAS, project fees were established and it has been recommended by the Coastal Restoration Director that revisions are needed;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section Five of Ordinance 14-135 shall be revised as follows:

“5.1. Non-commercial project fees shall be \$100.00.”

“5.2 Commercial project fee shall be \$500.00 plus one-tenth of one percent (0.1%) percent of the project cost from one-hundred thousand dollars (\$100,000) to two-hundred fifty thousand dollars (\$250,000) and two-tenths of one percent of (0.2%) of the project costs that exceed two-hundred fifty thousand dollars (\$250,000).”

SECTION 2

The remainder of Ordinance 14-135 shall remain in full force and effect.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Cognevich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyrone Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

ORDINANCE NO. 23-106

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance to amend the Five Year Capital Improvements Plan, Levee Repair-Ironton/Myrtle Grove Non Federal Levee Project and the 2023 General Fund, Operating Expenditure Budget, Coastal Resource and Protection Department; and otherwise to provide with respect thereto.

DIGEST: An ordinance to appropriate \$100,000 to the Levee Repair-Ironton/Myrtle Grove Non Federal Levee project and \$25,000 to the Coastal Resource and Protection department for needed repairs to the levee. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, a review of the Five Year Capital Improvements Plan and the Operating Expenditure Budget was performed and amendments are necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$100,000 to the Levee Repair-Ironton/Myrtle Grove Non Federal Levee project from the General Fund Unreserved/Undesignated Fund Balance; funding year 2023.

SECTION 2

The 2023 General Fund, Operating Expenditure Budget, Coastal Resource and Protection Department, is amended by appropriating \$25,000 from the General Fund Unreserved/Undesignated Fund Balance as follows:

Fund: 001 General Fund			
Dept/Div: 772-4600 Coastal Resource & Protection Dept.			
Object	Description	Inc/ Dec	Amendment
532.001	Professional Services General	Inc	25,000

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Jurisich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

ORDINANCE NO. 23-107

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance to amend and as amended, readopt Ordinance 23-50; and otherwise to provide with respect thereto.

DIGEST: An ordinance to amend the annual salary adopted by ordinance 23-50. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Ordinance 23-50 was adopted to create and fund an unclassified communications manager position in the public awareness department an annual salary of \$65,000; and

WHEREAS, it is the recommendation of the Administration to revise the annual salary from \$65,000 to \$80,000;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The WHEREAS of Ordinance 23-50 shall be revised as follows:

“WHEREAS, after a review of the manpower needs of the Public Awareness Department, it has been recommended to create and fund an Unclassified Communications Manager position at an annual salary of \$80,000 plus benefits; and to unfund the Public Information Officer position in the Public Awareness department;”

Section 1 of Ordinance 23-50 shall be revised as follows:

“The 2023 Manpower Structure is amended by creating and funding an Unclassified Communications Manager position in the Public Awareness Department at an annual salary of \$80,000 plus benefits; and by unfunding the Public Information Officer position in the Public Awareness Department.”

SECTION 2

The remainder of Ordinance 23-50 shall remain in full force and effect.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Jurisich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

ORDINANCE NO. 23-108

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance to amend the 2023 General Fund, Operating Expenditure Budget, Legal Services-General Department; and otherwise to provide with respect thereto.

DIGEST: An ordinance to appropriate \$191,761 to the Legal Department, Legal Settlements-General line item, to reimburse Safety National Insurance Company pursuant to our insurance policy. Funding source is the fund balance designated for emergencies. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, a Parish employee's workers compensation payments exceeded the Parish's SIR retention, at which time Safety National Insurance Company, PPG's excess insurer, picked up and continued the payments for an additional \$191,761; and

WHEREAS, the parish intervened in litigation against Goodyear Tire and was awarded \$500,000 in reimbursement of its worker's comp payments; and

WHEREAS, pursuant to the terms of the policy between the Parish and Safety National Insurance Company, Safety National made demand to the Parish for a refund of the \$191,761 paid by Safety National Insurance Company; and

WHEREAS, the Legal Department has determined the demand is consistent with the policy and a contractual obligation pursuant to the terms of the policy and a review of the Legal Services-General department was performed and an amendment is required;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2023 General Fund, Operating Expenditure Budget, Legal Services-General Department is amended by appropriating \$191,761 from the Fund Balance Designated for Emergencies as follow:

Fund: 001 General Fund			
Dept/Div: 430-2180 Legal Services-Gen Dept.			
Object	Description	Inc/ Dec	Amendment
529.010	Legal Settlements General	Inc	191,761

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Cognevich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

A substitute was offered for Agenda Item 9k.

