

**CROWLEY, LOUISIANA**

**SEPTEMBER 8, 2015**

THE ACADIA PARISH POLICE JURY met on the above date at 6:30 p.m., in the Police Jury Meeting Room, Courthouse Building, Crowley, Louisiana, in regular session with the President Julie Borill presiding. At the request of the President, a moment of silence was offered and the Pledge to the Flag was recited in unison. The roll was called and final attendance was recorded as follows:

ALTON STEVENSON  
A J BROUSSARD  
JULIE BORILL  
DALE TRAHAN  
JIMMIE PELLERIN  
A. J. CREDEUR  
DAVID SAVOY  
ROBERT GUIDRY

A motion was offered by Mr. Robert Guidry, seconded by Mr. A. J. Broussard and carried unanimously, to remove item # 14, Appoint Mr. Chance Henry to the Mermentau River Harbor and Terminal District to fill the unexpired term of Mr. Richard Myers, due to the fact that a father and son cannot serve on a board together.

A motion was offered by Mr. Jimmie Pellerin, seconded by Mr. David Savoy and carried, to dispense with the reading of the August 11, 2015 Regular Police Jury Meeting minutes and the August 25, 2015 Special Police Jury Meeting minutes. Mr. A. J. Credeur and Mr. Dale Trahan voted no.

**RESOLUTION**

BY MESSRS: A. J. CREDEUR AND ALTON STEVENSON

**WHEREAS**, the list of assessments for the Parish of Acadia in the dollar amount of \$339,422,419.00 have been exposed for public review, **and**

**WHEREAS**, the Acadia Parish Police Jury did sit as a Board of Review as required by law.

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened on this 8<sup>th</sup> day of September, 2015, that valuation for the 2015 Taxes, Parish of Acadia, as set by the Acadia Parish Tax Assessor, be and the same is hereby accepted by the Police Jury of Acadia Parish.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

Mr. Jim Petitjean, Acadia Parish Tax Assessor, stated that AutoZone determined their value based on the fact that they would not make a lot of money if they had to sell and discounted the value of their own products. He recommended that the Police Jury deny the appeal.

Attorney Angela Adolph, representative for Bayou Cove Peaking Power LLC, protested that this was their third year protesting the Assessor's Assessment of this property. She

stated that the Assessor's property value assessment was incorrect because the value was determined using a Tax Commission table for steam facilities when the facility in question is a gas one. She further stated that the company had purchased the facility out of bankruptcy in 2003 and then adopted the Fresh Start Accounting system.

Mr. Jim Petitjean, Acadia Parish Tax Assessor, stated that in the past the Assessor's Office had been generous with the power plant and that the aforementioned tables are a guideline and not law. He further stated that the Assessor's Office had hired professionals to evaluate the facility and that he had determined the value based on that and the fact that Bayou Cove Peaking Power LLC sold one quarter (1/4) of their assets to the City of Alexandria for Twenty-Six Million Dollars. He recommend that the Police Jury deny the appeal.

**RESOLUTION**

BY MESSRS: ALTON STEVENSON AND A. J. CREDEUR

**WHEREAS**, the list of assessments for the Parish of Acadia in the dollar amount of \$339,422,419.00 have been exposed for public review, **and**

**WHEREAS**, the Acadia Parish Police Jury did sit as a Board of Review as required by law and the protest of Bayou Cove Peaking Power LLC (NRG Energy, Inc.) for Parcel #1400000230 was considered and denied.

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened on this 8<sup>th</sup> day of September, 2015, that valuation for the 2015 Taxes, Parish of Acadia, as set by the Acadia Parish Tax Assessor, be and the same is hereby accepted by the Police Jury of Acadia Parish.

**BE IT FURTHER RESOLVED** that the protest of Bayou Cove Peaking Power LLC (NRG Energy, Inc.) for Parcel #1400000230 is denied.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

Mr. Jim Petitjean, Acadia Parish Tax Assessor, stated that the appeals of Crown Castle South LLC and Pinnacle Towers LLC came in after deadline. He recommended that the Police Jury deny the appeal.

