

AGENDA
ST. LANDRY PARISH COUNCIL
REGULAR MEETING—WEDNESDAY, JULY 15, 2009—6:00 P.M.
ST. LANDRY PARISH COURTHOUSE, 118 S. COURT ST.
ST. LANDRY PARISH COUNCIL MEETING ROOM # 132
OPELOUSAS, LOUISIANA

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE & INVOCATION
by Councilman and Chaplin Jerry Red, Jr.

III. ROLL CALL

IV. CONDOLENCES

V. PERSONS TO ADDRESS THE COUNCIL:

- Regarding candidacy for House Rep. Dist. 40
 - Kelly Scott
 - Anna Simmons

VI. APPROVAL OF MINUTES - Meeting date June 17, 2009.

VII. PARISH PRESIDENT'S REPORT

VIII. PUBLIC WORKS REPORT

IX. SPECIAL BUSINESS:

- Abandonment of Lynn Robin Road
- Final approval of Joubert Place Subdivision
 - Lots 1 thru 6; Frontages on Government Rd.;
Section 51, T-5-S, R-4-E; St. Landry Parish, LA;
Sidney J. Bourque Owner/Developer
- Take no action regarding Mr. James Ballard's concern about a private owned right-of-way in Pleasant Run Subdivision.
- Written request to state for evaluation of Will Landry Road.
- Audit of financial statements of the governmental activities, each major fund and the aggregate remaining fund information of St. Landry Parish Government for the year ended December 31, 2008.
- A letter of commitment to be sent to the Secretary of State regarding the set-up and opening of an office located in Eunice to provide Parish Government and Registrar of Voter services.
- Authorize Parish President Don Menard to sign a contract for grant consulting services with Richard Minville & Associates.
- Call for an election for the creation of a single road district and dedicating all funds to improving roads based on the priority list adopted by the Parish Council.
- Call for a parish wide election for a one cent sales tax.
- Call for an election to elect a Justice of the Peace District Eight of the Parish of St. Landry.
- A pay increase for the assistant council clerk of \$1.00 hour.
- A need to find locations for two voting precincts in areas of Morrow and Melville due to closure of schools.

X. ORDINANCES TO BE ADOPTED:

- **Ordinance No. 2009-010 – AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES: REGULATIONS FOR RESIDENTIAL FENCES**

Sec. 1.1. Construction materials authorized.

All fences must be constructed of materials normally used in fence construction, such as wood boards, pickets, chain link, cypress post, split rail or any other material advertised and sold as fencing materials. Barbed wire is prohibited for use in residential zones. Other non-fencing materials such as

corrugated iron, sheet metal, steel plates, broken glass, and aluminum plates are prohibited in all zoning districts of the parish.

Sec. 1.2. Permit required for brick or masonry fences; fee.

Brick or masonry fences require a building permit. The minimum charge is Twenty-five dollars (\$ 25.⁰⁰) or four dollars (\$ 4.⁰⁰) per One thousand dollars (\$ 1,000.⁰⁰) of construction cost.

Sec. 1.3. No obstructed view of traffic permitted; fences on corners; fences in setback areas limited to Forty-two (42') inches in height.

- a) No fence shall be constructed in such a manner as to prevent the driver of a vehicle from having a clear, unobstructed view of traffic signs and approaching, merging, or intersecting traffic;
- b) On corner lots, any portion of a fence on the street sides of the lot which extends into the prescribed front or side yard setback, requirements may not exceed forty-two (42') inches in height;
- c) For a lot where the rear property lot line would normally be a front yard lot line, no fence in the area reserved for the front yare setback shall exceed forty-two (42') inches in height;
- d) No fence exceeding forty-two (42') inches may be constructed into a prescribed front yard setback area; and,
- e) No fence or any part of it may be placed or constructed on or over public property.

Sec. 1.4. Unsafe fences; repaired or removed.

Whenever a fence becomes structurally unsafe or endangers the public safety, the St. Landry Parish President or his assigned shall give written notice to the owner of the premises on which the fence is located that the fence be made safe or be removed within ten (10) days.

Sec. 1.5. More restrictive subdivision regulations to take precedence.

Subdivision restrictions on fences shall take precedence if they are more restrictive that this article.

Sec. 1.6. Fences constructed prior to this article.

Fences constructed before May 12, 2003, shall be grandfathered in, if the standing fence is deemed safe. Once removed, any new fence shall be in accordance with this article.

Sec. 1.7. Nonconforming fences.

Whenever a fence that is built after May 12, 2003, does not meet the requirements of this article, the building St. Landry Parish President or his assigned shall give written notice to the owner of the premises on which the fence is located that the fence shall be brought into compliance or removed within ten (10) days.