RESOLUTION NO. 23-209

On motion of Council Member LaFrance, seconded by Council Member Jurisich, and on roll call all members present and voting “YES”, the following Resolution was adopted:

A Resolution approving the request for a Conditional Use to BOLSU PCF, LLC, for a concrete batch plant in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as 21178 Highway 23, Pointe Celeste, Plaquemines, Parish, Louisiana, Section 10, Township 17 South, Range 25 East, all in accordance with Application No. 2023-529; dated May 21, 2023.

Digest: The applicant is applying for a Conditional Use to construct a concrete batch plant. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, BOLSU PCF, LLC applied to the Plaquemines Parish Development Board (Application No. 2023-529; dated May 21, 2023) a concrete batch plant in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as 21178 Highway 23, Pointe Celeste, Plaquemines, Parish, Louisiana, Section 10, Township 17 South, Range 25 East, describe as follows:

Tract A

A CERTAIN TRACT OF LAND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the PARISH OF PLAQUEMINES, State of Louisiana, in that part thereof known as POINT CELESTE PLANTATION, and designated as TRACT "A" on a plan of resubdivision by Hugh McCurdy, III (W/E Professional Surveys, a division of Wink, Inc.) dated March 24, 2000, revised April 6, 2000, approved by Plaquemines Parish Council Ordinance No. 00-108 registered June 26, 2000 in COB 975, FOLIO 586, in the conveyance records of Plaquemines Parish, Louisiana, and according to said plan, said Tract "A" is located and measures as follows:

Commencing at a National Geodetic Survey monument at the West Point-a-La-Hache ferry landing, at a point bearing State Plane Coordinates (Louisiana South Zone 1983) X=3,769,109.25 and Y=391,968.89, proceed thence North 59 degrees 56 minutes 34 seconds West, a distance 17,534.03 to a point on the southerly or southwesterly right of way line of Louisiana Highway No. 23, the Point of Beginning.

From said Point of Beginning, proceed thence North 50 degrees 23 minutes 47 seconds West, on said line of Louisiana Highway No. 23, a distance of 637.82 feet to a Louisiana Department of Transportation & Development monument and point of curvature;

Thence continuing on said line of Louisiana Highway No. 23, on a curve to the left having a radius of 2, 879.48 feet, an arc distance of 863.64 feet to a Louisiana Department of Transportation & Development monument and point of tangency;

Thence North 67 degrees 34 minutes 52 seconds West, on said line of Louisiana Highway No. 23, a distance of 97.27 feet to a point and corner;

Thence South 22 degrees 08 minutes 19 seconds West, a distance of 6,444.15 to a point and corner;

Thence South 45 degrees 57 minutes 33 seconds East, along the northeasterly bank line of an existing drainage canal, a distance of 1,779.84 feet to a point and corner;

Thence North 21 degrees 19 minutes 52 seconds East, a distance of 6,782.14 feet to the southwesterly right way line of Louisiana Highway No. 23 and the Point of Beginning.

Said Tract "A" is shown to contain 244.581 acres.

Being the same property acquired by Nungesser Land Company, LLC from CLL Limited Partnership by act dated June 29, 2000, recorded on July 3, 2000 at COB 976, FOLIO 80, in the records of Plaquemines Parish.