**RESOLUTION**

BY MESSRS: A. J. CREDEUR AND ROBERT GUIDRY

**WHEREAS**, the list of assessments for the Parish of Acadia in the dollar amount of \$339,422,419.00 have been exposed for public review, **and**

**WHEREAS**, the Acadia Parish Police Jury did sit as a Board of Review as required by law and the following protests were considered and denied:

<b><u>PARCEL #</u></b>	<b><u>COMPANY</u></b>
1610002735	AUTOZONE STORE #103016 (CROWLEY)
1400000840	CROWN CASTLE SOUTH LLC
1200001170	CROWN CASTLE SOUTH LLC
1170005760	CROWN CASTLE SOUTH LLC
1300000590	CROWN CASTLE SOUTH LLC

1200002038	PINNACLE TOWERS LLC
1170013890	PINNACLE TOWERS LLC
1600006675	PINNACLE TOWERS LLC
1400003040	PINNACLE TOWERS LLC

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened on this 8<sup>th</sup> day of September, 2015, that valuation for the 2015 Taxes, Parish of Acadia, as set by the Acadia Parish Tax Assessor, be and the same is hereby accepted by the Police Jury of Acadia Parish.

**BE IT FURTHER RESOLVED** that the aforementioned protests are denied.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

A motion was offered by Mr. A. J. Credeur, seconded by Mr. Robert Guidry and carried, to allow Mr. Hillman Meche to elevate a section of Cottage Lane at his cost and meet with the Road Manager, Parish Road Engineer, and his engineer to determine the height for the elevation.

The following resolution was offered by Mr. Alton Stevenson and seconded by Mr. Jimmie Pellerin:

#### **RESOLUTION**

A resolution giving preliminary approval to the issuance of not exceeding Three Hundred Thousand Dollars (\$300,000) of Limited Tax Bonds of the Parish of Acadia, State of Louisiana, providing certain terms of said Bonds; making application to the State Bond Commission for approval of said Bonds; and providing for other matters in connection therewith.

WHEREAS, the Parish of Acadia, State of Louisiana (the "Issuer") desires to incur debt and issue not exceeding Three Hundred Thousand Dollars (\$300,000) of its Limited Tax Bonds (the "Bonds"), pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose hereinafter set forth, said Bonds to be payable from an irrevocable pledge and dedication of the funds to be derived by the Issuer from the levy and collection of a special tax of 4.25 mills within the Issuer and outside of the municipalities of Church Point, Crowley, Iota and Rayne (collectively the "Municipalities") and 2.12 mills within the Municipalities, such rates being subject to adjustment from time to time due to reassessment (the "Tax"), which Tax the Issuer is authorized to impose and collect each year pursuant to Article VI, Section 26(A) and (C) of the Louisiana State Constitution; and

WHEREAS, the Issuer is not now a party to any contract pledging or dedicating the revenues of the Tax; and

WHEREAS, the Issuer desires to make application to the State Bond Commission for approval of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Police Jury of the Parish of Acadia, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Acadia, State of Louisiana (the "Issuer"), that:

SECTION 1. Preliminary approval is given to the issuance of not exceeding \$300,000 aggregate principal amount of Limited Tax Bonds of the Issuer (the "Bonds"), pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the Bonds to be issued for the purpose of constructing and acquiring a multipurpose facility for the Issuer, including equipment, accessories and fixtures, and paying costs of issuance of the Bonds, the Bonds to be payable from an irrevocable pledge and dedication of the funds to be derived by the Issuer from the levy and collection of the Tax. The Bonds shall bear interest at a rate or rates not to exceed two and one-fourth (2.25%) per annum and shall mature no later than March 1, 2019. The Bonds shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than par, plus accrued interest, and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the Bonds, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Issuer, together with a letter requesting the prompt consideration and approval of this application. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of said bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue bonds and based on the amount of said bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said bonds. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Secretary of the Governing Authority is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 4. Prior to the delivery of the Bonds, the Issuer intends to expend moneys from other available funds for the Project and reasonably expects to reimburse said expenditures from the proceeds of the Bonds in an amount not exceeding \$300,000. Any such allocation of proceeds of the Bonds for reimbursement will be with respect to capital expenditures (as defined in Treasury Reg. 1.150-1[b]) and will be made upon the delivery of the Bonds and not later than eighteen (18) months after the later of (i) the date such expenditure was paid or (ii) the date on which the Project was placed in service. This Section is intended to be a declaration of official intent within the meaning of Reg. 1.150-2.

This resolution having been submitted to a vote, the vote thereon was as follows:

MEMBERS:	YEAS	NAYS	ABSENT	ABSTAINING
Alton Stevenson	<u>X</u>	_____	_____	_____
A.J. Broussard	<u>X</u>	_____	_____	_____
Julie LeJeune Borill	_____	_____	_____	<u>X</u>
Dale Trahan	<u>X</u>	_____	_____	_____
Jimmie Pellerin	<u>X</u>	_____	_____	_____
A.J. Credeur	<u>X</u>	_____	_____	_____
David Savoy	<u>X</u>	_____	_____	_____
Robert J. Guidry	<u>X</u>	_____	_____	_____

And the resolution was declared adopted on this, the 8th day of September, 2015.

/s/ Dickie Latiolais

Secretary-Treasurer

/s/ Julie LeJeune Borill

President

**RESOLUTION**

BY MESSRS: A. J. CREDEUR AND ALTON STEVENSON

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened on this 8<sup>th</sup> day of September, 2015, does hereby adopt the "Procurement Procedures of the Acadia Parish Police Jury, Relative to the State of Louisiana Governor's Office of Homeland Security & Emergency Preparedness, Hazarded Mitigation Assistance Program."

**BE IT FURTHER RESOLVED** that the President is hereby authorized to sign and all documents in conjunction with this program.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

**RESOLUTION**

BY MESSRS: ALTON STEVENSON AND A. J. CREDEUR

**WHEREAS**, the Acadia Parish Police Jury advertised for an oil, gas and mineral lease as provided by law on a certain tract of land situated within Sections 33, Township 8 South, Range 3 East comprised of 1.3 acres in Acadia Parish and owned by the Acadia Parish Police Jury, **and**

**WHEREAS**, the bid of Beta Land Service, LLC was accepted on October 14, 2014, **and**

**WHEREAS**, Beta Land Service, LLC intends to assign all of their interest in and to the aforementioned lease to Freeport-McMoRan Oil & Gas LLC.

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened this 8<sup>th</sup> day of September, 2015, does hereby accept the assignation of

the aforementioned lease from Beta Land Service, LLC to Freeport-McMoRan Oil & Gas LLC.

**BE IT FURTHER RESOLVED** that the President is hereby authorized to sign any and all documents in conjunction with this lease.

**YEAS:** Alton Stevenson, A. J. Broussard, Dale Trahan, Jimmie Pellerin, A. J. Credeur, David Savoy, and Robert Guidry.

**NAYS:** None.

**ABSENT:** None.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

### **RESOLUTION**

BY MESSRS: ALTON STEVENSON AND A. J. CREDEUR

**WHEREAS**, the Acadia Parish Police Jury advertised for an oil, gas and mineral lease as provided by law on a certain tract of land situated within Section 31, Township 8 South, Range 3 East, and Section 6, township 9 South, Range 3 East comprised of 2.5 acres in Acadia Parish and owned by the Acadia Parish Police Jury, **and**

**WHEREAS**, the bid of Beta Land Service, LLC was accepted on October 14, 2014, **and**

**WHEREAS**, Beta Land Service, LLC intends to assign all of their interest in and to the aforementioned lease to Freeport-McMoRan Oil & Gas LLC.

