

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in the Belle Chasse Council Building Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, March 12, 2020, at 5:03 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Commissioner Richie Blink, Chairman  
Commissioner John L. Barthelemy, Jr.  
Commissioner W. Beau Black  
Commissioner Corey Arbourgh  
Commissioner Stuart J. Guey  
Commissioner Benedict Rousselle  
Commissioner Trudy Newberry  
Commissioner Carlton M. LaFrance, Sr.  
Commissioner Mark Cognevich

Kim M. Toups, Secretary

Sandy Sanders, Paul Matthews, and Christie Nielsen were present to represent the Port.

The Prayer said and the Pledge was recited.

The following items were deferred:

- 9c, “A Resolution establishing a calendar policy for the administrative staff of the Plaquemines Port, Harbor and Terminal District; and otherwise to provide with respect thereto”; and
- 9d, “A Resolution authorizing and directing Maynard J. “Sandy” Sanders, Executive Director of the Plaquemines Port, Harbor & Terminal District, to execute an Employment Contract for services by Paul Matthews, as Deputy Port Director, between the Plaquemines Port, Harbor & Terminal District (Port), and Paul Matthews, effective April 30, 2020, for a term of three years; and otherwise to provide with respect thereto” was offered for discussion. A discussion was held and then the matter was deferred.

There being no Executive Session, Commissioner Blink moved to Agenda Item 3, “Status report by the Executive Port Director”. Without objection, so ordered. The following was reported by Sandy Sanders:

- We met with the Dallas County Commission at a board meeting wherein there was an agreement to enter into a MOU between the Port and the Dallas County Inland Port. This will be a major Port 2020 goal and when fully matured the Dallas Port will be a 90,000 acre industrial site;
- He attended a Hyper-rail visioning workshop regarding the cutting edge concept wherein containers will be loaded at the port and transported to location where they will be moved by Class 1 rail; and
- They met with principals of the New Orleans Gulf Coast Railway and an interested party in funding the rail bypass project. They were driven through the route of the bypass around the Naval Air Station. Talks are on-going and there is a plan to meet again; and
- Today the Supplement Pay Board approved the Port to receive supplemental pay for the firefighters. Thanks go out to Paul Matthews and Donald Durr; and
- He is a proud dad who got to induct his daughter into the Army today; and
- John Helmers from the Plaquemines Parish Government, Darryl Broussard from the Army Corps of Engineers and Brent Duhe Coastal Restoration provided a BUDMAT update. There was a lengthy discussion after the presentation with questions being asked by some commissioners.

Commissioner Blink moved to Agenda Item 3b, “Financial Report/Budget to Actual”. Without objection, so ordered. Mr. Paul Matthews said that there was nothing to report.

There being no Bids or Advertisements, Commissioner Blink moved to Item 5, “Introduction of Ordinances and Resolutions”. Without objection, so ordered. The following items were introduced:

1. An Ordinance of the Plaquemines Parish Council acting as the Sole Governing Authority of the Plaquemines Port, Harbor and Terminal District to authorize and direct the purchase of the

Popich Building from Plaquemines Parish Government; and otherwise to provide with respect thereto. COMMISSIONER BLACK

2. An Ordinance to amend the Plaquemines Port, Harbor and Terminal District 2020 Operating Budget of Revenue and Expenditures for receipt of Federal Funds from the Water Resources Reform and Development Act of 2014; and otherwise to provide with respect thereto. COMMISSIONER BLINK

Commissioner Blink moved to Agenda Item 6, “Ordinances and Resolutions on Second Reading and Final Passage”. Without objection, so ordered.

Commissioner Arbourgh offered a substitute to Item 6b which provided for both Port meetings each month to be moved to 1:00 p.m. Commissioner Arbourgh then offered an Amendment to move only the Port meetings held in Pointe-a-la-Hache to 1:00 p.m. The amendment was seconded by Commissioner Barthelemy and on roll call all present voting “YES” except Commissioners Black, LaFrance, Blink and Cognevich voting “NO”, the motion for amendment was adopted by a vote of 5-4. On motion of Commissioner Arbourgh offering the ordinance as amended, seconded by Commissioner Barthelemy and on roll call all members present voting “NO”, except Commissioners Barthelemy, Arbourgh, Guey and Newberry voting “YES” Ordinance No. 20-25 entitled, “An Ordinance to amend and as amended re-adopt Rule 1 in Chapter I of Section 2-18 of the Code of Ordinances for Plaquemines Parish relative to the Plaquemines Port, Harbor & Terminal District; to rescind, annul and set-aside Ordinance Nos. 19-150, 19-37 and 16-46; and otherwise to provide with respect thereto” FAILED by a vote of 5-4.