Sec. 1.8. Penalties.

Any violation of this article shall subject the offender to a total removal of the fence for a minimum period of one (1) year and such other punishment as the court may determine as follows:

- a) It shall be unlawful for any person to violate or fail to comply with any provision of this article; and, where no specific penalty is provided, the violation of any provision of this article shall be punished by a fine not exceeding Five hundred dollars (\$ 500.⁰⁰) or imprisonment for a term not exceeding sixty (60) days, or by both fine and imprisonment, within the discretion of the court. Each day any violation of any provision of this article shall continue constitutes a separate offense; and,
- b) In all criminal prosecutions for the violation of any of the provisions of this article or other ordinances of the Parish of St. Landry regarding fences, where any person is convicted of any offense punishable with fine or imprisonment, the judge before whom such conviction is had may sentence the person so convicted to work on any property belonging to the parish, for a period equal to half the term of imprisonment for which he may be sentenced.

- **Ordinance No. 2009-011 - AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO ESTABLISH SPEED LIMITS ON DON GUILBEAU ROAD:**

The legal speed limit for Don Guilbeau Road shall be set at thirty (30) miles per hour from La. Hwy. 182 to Hidden Hills road with a speed limit of fifteen (15) miles per hour in any and all curves on that portion of Don Guilbeau Road.

- **Ordinance No. 2009-012 - AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO ESTABLISH THE ABANDONMENT IN PART OF HICKS ROAD**

La. R.S. 48:704 sets forth *"The parish governing authorities and municipal corporations of the state, except for the parish of Orleans, may revoke and set aside the dedication of all roads, streets, and alleyways laid out and dedicated to public use within the respective limits, when the roads, streets, and alleyways have been abandoned or are no longer needed for public purposes."*

Therefore, pursuant to a meeting held May 20, 2009, by a vote set forth as follows: YEAS: Jerry Red, Jr., Leon Robinson, Fekisha Miller, Kenneth Vidrine, Ronald Buschel, Albert Hollier, Pam Gautreau, Glenn Stout, Dexter Brown, Jay Guidry, Jimmie Edwards, and Gary Courville. NAYS: None. ABSTAIN: None: the St. Landry Parish Council hereby

declares abandoned, a portion of Hicks Road, Opelousas, Louisiana, Parish of St. Landry, beginning at a point intersection with La. Hwy. 71, running in a South Easterly direction, for a distance of six hundred thirty feet (630'), ending at a point intersecting with Hudspeth Land.

XI. ORDINANCES TO BE INTRODUCED:

AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO AMEND ORDINANCE 2005-0009

Amend Ordinance No. 2005-0009 to include the following street(s):

3. Veteran's Drive

Amend Ordinance 2005-0009 of the Parish Ordinances titled "An Ordinance of the St. Landry Parish Code of Ordinances to Establish Rules and Regulations for Erection and Maintenance of Speed Bumps as a Traffic Control Device within the Parish of St. Landry, State of Louisiana" to add the following section:

Streets and Roads to have Speed Bumps Installed:

1. Rayne Road, Port Barre.
2. Crimson Street, Opelousas.
3. Veteran's Drive.

XII. ORDINANCES TO BE DISCUSSED:

- Amend the St. Landry Parish Nuisance Ordinance (Ord. No. 2003-4) to reflect a shorter time period of seven days for repeat offenders

XIII. RESOLUTIONS

- **Summary No. 031 RS** – A Resolution approving the holding of an election in Dist. No. 4 Public Works Commission of St. Landry Parish, State of Louisiana, on Saturday, October 17, 2009, to authorize the continuation of a special tax therein.

- **Summary No. 032 RS**

BE IT RESOLVED, that the following millages are hereby levied on the 2009 Tax roll on all property subject to taxation by St. Landry Parish Government.

General Alimony	3.78	mills
General Alimony-Exempted Municipalities	1.89	mills
Parish Health Unit Maintenance	2.17	mills
Jail Maintenance	0.98	mills
Sub 2 of Rd. District 11-A Maintenance	8.39	mills
Road District 1 of Ward 3 Maintenance	10.31	mills
Sub 1 of ED 3 of Ward 1 Maintenance	9.57	mills
Road District 12 of Ward 2 Maintenance	5.12	mills
Sub 1 of Road District 11-A Maintenance	9.56	mills

BE IT RESOLVED, that the proper administrative officials of the Parish of St. Landry, 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 said Parish for the year 2008 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 in the manner provided by law.