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened this 8<sup>th</sup> day of September, 2015, does hereby accept the assignation of the aforementioned lease from Beta Land Service, LLC to Freeport-McMoRan Oil & Gas LLC.

**BE IT FURTHER RESOLVED** that the President is hereby authorized to sign any and all documents in conjunction with this lease.

**YEAS:** Alton Stevenson, A. J. Broussard, Dale Trahan, Jimmie Pellerin, A. J. Credeur, David Savoy, and Robert Guidry.

**NAYS:** None.

**ABSENT:** None.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

**RESOLUTION**

BY MESSRS: ALTON STEVENSON AND A. J. CREDEUR

**WHEREAS**, the Acadia Parish Police Jury advertised for an oil, gas and mineral lease as provided by law on a certain tract of land situated within Sections 5 &6, Township 9 South, Range 3 East comprised of 3 acres in Acadia Parish and owned by the Acadia Parish Police Jury, **and**

**WHEREAS**, the bid of Beta Land Service, LLC was accepted on October 14, 2014, **and**

**WHEREAS**, Beta Land Service, LLC intends to assign all of their interest in and to the aforementioned lease to Freeport-McMoRan Oil & Gas LLC.

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened this 8<sup>th</sup> day of September, 2015, does hereby accept the assignation of the aforementioned lease from Beta Land Service, LLC to Freeport-McMoRan Oil & Gas LLC.

**BE IT FURTHER RESOLVED** that the President is hereby authorized to sign any and all documents in conjunction with this lease.

**YEAS:** Alton Stevenson, A. J. Broussard, Dale Trahan, Jimmie Pellerin, A. J. Credeur, David Savoy, and Robert Guidry.

**NAYS:** None.

**ABSENT:** None.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

**RESOLUTION**

BY MESSRS: ALTON STEVENSON AND A. J. CREDEUR

**WHEREAS**, the Acadia Parish Police Jury advertised for an oil, gas and mineral lease as provided by law on a certain tract of land situated within Sections 6 & 7, Township 9 South, Range 3 East comprised of 5 acres in Acadia Parish and owned by the Acadia Parish Police Jury, **and**

**WHEREAS**, the bid of Beta Land Service, LLC was accepted on October 14, 2014, **and**

**WHEREAS**, Beta Land Service, LLC intends to assign all of their interest in and to the aforementioned lease to Freeport-McMoRan Oil & Gas LLC.

**THEREFORE, BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened this 8<sup>th</sup> day of September, 2015, does hereby accept the assignation of the aforementioned lease from Beta Land Service, LLC to Freeport-McMoRan Oil & Gas LLC.

**BE IT FURTHER RESOLVED** that the President is hereby authorized to sign any and all documents in conjunction with this lease.

**YEAS:** Alton Stevenson, A. J. Broussard, Dale Trahan, Jimmie Pellerin, A. J. Credeur, David Savoy, and Robert Guidry.

**NAYS:** None.

**ABSENT:** None.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

A motion was offered by Mr. Alton Stevenson, seconded by Mr. A. J. Broussard and carried, to authorize the Secretary-Treasurer to sign a letter of support for the Telemedicine Project for The Access to Care – A Telehealth Network for Rural Acadia Parish Program.

### **ORDINANCE #1096**

AN ORDINANCE AMENDING TALL GRASS ORDINANCE #897; PROVIDING FOR THE NOTICE, COSTS, AND EXPENSES TO BE COLLECTED.

Ordinance #897 is hereby amended to read as follows: (to facilitate the interpretation of changes made to Ordinance #897, the following indicates words deleted by ~~dashes through such words~~ and indicates words added by underlining such words).