The concrete batch plant sit on approximately 10 acres behind the old therapeutic riding center barn

WHEREAS, a proposed Conditional Use Petition was BOLSU PCF, LLC, for a concrete batch plant in a FP (Flood Plain) to consider the Conditional Use; and

WHEREAS, after a public hearing was held on July 18, 2023, providing all interested parties and the public with an opportunity to be heard regarding the proposed Map Change, and the advertisement required by law was made in the Plaquemines Gazette, the official journal of the Parish of Plaquemines; and there were objection to this request at the public hearing; and

WHEREAS, BOLSU PCF, LLC has attached Plaquemines Parish Industrial Development Questionnaire; and

WHEREAS, BOLSU PCF, LLC has applied to and waiting on state and federal agencies for their approval; and

WHEREAS, at a meeting held on July 18, 2023, the Plaquemines Parish Development Board favorably recommending the Conditional Use Petition as proposed by filed BOLSU PCF, LLC, (Application No. 2023-529; dated May 21, 2023) to consider the Conditional Use of a concrete batch plant in a FP (Flood Plain) Zoning District; and

WHEREAS, the Plaquemines Parish Development Board made the recommendation to approve as per Resolution No. 23-4, dated July 18, 2023;

NOW THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following petition for Conditional Use in the Parish of Plaquemines is hereby conditionally approved, but shall only be issued after the applicant's full compliance with and Plaquemines Parish Government's receipt of state and federal permits and letters of no objection and applicant's compliance with all parish ordinances and policies, the requested Conditional Use Petition by BOLSU PCF, LLC, LLC, for a concrete batch plant in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as 21178 Highway 23, Pointe Celeste, Plaquemines, Parish, Louisiana, Section 10, Township 17 South, Range 25 East, all in accordance with Application No. 2023-529; dated May 21, 2023.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 23-109

The following Ordinance was offered by Council Member Cognevich who moved its adoption:

An Ordinance authorizing the Parish President to credit all Plaquemines Parish water customers from the Empire Bridge south in the amount of \$50.25 for residential customers and \$257.59 for commercial customers; authorizing the Parish President, upon adoption of this ordinance, to immediately suspend the water payments for those customers until the high chloride levels present in the parish water supply from the saltwater wedge intrusion are no longer affecting the parish water supply; and otherwise to provide with respect thereto.

DIGEST: Due to the current Saltwater Intrusion, this ordinance authorizes the Parish President to issue a one-time credit to Parish water customers located from Empire south and suspends water bills for the same customers until the saltwater is no longer an issue. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, due to the saltwater wedge intrusion, the potable water supply was infiltrated with higher-than-normal levels of chlorides from the Empire Bridge south; and

WHEREAS, the higher level of chlorides adversely affected the taste of the potable water supply and some residents and commercial businesses expected uses; and

WHEREAS, Plaquemines Parish Government desires to apply a one-time credit to those customers adversely affected by the higher than normal levels of chlorides from the Empire Bridge south; and

WHEREAS, the Plaquemines Parish Council further desires to suspend water payments for all customers adversely affected by the higher than normal levels of chlorides from the Empire Bridge south until the parish water supply is no longer affected by the saltwater wedge intrusion;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Parish President is hereby authorized to credit all Plaquemines Parish water customers from the Empire Bridge south in the amount of fifty dollars and twenty-five cents (\$50.25) for residential customers and two hundred and fifty-seven dollars and fifty-nine cents (\$257.59) for commercial customers due to the high chloride levels present in the parish water supply from the saltwater wedge intrusion.

SECTION 2

The Parish President is hereby authorized to immediately suspend water payments for all Plaquemines Parish water customers from the Empire Bridge south until the parish water supply is no longer affected by the saltwater wedge intrusion.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

With a unanimous second by all council members the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: Council Member Tyronne Edwards

And the Ordinance was adopted on this the 27th day of July, 2023.

ORDINANCE NO. 23-110

The following Ordinance was offered by Council Member Schulz who moved its adoption:

An Ordinance to amend the 2023 Manpower Structure; and otherwise to provide with respect thereto.

DIGEST: An ordinance to unfund and delete the Senior Clerk I position and create and fund one full-time Accounting Clerk position in the Finance and Accounting department. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, after a review of the manpower needs of the Finance and Accounting Department, it has been recommended to unfund and delete the Senior Clerk I position and create and fund one full-time Accounting Clerk position;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2023 Manpower Structure is amended by unfunding and deleting the Senior Clerk I position and creating and funding one full-time Accounting Clerk position at an annual salary of \$32,106 plus benefits, in the Finance and Accounting Department.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Jurisich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyrone Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

ORDINANCE NO. 23-111

The following Ordinance was offered by Council Member Schulz who moved its adoption:

An Ordinance to amend the Five Year Capital Improvements Plan, District 3-Recreational Park Project and amend the 2023 Revenue Budget; and otherwise to provide with respect thereto.