- Appoint two members to Public Works Dist. for a two year term, 05/24/2009 through 5/24/2011.
 - Applicants are James Chris Hargroder for reappointment and R. Dale Stelly to replace the expiring term of Ronnie Dale Fontenot.
- Appoint two members to Hospital Service District No. 2 for a six year term, 08/07/2009 through 08/07/2015
 - Applicants are Albert Simien, Morris Weinstein and Ronald L. Bezet.
- Appoint one member to St. Landry Parish Housing Authority for a five year term, 08/04/2009 through 08/04/2014.
 - Applicant Sharon Reed Everett is the choice of the Housing Authority for this appointment.

XIV. LITIGATION REPORT

XV. COMMITTEE MINUTES:

- Approval of Public Works and Administrative Finance Committee Minutes

**ST. LANDRY PARISH COUNCIL
PUBLIC WORKS COMMITTEE
MONDAY, July 6, 2009 @ 6:00 P.M.
ST. LANDRY PARISH COURTHOUSE, 118 S. COURT ST.
ST. LANDRY PARISH COUNCIL MEETING ROOM #132
OPELOUSAS, LOUISIANA**

MINUTES

1. The meeting was called to order by Chairman, Ronald Buschel;
2. Chairman Buschel requested roll call;
PRESENT: Fekisha Miller, Kenneth Vidrine, Glenn Stout, Jimmy Edwards, Ronald Buschel, Chairman, Leon Robinson, Ex-Officio. ABSENT: Jay Guidry.
Council Chaplin Jerry Red, Jr., led the Pledge of Allegiance and Invocation;
3. Martha LaFleur of 116 Torri Logan Lane addressed the committee regarding a request for gravel on Torri Logan Lane.
4. Pam Gautreau explained that Public Works had been contacted regarding this problem. Tim Marks explained that Torri Logan Lane will need to be surveyed and he will contact Ms. LaFleur.
5. Melvin Bradley of 114 Old Spanish Road addressed the committee regarding trash dumped at the intersection of County Ridge Rd. and Old Spanish Rd.
Tim Marks responded that he would check into getting a trash bin placed at the location. Mr. Menard suggested contacting Solid Waste regarding the matter.
6. Mr. Buschel reviewed Road Abandonment Forms from land owners along Lynn Robin Road which showed results of six against and one for the abandonment of Lynn Robin Road.
7. A motion was made by Glenn Stout and seconded by Kenneth Vidrine to forward to the full Council the abandonment of Lynn Robin Road. Without objection, this motion will be forwarded to the full Council.
8. Tim Marks reported petitions received from residents of Magnolia Street requesting the installation of speed bumps/humps. He reported survey findings that Magnolia Street meets specification for the installation in accordance with our Speed Bump/Hump Ordinance. Mr. Marks recommended that the Council Clerk send a letter to Emergency Response Agencies for their opinion and/or no objection for such installation.
9. A motion was made by Kenneth Vidrine and seconded by Fekisha Miller that the council clerk send letters to Emergency Response Agencies for their opinion and/or no objection for the installation of speed bumps/humps on Magnolia Street. Without objection, this motion will be forwarded to the full Council.
10. Tim Marks recommended, on behalf of the Planning Department, final approval of Joubert Place Subdivision. The plat was presented for review of the Committee.
11. A motion was made by Fekisha Miller and seconded by Jimmie Edwards to forward to the full Council final approval of Joubert Place Subdivision of Government Road in Council District 3. Without objection, this motion will be forwarded to the full Council.
12. Tim Marks discussed Sec. 16-4 of the Parish Code of Ordinances regarding Utility pipelines. Problems arise when workers are digging ditches and find telephone lines buried above culverts or only two inches below the surface of the roads and ditch lines or not buried at all. The ordinance reads that pipelines parallel to the highway shall have a minimum depth of 36 in. Mr. Marks will work on improving the ordinance in order to correct the issue of buried utility wires and lines.
13. A motion was made by Jimmie Edwards and seconded by Fekisha Miller that Tim Marks research and report back to the Public Works Committee, findings on improving the ordinance referencing utility pipelines; minimum depth of all utilities; permit to construct; performance bond. Without objection, this motion passed.
14. Tim Marks' suggested the two developers of Pleasant Run Subdivision negotiate with each other in attempt to acquire one more foot of land or develop a private road.