#### **SECTION I. DEFINITIONS.**

The following definitions shall apply to the interpretation and enforcement of this article:

- (a) Lot: Any lot, portion of lots or other property improved or unimproved, located within a recognized subdivision.
- (b) Recognized: A recognized subdivision is defined as:
  - (1) Any tract of land in the unincorporated areas of the Parish which has been approved as a subdivision by the Parish Planning Commission and accepted as such by the Parish Police Jury or illustrated and/or indexed as a "DETAILED SUBDIVISION" within and as part of the Acadia Parish Road System.
  - (2) A subdivision having a plat recorded with the Acadia Parish Clerk of Court and the Tax Assessor whereby 50% plus one (1) of the occupied landowners have signed a petition requesting enforcement of this ordinance in their subdivision.
  - (3) Any lot that is bounded in whole or part on three sides by a recognized subdivision.
- (c) Obnoxious weeds: Shall include but is not limited to Chinese tallow trees a/k/a "chicken trees."

#### **SECTION II. PROHIBITION ON LOTS OR PROPERTY IN THE PARISH.**

- (a) It shall be unlawful for the owner of any occupied or unoccupied lot located in a recognized subdivision outside of the municipalities in

Acadia Parish to permit and allow to remain upon said lot any grass or obnoxious weeds that have reached a height of more than twenty (20) inches.

- (b) In the event that unoccupied lots are used for commercial farming and designated as such by virtue of continuous use, they shall be excluded from the provisions of this article, but in no case shall the owner, tenant or occupant of such property allow it to become a haven for rodents or other dangerous animals or reptiles.

### **SECTION III. NOTICE.**

- (a) Upon notification to the Parish Police Jury that an owner of a lot or lots is in violation of Section II (a), the Police Jury will notify said owner by registered or certified letter notifying him of the violations and that the grass and obnoxious weeds must be cut within fifteen (15) days after the receipt of registered or certified letter.
- (b) In the event that confirmation has not been received for a registered or certified letter and the letter is returned to sender, a Legal Notice will be affixed to a sign and the sign then installed on the lot or lots. The owner will then have fifteen (15) days to cut the grass and obnoxious weeds.
- (c) In the event that an owner has violated Section II of this Ordinance twice or more in a calendar year then the Police Jury will notify said owner by registered or certified letter at the start of the following calendar year stating that the lot in question will be monitored on a monthly basis and grass cut each month thereafter without any notice given.

### **SECTION IV. ENFORCEMENT.**

- (a) If after fifteen (15) days the owner of said lot has not cut and removed the grass and obnoxious weeds, the Police Jury will cause the grass and obnoxious weeds to be cut by a private contractor who will be chosen from rotating order.
- (b) The Police Jury shall appoint a designee and is hereby authorized and empowered to carry out and enforce this provision of the article.
- (c) The designee is hereby authorized to enter property found by the Parish to be in violation of this article.

### **SECTION V. COSTS.**

- (a) The lot owner found to be in violation of this article will be charged an administrative fee of ~~thirty five dollars (\$35.00)~~ one hundred fifty dollars (\$150.00) per lot plus the actual cost to the Parish for legal fees, postage and work performed. ~~having the work performed.~~

### **SECTION VI. LIENS.**

- (a) If the charge has not been paid within thirty (30) days after receipt of the bill, the Police Jury shall file a certified copy of said charges with the recorder of mortgages, and the same, when so filed and recorded shall operate as a lien and privilege against the property on which said weeds and grass were cut and removed.
- (b) The designee is authorized to accept full payment of the lien herein levied and is empowered and instructed to authorize the Parish Clerk of Court to cancel and erase such lien from his records.

**SECTION VII. EXPENSES TO BE COLLECTED AS AD VALOREM TAX.**

- (a) Whenever the Police Jury has taken action to abate the aforementioned nuisances by the employing of Parish forces or by a private contractor and paying for the cutting, destroying and/or removal of such weeds and grass, as set forth in this article, the actual cost and expenses thereof plus the ~~\$35.00~~ \$150.00 administrative fee shall be charged to the owner of such lot. The aforementioned charges shall be added to the annual ad valorem tax bill of the property involved if the charges remain unpaid and shall be collected in the same manner as fixed by law for the collection of taxes and shall be subject to the same penalties and delinquencies.