DIGEST: An ordinance to appropriate \$220,450.61 to the District 3-Recreational Park Project. Funding source is the American Rescue Plan and the American Rescue Plan-Local Assistance Tribal Funds. Increase the 2023 Revenue Budget by \$139,952.05. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Plaquemines Parish Government has \$60,498.56 remaining in the American Rescue Plan designation as these funds were not expended in 2022; and

WHEREAS, Plaquemines Parish Government received \$139,952.05 from the American Rescue Plan-Local Assistance Tribal Funds in 2022 and will receive an additional \$139,952.05 in 2023; and

WHEREAS, a review of the Five Year Capital Improvements Plan was performed and funding is required for the District 3-Recreational Park project;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$220,450.61 to the District 3- Recreational Park Project from the following: \$60,498.56 from the American Rescue Plan and \$159,952.05 from the Fund Balance Designated for the American Rescue Plan; funding year, 2023.

SECTION 2

The 2023 Revenue Budget is amended as follows:

Fund: 001 General Fund			
Dept/Div: 000-0000 Revenue Budget			
Object	Description	Inc/ Dec	Amendment
426.005	American Rescue Plan LATCF Local Asst Tribal	Inc	139,952.05

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Guey seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Mitch Jurisich and Mark Cognevich

NAYS: Council Member Carlton M. LaFrance, Sr.

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 27th day of July, 2023.

Council Member LaFrance moved to Agenda Item 10, "Approval of the minutes". Without objection, so ordered.

RESOLUTION NO. 23-210

On motion of Council Member Cognevich, seconded by Council Member Newsom, and on roll call all members present and voting "YES", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the

minutes of the July 13, 2023, regular Council Meeting, as recorded by the Secretary of this Council.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution.

Council Member LaFrance moved to Agenda Item 11, "New Business". Without objection, so ordered.

Council Member Schulz offered a Motion to Suspend the Rules to add an item to the agenda for consideration. The item was, "A Resolution authorizing the Parish President to backpay two (2) years of overtime which shall include retirement contributions required by La. R.S. 11:1939(B) to qualifying Emergency Medical Services personnel; and otherwise to provide with respect thereto". The Motion to Suspend the Rules was seconded by Council Member Newsome and on roll call, all members present voting "YES", the motion was adopted by a vote of 9-0

RESOLUTION NO. 23-211

On motion of Council Member Schulz, seconded by Council Member McCarty, and on roll call all members present and voting "YES", the following Resolution was adopted:

A Resolution authorizing the Parish President to backpay two (2) years of overtime which shall include retirement contributions required by La. R.S. 11:1939(B) to qualifying Emergency Medical Services personnel; and otherwise to provide with respect thereto.

DIGEST: This Resolution authorizes the Parish President to provide two (2) years of overtime back pay which shall include retirement contributions to qualifying Emergency Medical Services personnel in the interest of fairness and to avoid future litigation. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, in Keith Babin, et al. v. Plaquemines Parish Civil Action No. 18-7378 in the United State District Court, Eastern District of Louisiana, Plaquemines Parish Government was ordered to back pay overtime and pay liquidated damages to the plaintiffs, emergency medical services personnel; and

WHEREAS, in the interest of fairness and to avoid future litigation, the Parish Attorney has recommended that Plaquemines Parish Government back pay two (2) years of overtime to include retirement contributions required by La. R.S. 11:1939(B) to qualifying Emergency Medical Services personnel;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish President is hereby authorized to backpay two (2) years of overtime which shall include retirement contributions required by La. R.S. 11:1939(B) from the Ambulance Department expenditure budget to qualifying Emergency Medical Services personnel.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

There being no further business to come before this Council, on Motion of Council Member McCarty, and seconded by Council Member Newsom, and on roll call all members present voting “YES”, the meeting adjourned at 6:58 p.m.

Chairman

Secretary

For a full transcript of discussions and presentations a video of this meeting is available for viewing on the Parish website www.plaqueminesparish.com or on YouTube.