There being no items under New Business, Commissioner Blink moved to Agenda Item 8, “Approval of the Minutes”. Without objection, so ordered.

On motion of Commissioner Barthelemy, seconded by Commissioner LaFrance, and on roll call all members present voting “YES”, except Commissioner Arbourgh, Resolution No. 20-76 approving the minutes from the February 27, 2020, regular Port Meeting, as recorded by the Secretary of this Council was adopted by a vote of 8-0.

There being no further business to come before this Council, on motion Commissioner Rousselle, seconded by Commissioner Blink and on roll call all members present and voting “Yes”, except Commissioner Arbourgh who were “ABSENT”, the meeting adjourned at 6:21 p.m.

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Chairman

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Secretary

A full copy of any ordinance or resolution adopted at this Port meeting can be obtained by either contacting the Council Secretary’s Office at 504-934-6307 or via email at [council@ppgov.net](mailto:council@ppgov.net). Also, a link to the full video recording of this meeting is available on the Plaquemines Parish Government’s website at <https://plaqueminspaish.com>.

Minutes of a meeting of the Plaquemines Parish Council, held in the Belle Chasse Council Building Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, March 13, 2020, at 6:41 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Carlton M. LaFrance, Sr., Chairman Council  
Council Member John L. Barthelemy, Jr.  
Council Member W. Beau Black  
Council Member Corey Arbourgh  
Council Member Stuart J. Guey  
Council Member Benedict Rousselle  
Council Member Trudy Newberry  
Council Member Richie Blink  
Council Member Mark Cognevich

Kim M. Toups, Secretary

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine and the three Charter Directors, Todd Eppley, Crystal Taylor and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 9a(1), “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. 2019-422, dated November 25, 2019”; and
- 9a(2), “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. 2019-419, dated November 25, 2019”; and
- 9a(3), “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. 2019-420, dated November 25, 2019”; and
- 9a(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. 2019-421, dated November 25, 2019”; and
- 9c, “A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 10, 12, & 14 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-422, dated November 25, 2019”; and
- 9d, “A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 1, 3 & 5 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-419, dated November 25, 2019”; and
- 9e, “A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lot 4 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-420, dated November 25, 2019”; and
- 9f, “A Resolution denying the requested Map Change filed by Stacie Rowland, from RS-2 (Single Family Residential) Zoning District to RM-2 (Multiple Family) Zoning District for Lots 7, 9, 11, & 13 of the St. Clair Estate Subdivision, Rue St. Clair, Braithwaite, Plaquemines Parish, Louisiana, all in accordance with Application No. 2019-421, dated November 25, 2019”; and
- 9g, “An Ordinance to amend, and as amended readopt, the Plaquemines Parish Code of Ordinances, Section 2-17, “Rules for Transaction of Business Before the Council”, Chapter 1,

- “Meetings of the Plaquemines Parish Council”, Rule 1; to rescind, annul and set-aside Ordinance Nos. 19-158 and 13-165; and otherwise to provide with respect thereto”; and
- 9h, “An Ordinance authorizing the Parish President or his designee to do all things necessary and proper to effectuate a lease between Plaquemines Parish Government and Equiland, Inc., attached hereto as Exhibit “1;” and otherwise to provide with respect thereto. (Square 43 off of Main St. near PPSO Lockup); and
  - 9i, “An Ordinance authorizing the Parish President or his designee to do all things necessary and proper to effectuate a lease between Plaquemines Parish Government and First Equity, Inc. and Equiland, Inc., attached hereto as Exhibit “1;” and otherwise to provide with respect thereto” (Railroad spur); and
  - 9p, “An Ordinance to amend the 2020 Manpower Structure, 911 Services Department; and otherwise to provide with respect thereto”; and
  - 9q, “An Ordinance supporting and ratifying Plaquemines Parish Civil Service Commission Resolution No. \_\_\_\_, attached hereto as Exhibit A, amending Civil Service Rule IV, Section 6.4 relative to overtime pay; and otherwise to provide with respect thereto”; and
  - 9r, “An Ordinance supporting and ratifying Plaquemines Parish Civil Service Commission Resolution No. \_\_\_\_, attached hereto as Exhibit A, amending Civil Service Rule IV, Section 4.1 relative to Merit Increases; and otherwise to provide with respect thereto”; and
  - 10e, “District 3 update-Items 1) curb repair, 2) dead trees behind houses on Schlieff; and
  - 10f, “Discussion regarding the Good New Drainage Project”.