**SECTION VIII. BE IT FURTHER ORDAINED** that any laws or parts of laws in conflict are hereby repealed.

- (a) Fifteen (15) day period to be determined at the discretion of the compliance officer.

**MISCELLANEOUS**

**STATE LAW REFERENCE** La. R.S. 33:1236(21)(a)(I)

**EFFECTIVE DATE**

Ten days after being promulgated as provided in R.S. 33:1366.

The Ordinance was offered by Mr. David Savoy, seconded by Mr. Robert Guidry, and after being read and considered section by section, was adopted as a whole by the following vote:

**YEAS:** Alton Stevenson, A. J. Broussard, Dale Trahan, Jimmie Pellerin, A. J. Credeur, David Savoy, and Robert Guidry.

**NAYS:** None.

**ABSENT:** None.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

Juror A. J. Credeur stated that the appointment of Mr. Mike Habetz to the Acadia Parish Planning Commission is a conflict of interest due to the fact that he is the employee of a drainage board and is a member of another drainage district.

Mr. Brad Andrus, Parish Attorney, stated that it was not considered dual office holding and his only concern would be the ethical consideration.

A motion was offered by Mr. A. J. Broussard, seconded by Mr. Alton Stevenson, to appoint Mr. Mike Habetz to the Acadia Parish Planning Commission to fill the unexpired term of Mr. Derek Bisig. Motion failed.

**RESOLUTION**

BY MESSRS: ROBERT GUIDRY AND DAVID SAVOY

**BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened this 8<sup>th</sup> day of September, 2015, does hereby appoint Mr. Mike Habetz to the Acadia Parish Planning Commission to fill the unexpired term of Mr. Derek Bisig, effective September, 2015 and ending August, 2016.

**BE IT FURTHER RESOLVED** that this appointment is contingent upon the receipt of a favorable opinion from the Louisiana Board of Ethics.

**YEAS:** Alton Stevenson, A. J. Broussard, Dale Trahan, Jimmie Pellerin, A. J. Credeur, David Savoy, and Robert Guidry.

**NAYS:** None.

**ABSENT:** None.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

A motion was offered by Mr. A. J. Credeur, seconded by Mr. Dale Trahan and carried, to accept the recommendation of the Building and Grounds Committee that the Police Jury instruct that a full financial analysis for the repair or replacement of the Modular Buildings at the Acadia Parish Jail be performed.

Mr. Jason Gossen, Chairman of the Planning Commission, stated that he was not familiar with what a hydraulic study would show or prove when they know that Rue Novembre floods and that his issue with the Planning Commission is that they can only table the item or approve it and were not sure how to proceed. He suggested that a policy or ordinance be adopted that if any subdivision that comes to the Planning Commission for approval receives a complaint from the local board member, a drainage board member, the road department or the public, then the Police Jury would conduct a study to determine the historical watermark and determine how high the developer would need to develop above that.

Juror David Savoy stated that he agreed with Mr. Gossen's idea and to include the NRCS in the reviewing process.

Juror A. J. Credeur stated that this same area, located on Lafayette's side of the boundary line, is in a flood zone.

Juror A. J. Broussard stated that if the developer has followed the guidelines then it should be approved and they should note on the plat that it is in a Zone X flood zone but prone to flooding.

Mr. Mitchell Studebaker, the developer for the proposed subdivision, stated the following:

*The issue before you is the planning commission is waiting on a recommendation from you as to whether or not they should approve our preliminary plans for CM Development. Our issue appears to be flooding in the area whether or not we have met all the existing ordinances to begin construction. At the committee meeting held September 1<sup>st</sup> the committee recommended a hydraulic study. FEMA did a hydraulic study in order to determine the minimum elevations for construction in order to be eligible for flood insurance, as per the maps dated May 1, 2013. Flood zones have a*

*minimum elevation for construction. It does not prohibit construction. Even though we have no minimum flood elevation on this site we would be willing to place the same minimum elevation as the nearest flood zone area. No one wants water in their house. That is a point taken. I agree that the parish-wide hydraulic should be done as to assess on all new construction; however if we meet all other requirements for construction and you elect to withhold our approval for any permitting due to the study I recommend that you withhold all new construction parish wide until the study is conducted. If you are genuinely concerned for the flooding of the owners in a new construction you must take all owners of construction into consideration since all of Acadia Parish is either within a flood zone or a Zone X as of May 1, 2013. In the addition it is quite interesting that one of the people is so concerned for the flooding as a next door neighbor of mine to the new member of the community is building a new house next door to our property. And I actually have pictures taken from the property line because he started construction last weekend. Being concerned for flooding for his construction needs to halt until the study has been completed. What is important for one is important for all and we are a country of equality not discrimination. In closing I want what every other citizen wants, the right to develop my property. Once again if the study is so necessary and the parish can afford it then make it necessary for everyone to wait until the study is completed. The pictures that you have seen of flooding has maybe occurred three times in the last twenty years, one being during Hurricane Andrew. My main concern is no we are not in a flood zone, we are in zone x and to disclose to these people when the water comes up you will have water crossing the road. My problem is the road is an old country road and was built to access the fields and maybe one house. Another problem is right past the drainage canal the road deviates 10 inches in 175 feet. We asked the parish if they could elevate the road to the same height the whole length of the road. When there are one of the big 10 inch rains the water is gone within 30 hours. These houses we will be putting out here will not be slab built houses. They will be modular houses fixated on top of a slab blocked thirty to thirty-six inches. The road in the development will be elevated and will not flood so that these people have access to their houses. Where my road will meet the parish owned road will be out of my control. Also we will do a drainage analysis on the property. They have some neighbors complaining that we will be putting water on them and that we cannot build up the houses but he built an 18 inch pad last weekend. Where is his displaced water going? Ryan Hebert is doing all the engineering on this property and we will not be cutting any corners. All we are doing is trying to better the community and bring in an upscale modular house community and it will raise the property value on the surrounding property.*

Juror A. J. Credeur stated that his mother was a school bus driver and he can attest where that 150 ft. deviation is on the road the water has gotten up to the second step of her school bus.

A motion was offered by Mr. A. J. Broussard, seconded by Mr. David Savoy and carried, to accept the recommendation of the Legislative Committee to conduct the hydraulic study to be performed on Rue Novembre by the NRCS if it is free of charge and that if a proposed development is located in a Zone X Flood Zone that is prone to flooding, then that must be indicated in the property description and/or on the plat.

Discussion was held regarding the Planning Commission's approval of the preliminary plat of CM Development. President Julie Borill stated that the hydraulic study to be performed does not prevent the Planning Commission from approving the development.

### **RESOLUTION**

BY MESSRS: ROBERT GUIDRY AND JIMMIE PELLERIN

**BE IT RESOLVED** by the Acadia Parish Police Jury in regular session duly convened this 8<sup>th</sup> day of September, 2015, does hereby authorize the President to execute the 2015 Emergency Aerial Mosquito Control Service Agreement with Clarke Environmental Mosquito Management.

**BE IT FURTHER RESOLVED** that the President is hereby authorized to sign and all documents in conjunction with this agreement.

**ADOPTED:** SEPTEMBER 8, 2015

**ATTEST:**

/s/ Richard Latiolais  
RICHARD LATIOLAIS  
SECRETARY-TREASURER

/s/ Julie Borill  
JULIE BORILL  
PRESIDENT

A motion was offered by Mr. Dale Trahan, seconded by Mr. A. J. Broussard and carried, to accept the recommendation of the Road and Bridge Committee that the Police Jury authorize the calling of a public hearing to receive comments on the setting of a 40 MPH Speed Limit on Meche Road from L. Boudreaux Road to Highway 98.