The following items were withdrawn:

- 9b, “An Ordinance to amend the Five Year Capital Improvements Plan, Waterline Replacement-Highway 39 Project and otherwise to provide with respect thereto” was offered for discussion only. A discussion was held and then the item was withdrawn.
- 9s, “A Resolution to replace a member of the Coastal Zone Advisory Committee; and otherwise to provide with respect thereto”; and
- 10e, “District 3 update- item 3) cable company contract.

Council Member LaFrance moved to Agenda Item 2, “Executive Session. Without objection, so ordered.

On motion of Council Member LaFrance, seconded by Council Member Black, and on roll call all members present and voting “YES”, Resolution No. 20-77 resolving the Council into Executive Session at 6:53 p.m. for the purpose of hearing a report and recommendations and strategy advice for the management of litigation from its attorney concerning: *Dynamic Constructors, LLC, v. Plaquemines Parish Government*, Case No. 63-082, 25<sup>th</sup> Judicial District Court, Division “B” and *Stuart Consulting Group, Inc. v. Plaquemines Parish Government*, Case No. 60-296, 25<sup>th</sup> Judicial District Court, Division “B”, was adopted by a vote of 9-0. The Council came out of Executive Session at 7:20 p.m. with no final or binding action taken.

Council Member LaFrance moved to Agenda Item 3, “Proclamations”. Without objection, so ordered.

On motion of Council Member Rousselle, with a unanimous second, an upon roll call all members present voting “YES”, March 28, 2020 as Blinded Veterans Day in the Parish of Plaquemines was adopted by a vote of 9-0.

Council Member Rousselle asked to move to Agenda Item 10i, “Discussion and presentation by Capital Area Finance Authority (cafa) regarding programs to help qualified potential home buyers”. Without objection so ordered.

Kristin Delahoussaye from Capital Area Finance Authority handed out information to the Council Members and made presentation regarding the program and the benefits to the residents and the Parish Government. She stated she could make a presentation to the lenders and realtors in the Parish to educate them on the process and see if they would offer the program. Council Member Newberry asked her how was the program funded and she replied it was self-sustaining. A question was asked if there was an income limit for those wanting to participate and Ms. Delahoussaye said yes. Council Member Rousselle asked what the next step would be if the Parish was interested and Ms. Delahoussaye said it would be for the Parish to enter in to a CEA with cafa.

Council Member LaFrance moved to Agenda Item 4, "Status Report by the Parish President". Without objection, so ordered. President Lepine reported the following stated that the Administration is in preparation mode monitoring and preparing since last week. A meeting was held with entities throughout the parish discussing plans to monitor and prepare for the COVID 19. Parish entities have been in communication with the Department of Health regarding the virus and monitoring the situation closely, as well as, monitoring all data from State and Federal partners. There are no cases in Plaquemines Parish. The Parish is providing information on all social platforms and reiterating state protocol to wash your hands with soap and water, use hand sanitizer and social distancing. President Lepine stressed the importance of listening to authorities and take precautions, etc. as outlined in previous communications. Updates will continue on all social media platforms and public libraries throughout the Parish.

Council Member LaFrance advanced to Agenda Item 10a(1). Without objection, so ordered.

Council Member Newberry offered a Motion to Suspend the Rules to add an item to the agenda for consideration today entitled, "A Resolution relative to policies and precautions to aid in the prevention of the spread of the COVID – 19 virus and other similar viruses; and to provide for related matters". The motion was seconded by Council Member Blink and on roll call, all members present voting "YES", the motion was adopted by a vote of 9-0. On motion of Council Member Newberry, seconded by Council Member Blink and on roll call all members present voting "YES", Resolution No. 20-78, entitled "A Resolution relative to policies and precautions to aid in the prevention of the spread of the COVID – 19 virus and other similar viruses; and to provide for related matters" was adopted by a vote of 9-0.

Council Member LaFrance moved to Agenda Item 4b, "Update by Charter Directors". Without objection, so ordered. Council Member Newberry thanked Mr. Helmers for the updates he sends prior to meetings and asked if the boats are still in the slips where money is owed. Mr. Helmers stated yes, they are in our slips and we have found out that some have filed for bankruptcy. The next step is to have them picked up and put on dry land where the bankruptcy court can look at them and advise the Parish of the next step.

Council Member Rousselle stated that he has had issues with broken concrete being dumped on Barrier Road for the last few years. He has sent work requests over the last few years for the removal of the concrete and has discovered that the contractors have been instructed by the Engineering Department to dump them at that site. Council Member Rousselle stated that no one indicated this was to be used as a dump site for broken concrete and that Walker Road was a better place for the concrete to be dumped. President Lepine stated that going forward all will be directed to Walker Road.

Council Member LaFrance asked if there were any plans to rent a concrete crusher this year and President Lepine said the Administration is looking into this matter. Council Member LaFrance asked Director Rousselle about the Pointe Celeste Levee and if he was able to obtain photos of the area. Director Rousselle stated that he would get with Mr. Beshel and said there was some minor damage.

Council Member LaFrance asked Mr. Dugas the Engineering Department for an update on the Suzie Bayou Project. Mr. Dugas advised that the project was close to be resumed but a change order came in. A survey of the new spoil area is needed and will determine if the change order is needed. If so, they will proceed with the contract. He is hoping to start in April. Mr. Rousselle requested that a discussion regarding Suzie Bayou Project be placed on the agenda for the next meeting.

Mr. LaFrance stated that he spoke with Mr. Warren Lawrence who advised him that during Mardi Gras week, a group of about 10 people came to the Myrtle Grove Community to look at the culverts and the road where the dam is going to be constructed at the pump station and wanted to know if the Administration knew about the visit. President Lepine advised he was not aware of it.

There being no Bids and Advertisements, Council Member LaFrance moved to Beer and Liquor permits. Without objection, so ordered.

On motion of Council Member Barthelemy, seconded by Council Member Rousselle and on roll call all members present voting "YES", Resolution No. 20-79 authorizing the issuance of a special event temporary beer/liquor license to Dondra Kientz for the Plaquemines Parish Heritage &

Seafood festival from May 15, 2020 beginning at 6:00 p.m. to May 17, 2020 ending at 9:00 p.m., located at the Belle Chasse Government Complex Festival Grounds, 333 F. Edward Hebert Blvd., Belle Chasse and to Louis Thompson for the Grand Bayou Fishing Rodeo fundraiser, from April 18, 2020 beginning at 6 a.m. until April 19, 2020, ending at 8:00 p.m.

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

Items 7a(1), 7a(2) and 7a(4) were taken *en globo*:

On motion of Council Member Black, seconded by Council Member Arbourgh, and on roll call all members present voting "YES", except Council Members Black and Cognevich who "ABSTAINED", Resolution No. 20-80 was adopted approving the applications for construction permit in the Parish of Plaquemines for Targa Resources, Application No. 2020-133, dated February 18, 2020, emergency evacuation operation at the existing Venice Gas System Plant, to allow for the safe and unimpeded water supply to fire suppression water intake structure at the existing facility as well as another adjoining facility, 1565 Tidewater Road off Pass Tante Phine; and Moem Pipeline, LLC, Application No. 2020-159, dated February 27, 2020, proposed three anomaly repairs at four sites along the existing 14-inch Moem Pipeline, Black Bay; and Houston Energy Operating, L.P., Application No. 2019-888, dated December 30, 2019, dredge, install pile clusters, drill the LL&E Well No. 1 and install well head protector, Lake Washington Field was adopted by a vote of 7-0-2.

Item 7a(3):

On motion of Council Member Rousselle seconded by Council Member Newberry, and on roll call all members present voting "YES", Resolution No. 20-81 was adopted approving the application for construction permit in the Parish of Plaquemines for Kevin D. Gardner, Application No. 2020-177, dated March 2, 2020, install a two slip 35' x 62' boat house, dock and walkway, 280 Pi Street, Lot #21, Belle Chasse was adopted by a vote of 9-0.