A motion was offered by Mr. Dale Trahan, seconded by Mr. A. J. Broussard and carried, to accept the recommendation of the Road and Bridge Committee that the Police Jury Authorize the calling of a public hearing to receive comments on the setting of a 35 MPH Speed Limit on Roxie Highway from Norris Melancon Road to Richard School Road.

A motion was offered by Mr. Dale Trahan, seconded by Mr. A. J. Broussard and carried, to accept the recommendation of the Road and Bridge Committee that the Police Jury approve the project permit of Vernon Fusilier for replacement of agricultural irrigation pipe on Sonny Lane.

A motion was offered by Mr. David Savoy, seconded by Mr. Jimmie Pellerin and carried, to accept the recommendation of the Solid Waste Committee that the Police Jury approve budget adjustment for additional geotechnical and hydrogeological services for the Acadia Parish Sanitary Landfill.

A motion was offered by Mr. David Savoy, seconded by Mr. Robert Guidry and carried, to accept the recommendation of the Solid Waste Committee that the Police Jury approve the installation of additional monitoring wells at the Acadia Parish Sanitary Landfill.

A motion was offered by Mr. A. J. Broussard, seconded by Mr. David Savoy and carried, to accept the recommendation of the Finance Committee that the Police Jury declare the following items surplus and authorize sale thereof:

<b>Item</b>	<b>Location</b>
London Fog Truck Mount	Old Mosquito Control Office
Propane Bottle	Old Mosquito Control Office
Stove Top	Old Mosquito Control Office
Sink	Old Mosquito Control Office
Mini Hand Held Fogger	Old Mosquito Control Office
Mini Hand Held Fogger	Old Mosquito Control Office
Back Pack Fogger	Old Mosquito Control Office
Phone (3)	Old Mosquito Control Office
Printer	Old Mosquito Control Office
Desk	Old Mosquito Control Office
Brazier/Cooker	Sheriff's Department/Jail
Marantz CD Recorder w. Reporter	Courthouse
Marantz CD Recorder w. Reporter	Courthouse
Dell Latitude Laptop (Not Operational)	Courthouse
Buffer/Pacemaker P20	Courthouse
Lawn Vac	Courthouse
Mixer-Soundmaster	Courthouse

DOD 830 Equalizer	Courthouse
2002 Chevrolet Venture Van	Rayne Community Clinic

A motion was offered by Mr. A. J. Broussard, seconded by Mr. Robert Guidry and carried, to accept the recommendation of the Finance Committee that the Police Jury approve 2015 Midyear Budget Adjustments.

A motion was offered by Mr. Dale Trahan, seconded by Mr. A. J. Broussard and carried, to accept the recommendation of the Finance Committee that the Police Jury approve the purchase of a small excavator for the Branch Barn, a dump truck for the Iota Barn and approve a budget adjustment for said purchases.

A motion was offered by Mr. Dale Trahan, seconded by Mr. A. J. Broussard and carried unanimously, to enter into executive session for an update on ongoing litigation: Safeway & Watson vs. APPJ.

A motion was offered by Mr. A. J. Credeur, seconded by Mr. A. J. Broussard and carried unanimously, to adjourn executive session.

A motion was offered by Mr. Alton Stevenson, seconded by Mr. David Savoy and carried, to authorize Mr. Doug Wimberly, Parish Litigation Attorney, to negotiate a settlement in regards to Safeway & Watson vs. APPJ as per his recommendation in executive session.

The Secretary-Treasurer presented the monthly financial report.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE MEETING, THE MOTION WAS OFFERED DULY SECONDED, THAT THE MEETING ADJOURN UNTIL THE NEXT REGULARLY SCHEDULED MEETING OF TUESDAY, OCTOBER 13, 2015, AT THE HOUR OF 6:30 P.M.**

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**SECRETARY-TREASURER**

\_\_\_\_\_  
**PRESIDENT**