Agenda Items 7b through 7h were taken *en globo*:

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-82 approving the renewal of a trailer park permit to Frank Daigle for the operation of an existing trailer park (Shady Oaks Trailer Park) located in a MH (Mobile Home) Zoning District on Shady Oaks Lane, Belle Chasse, Louisiana, all in accordance with Application No. 2019-772, dated November 12, 2019, was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-83 approving the renewal of a trailer park permit to Ellzey Properties, LLC for the operation of an existing trailer park (Ellzey Properties, LLC) located in a MH (Mobile Home) Zoning District on Sooner Lane, Venice, Louisiana all in accordance with Application No. 2020-31 dated January 9, 2020, was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-84 approving the renewal of a trailer park permit to Sokham Srey, for the operation of an existing trailer park (Sokham Srey Trailer Park) located in a MH (Mobile Home) Zoning District on Perry Lane, Buras, Louisiana all in accordance with Application No. 2020-32, dated January 6, 2020, was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-85 approving the renewal of a trailer park permit to Gary Falcon for the operation of an existing trailer park (Falcon Crest Trailer Park #1) located in an A-2 (Rural or Agricultural) Zoning District on Falcon Loop, Empire, Louisiana all in accordance with Application No. 2020-43, dated January 15, 2020, was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-86 approving the renewal of a trailer park permit to Gary Falcon for the operation of an existing trailer park (Falcon Crest Trailer Park

#2) located in an A-2 (Rural or Agricultural) Zoning District on Falcon Crest Lane, Triumph, Louisiana all in accordance with Application No. 2020-45, dated January 15, 2020, was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-87 approving the renewal of a trailer park permit to Anthony Danos for the operation of an existing trailer park (Danos Rentals, LLC) located in an A-2 (Rural or Agricultural) Zoning District on R.P. Lane, Triumph Louisiana, all in accordance with Application No. 2020-75, dated January 28, 2020, was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No. 20-88 approving the renewal of a trailer park permit to Carol Turner for the operation of an existing trailer park (C & H Mobile Home Park) located in an A-2 (Rural or Agricultural) Zoning District on 26287 Highway 23, Port Sulphur, Louisiana, all in accordance with Application No. 2020-83, dated January 22, 2020, was adopted by a vote of 9-0.0

Item 7i

On motion of Council Member Blink, seconded by Council Member Cognevich, and on roll call all members present voting "YES", Resolution No 20-89 approving the issuance of a special permit to Empire Fireworks, Charles Le Normand, for the installation of a fireworks stand (renewal) on property located in a C-2 (General Commercial) Zoning District at 32381B Highway 23, Empire, Louisiana, all in accordance with Application No. 2020-182, dated March 2, 2020, was adopted by a vote of 9-0.

Item 7j

On motion of Council Member Blink, seconded by Council Member Newberry, and on roll call all members present voting "YES", Resolution No. 20-90 approving the conditional approval for 33 additional spaces to Rodney Hight for an existing trailer park (Cruisers RV Park) located in a MH (Mobile Home) Zoning District on Logan Lane, Belle Chasse, Louisiana, all in accordance with Application No. 2020-152, dated February 19, 2020, was adopted by a vote of 9-0.

Council Member LaFrance moved to Agenda Item 8, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following items were introduced:

1. An Ordinance to amend the 2020 General Fund, Operating Expenditure Budget, Recreation Department, Davant Summer Recreation Program Division; and otherwise to provide with respect thereto. COUNCIL MEMBER NEWBERRY
2. An Ordinance to amend and as amended, re-adopt Article III, Section 6-62 of the Plaquemines Parish Code of Ordinances regarding docking in the Venice Boat Harbor; to rescind, annul and set-aside Ordinance No. 10-121; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
3. An Ordinance to amend and as amended, readopt Section 6.5 of Article 1 of Chapter 6 Boats, Marinas, Marine Vessels and Terminals of the Parish Code of Ordinances; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
4. An Ordinance to declare certain Parish property as surplus and to initiate the process for disposition thereof; and otherwise to provide with respect thereto. COUNCIL MEMBER BLACK
5. A Resolution concerning approval of partial settlement of the following litigation as to defendant, Freeport McMoRan. COUNCIL MEMBER LAFRANCE
6. An Ordinance to amend the 2020 Operating Expenditure Budget, Waterworks & Sewerage Fund, Waterworks & Sewerage Operations Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE

7. An Ordinance to amend the 2020 Operating Expenditure Budget, General Fund, Engineering & Public Works Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
8. An Ordinance to amend Section XII. Amendments and Petitions of Ordinance No. 142, the Comprehensive Zoning Ordinance, to authorize the Plaquemines Parish Council to establish rules, regulations, procedures and requirements for the issuance of temporary permits for the placement and operation of R/V parks, R/V sites, campgrounds, and other temporary housing units or facilities in any zoning district and temporarily suspend any and all map change (rezone petition) requirements related thereto; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
9. An Ordinance to amend the 2020 General Fund, Operating Expenditure Budget, Legal Judgments Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE

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

Council Member Rousselle offered a substitute to Agenda Item 9a(5). On motion of Council Member Rousselle, seconded by Council Member Cognevich and on roll call all members present voting “YES” Ordinance No. 20-26, entitled “An Ordinance authorizing the Parish President to do all things necessary to acquire a drainage servitude at no cost to Plaquemines Parish Government relative to property at the Belle Chasse Mobile Home Park, Cedar Grove, LA; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.

On motion of Council Member Guey, seconded by Council Member Cognevich, and on roll call all members present voting “YES” Ordinance No. 20-27, entitled “An Ordinance approving a plan of re-subdivision of the property of Numa C. Hero and Son, Dr. Daniel, Jr. and Judy B. Marshall and Smail Property Development LTD, LLC, in Plaquemines Parish, Louisiana, as shown on the Map of Re-subdivision of Lots 111, 112, and 113 into Lots 111-A, 112-A, 113-A and 113-B, Square G, Concession Front Third Subdivision by Dading, Marques and Associates, LLC, certified by Cody A. Dimarco, P.L.S., dated June 17, 2019, the owners having fulfilled all the requirements of the Subdivision and Re-subdivision 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” was adopted by a vote of 9-0.

Council Member Barthelemy requested to return to Agenda Item 8, “Introduction of Ordinances and Resolutions”. Without objection, so ordered.

1. An Ordinance to amend the Five Year Capital Improvements Plan, Waterline Replacement-Highway 39 Project; and otherwise to provide with respect thereto. COUNCIL MEMBER BARTHELEMY

Council Member Blink requested to return to Agenda Item 7a(4). Without objection, so ordered.

Council Member Blink made a Motion for Reconsideration on the vote of Item 7a4 which was taken en globo; however, it was for conditional approval and needed to be taken alone. Council Member Guey seconded the motion and on roll call all members present voting “YES except Council Members Black and Cognevich who “ABSTAINED”, the motion was adopted by a vote of 7-0-2. On motion of Council Member Blink, seconded by Council Member Guey, and on roll call all members present voting “YES”, except Council Members Black and Cognevich who “ABSTAINED” Resolution No. 20-91 conditionally approving the application for construction permit in the Parish of Plaquemines for Houston Energy, L.P., Application No. 2019-888, dated December 30, 2019, dredge, install pile clusters, drill the LL&E Well No. 1 and install well head protector, Lake Washington Field was adopted by a vote of 7-0-2.

On motion of Council Member Cognevich, seconded by Council Member Blink, and on roll call all members present voting “YES” Resolution No. 20-92, entitled “A Resolution authorizing the Parish President or his designee to do all things necessary and proper to settle and compromise the case of Dynamic Constructors, LLC v. Plaquemines Parish Government, 63-082; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.



On motion of Council Member Rousselle, seconded by Council Member Cognevich, and on roll call all members present voting “YES”, except Council Member Guey who was “ABSENT” and Council Members Black and Cognevich who “ABSTAINED”, Resolution No. 20-93, entitled “A Resolution urging and requesting the assistance of the Louisiana Legislative Delegation to seek relief through a change in legislation regarding severance tax exemptions and their detrimental impact on Parish Government; and otherwise to provide with respect thereto” was adopted by a vote of 6-0-2.

On motion of Council Member Rousselle, seconded by Council Member Cognevich, and on roll call all members present voting “YES”, Resolution No. 20-94, entitled “A Resolution urging the Police Jury Association of Louisiana and officials of the State of Louisiana to study, evaluate, and revise the law of this State as regards to statutorily unfunded mandates imposed upon parish governing authorities; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.

Council Member Rousselle offered a substitute to Item 9m. On motion of Council Member Rousselle, seconded by Council Member Arbourgh and on roll call all members present voting “YES”, except Council Member Cognevich who “ABSTAINED” Resolution No. 20-95, entitled “A Resolution expressing the Plaquemines Parish Council’s strenuous objection to the allocation of federal mineral revenue to federal programs unless the allocation also increases the GOMESA revenue that is shared with Gulf Coast states; expressing its full support of S. 2418 and H.R. 3814, which seek to increase GOMESA revenue sharing with Gulf Coast States to a level that is more on par with the revenue sharing with onshore mineral production states; and otherwise to provide with respect thereto” was adopted by a vote of 8-0-1.

On motion of Council Member LaFrance, seconded by Council Member Blink, and on roll call all members present voting “YES”, Resolution No. 20-96, entitled “A Resolution authorizing the Parish President to do all thing necessary and proper to settle and compromise Stuart Consulting Group, Inc. v. Plaquemines Parish Government, Case No. 60-296, 25th Judicial District Court, Division B; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.

On motion of Council Member LaFrance, seconded by Council Member Guey, and on roll call all members present voting “YES”, Ordinance No. 20-28, entitled “An Ordinance to amend the 2020 General Fund, Operating Expenditure Budget, Legal Judgments Department; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.

Council Member Cognevich moved to Agenda Item 10, “New Business”. Without objection, so ordered.

#### Item 10a(2)

Council Member LaFrance offered a Motion to Suspend the Rules to add an item to the agenda for consideration today entitled, “A Resolution concerning the Plaquemines Parish Council’s opposition to Senate Bill 359, House Bill 520, and other similar proposed legislation in the 2020 Regular Session of the Louisiana Legislature”. The motion was seconded by Council Member Rousselle and on roll call, all members present voting “YES”, except Council Member Newberry voting “NO” and Council Members Black and Cognevich who “ABSTAINED”, the motion was adopted by a vote of 6-1-2. On motion of Council Member LaFrance, second by Council Member Rousselle and on roll call all members present voting “YES”, except Council Members Black, Newberry and Cognevich who “ABSTAINED” Resolution No. 20-97, entitled “A Resolution concerning the Plaquemines Parish Council’s opposition to Senate Bill 359, House Bill 520, and other similar proposed legislation in the 2020 Regular Session of the Louisiana Legislature” was adopted by a vote of 6-0-3.

#### 10a(3)

Council Member Cognevich offered a Motion to Suspend the Rules to add an item to the agenda for consideration today entitled, “A Resolution authorizing and directing the Parish President, or his designee, to provide the Community Action public transport bus for use by the Croatian American Society for their Croatian American Culture & Food Experience; and otherwise to provide with respect thereto” The motion was seconded by Council Member Blink and on roll call, all members present voting “YES”, the motion was adopted by a vote of 9-0. On motion of

Council Member Cognevich and seconded by Council Member Blink and upon roll call all members present voting "YES", Resolution No. 20-98 was adopted by a vote of 9-0.

Under 10b, "District 9 update-Trailer spot and trailer park enforcement", Council Member Cognevich asked who goes out checking to see if trailer parks are permitted. Director Eppley said we do not have anyone. Council Member Cognevich also questioned Scott Rousselle regarding a sinkhole next door to Plains Pipeline and he replied that he would check it out tomorrow. Director Todd Eppley said he had someone go out. The water was tested and it was not chlorinated; therefore, they suspect its seepage from the river. Mr. Eppley said he can check with the levee guy to see if there is anything the Parish can do about the seepage. Council Member Rousselle asked the Legal Department what they will do since there is no Code Enforcement. He went on to say that honest people are complying with the rules and there are others who are in violation. Jacque Touzet said he would discuss this with Parish Attorney Rennie Buras. Council Member Rousselle went on to say that with the influx of trailer parks into the Parish there has to be a game plan to handle these matters. Council Member Arbourgh asked Todd Eppley if they can get together to finish working on what they have been working wherein the fines collected could possible pay to hire someone for Code Enforcement. Council Member Cognevich inquired about C.J. Freney handling the Code Enforcement and was told that he retired. Council Member Black said he wasn't sure if the CEA between PPG and PPSO was still in place but the Sheriff is willing to work with the Administration.

Under 10c, Item 3, "District 5 update"

1) Discussion of non-compliance of public records requests:

Council Member Rousselle said he has asked Ken Dugas for months for certain documents and he has not heard anything back from Mr. Dugas. Todd Eppley told Council Member Rousselle he has not received anything from him and had he gotten requests he would have responded. Council Member Rousselle asked if he was to send the requested to Director Eppley and he was told yes.

2) Discussion regarding the recent mailers with the cable bills citing the franchise authority:

Council Member Rousselle explained that he had people come to him with their cable bills asking questions about the cable bill and about major increases citing the authority of PPG under the franchise agreement. He was under the impression the agreement expired and he wants to know if we are collecting a franchise fee with no agreement. John Helmers said the franchise agreement did expire in 2015 and the new company never got a State franchise. Council Member Rousselle inquired as to if there was an opportunity to raise revenue for the Parish. Mr. Helmers stated there is a standard State franchise of 5% and the attorneys are reviewing Plaquemines' authority under a grandfather clause. Mr. Helmers also said we could advertise for another company to come to the Parish which could then either have a State or local franchise. He explained that there is a 5% cap between the FCC & State so the current cable company should be paying an annual check of the 5% to us. Mr. Helmers will check with Finance regarding this matter. Council Member Rousselle moved back to the issue with the cable company putting on their bills that they are charging fees under the franchise agreement with Plaquemines Parish Government which misleads the constituents. He asked the Legal Department to send a letter to the company stating they have no authority under us.

Item 10d, "District 8 update":

- Council Member Blink thanked Director Eppley for having the road crew repair the three bad spots on Hwy. 11;
- He asked Mr. Helmers about what would be on the agenda for the Boat Harbors meetings and he was told that there will be a question and answer period. They will discuss the goals and improvements made, as well as what it takes to operate shipyards and marinas. There will be ordinances printed out on big posters in order for the public to see and understand the rules and regulations;
- John Helmers said they have been in contact with Entergy and approximately 90% of the lights have been fixed. They are still working on the Empire shipyard and putting brand new lights along road into Empire Shipyard and Harbor. The Public Service Commission sent people to look at the lights and area and we may get all those lights replaced at no cost through a grant. New-security cameras have been ordered for the Empire harbor and shipyard, the Buras harbor and for Grand Bayou;
- Council Member Blink inquired as to the status of having notifications about the floodgates on the Parish website. Mr. Helmers said we are going to launch new website which will be more

dynamic and have this type of information. He said they are also working on having the old system work with the new SCAD system; and

- Council Member Blink asked Director Scott Rousselle when could he get the asphalt ripping machine out to smooth the bumps on Hwy 11. Mr. Rousselle said that the machine is still on order and when asked if training could be done in the meantime via online videos.

Under Item 10g, “District 1 update” Council Member LaFrance reported the following:

- The Mardi Gras parade was a success with over 2,000 people in attendance. This event had a significant impact on the community and a number of non-profits were able to generate revenue to put back into the community; and
- He asked Ken Dugas to send a copy of the engineering report for the water line repair, including the costs, etc. to the entire Council; and
- He informed the Administration that a couple of weeks ago the power went out in Pointe-a-la-Hache and the Courthouse gates were stuck open; and
- He commended the Administration for getting the State to clean the upper end from the standing water on the highway; and
- He has concerns about the back levee from Phoenix to Bohemia which is no longer a Federal levee due to the Parish not keep up the culverts. He is also concerned with the leakage of the Mississippi River levee. He asked the USACE what they planned to do to fix this problem and he was told it was the Parish’s responsibility because they are receiving Federal funds. Council Member Barthelemy is also inquiring as to how much money is being collected by each Levee District and where is the money being put. He would like an update on all these matters at the next meeting.

Council Member Blink asked if, when the power was being out if the ferry ramps could be operated using reverse shore power cords so the ramps could operate off the generator power of the vessel. Director Eppley said it could be done.

Under Item 10h, “District 7 update”, Council Member LaFrance said his office finally set meeting with Atmos; however, they cancelled due to the virus. When this issue is finished I’ll let all council know when the meeting is rescheduled.

Council Member LaFrance moved to Agenda Item 11, “Approval of minutes”. Without objection, so ordered.

On motion of Council Member Cognevich, seconded by Council Member Arbourgh, and on roll call all members present and voting “YES”, Resolution No. 20-99 adopting the minutes of the February 27, 2020, Council meeting, as recorded by the Secretary of this Council was adopted by a vote of 9-0.

There being no further business to come before this Council, on motion Council Member Arbourgh, seconded by Council Member Blink, and on roll call all members present and voting “Yes”, the meeting adjourned at 9:13 p.m.

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Chairman

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Secretary

A full copy of any ordinance or resolution adopted at this Council meeting can be obtained by either contacting the Council Secretary’s Office at 504-934-6307 or via email at [council@ppgov.net](mailto:council@ppgov.net). Also, a link to the full video recording of this meeting is available on the Plaquemines Parish Government’s website at <https://plaqueminspaish.com>.