15. A motion was made by Kenneth Vidrine and seconded by Glenn Stout that no action be taken regarding a right-of-way in Pleasant Run Subdivision due to it being privately owned. Without objection, this motion will be forwarded to the full Council
16. A motion was made by Jimmie Edwards and seconded by Glenn Stout to accept the Public Works report. Without objection, the Public Works report was accepted.
17. A motion was made by Glenn Stout and seconded by Jimmie Edwards to forward to the full Council, the granting of authority to Parish Pres. Don Menard to research the legalities of leasing parish property the Town of Sunset. Without objection, this motion will be forwarded to the Administrative Finance Committee.
18. A motion was made by Jimmie Edwards and seconded by Glenn Stout to forward to the Administrative Finance Committee agenda, discussion on opening a Parish Government Office which will include a Registrar of Voters office and absentee voting in Eunice. The office would be run by two existing staff members one to two days a week. With no objection, this motion will be brought before the Administrative Finance Committee.
19. A motion was made by Glenn Stout and seconded by Kenneth Vidrine to forward to the full Council a request to authorize Parish Pres. Don Menard to sign a contract for consulting services with Richard Minville & Associates. With no objection, this motion will be forwarded to the full Council.
20. A motion was made by Glenn Stout and seconded by Jimmie Edwards to accept the Parish President's report. With no objection, the Parish President's Report was accepted.
21. Hurlin Dupre reported that signs on Dupre, Lejeune and Wilkes Roads need to be replaced. He also requested letters be sent to the state and federal congressmen and senators requesting signs be placed along I-49 stating that the distribution center is located off of Exit 23 to keep the large trucks off of Oak Leaf and Midway Lane roads. Mr. Dupre requested that No Truck signs be placed in more visible areas
22. A motion was made by Glenn Stout and seconded by Fekisha Miller to authorize Tim Marks to work with concerned parties on eliminating the passing of large trucks, which are in route to the distribution center, through residential areas. With no objection, this motion was accepted.
23. Hurlin Dupre requested repairs and limbs cut on Will Landry Road.
24. A motion was made by Glenn Stout and seconded by Kenneth Vidrine to request an evaluation of Will Landry Road by the state of Louisiana. With no objection, this motion will be forwarded to the full Council.
25. A motion was made by Fekisha Miller and seconded by Jimmie Edwards to amend the nuisance ordinance in shortening the time frame for repeat offenders to seven days. With no objection, this motion will be forwarded to the full Council.
26. Mr. John Trahan of 208 Muscadine Road addressed the Committee regarding the dedication of tax funds.
27. Pam Gautreau requested installation of speed bumps or a speed limit reduction and better visibility of weight limit signs on Thelma Drive. Tim Marks advised that a petition needs to be signed by 60% of the residents from the area.
28. A motion to adjourn was made by Kenneth Vidrine and seconded by Jimmie Edwards.

Submitted by:
/s/ Ronald Buschel, Chairman

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.
NOVELLA RICHARD, COUNCIL CLERK

ADMINISTRATIVE/FINANCE COMMITTEE
IMMEDIATELY FOLLOWING THE PUBLIC WORKS COMMITTEE
MONDAY, July 6, 2009

Minutes

1. Meeting was called to order by Committee Chairman, Albert Hollier;
2. Chairman Hollier requested roll call;
PRESENT: Jerry Red, Jr., Hurlin Dupre, Pam Gautreau, Gary Courville, Albert Hollier, Chairman, Leon Robinson, Ex-Officio. ABSENT: Dexter Brown.
3. Ronald Bezet of 811 Tensas Drive addressed the committee regarding his application for appointment to Hospital Service District No. 2.
4. Steve Moosa of Darnall, Sikes, Gardes & Frederick addressed the Committee regarding the 2008 Audit Report.
5. A motion was made by Jerry Red and seconded by Pam Gautreau to accept and forward to the full Council the audit of financial statements of the governmental activities, each major fund and the aggregate remaining fund information of St. Landry Parish Government for the year ended December 31, 2008. The vote was as follows: YEAS: Jerry Red, Hurlin Dupre, Pam Gautreau, Gary Courville. NAYS: None. ABSENT: Dexter Brown.
6. A motion was made by Hurlin Dupre and seconded by Gary Courville to forward to the full Council a request by Parish Pres. Don Menard for a letter of commitment addressed to the Louisiana Secretary of State regarding the set up and opening of an office located in Eunice to provide Parish Government and Registrar of Voter services. The vote was as follows: YEAS: Jerry Red, Hurlin Dupre, Gary Courville. NAYS: None. ABSENT FROM VOTING: Pam Gautreau. ABSENT: Dexter Brown.
7. A motion was made by Pam Gautreau and seconded by Jerry Red to forward to the full Council a request to authorize Parish Pres. Don Menard to sign a contract for grant consulting services with Richard Minville & Associates.
8. A motion was made by Leon Robinson and seconded by Jerry Red to forward to the full Council the call for an election for the creation of a single road district and dedicating all funds to improving roads based on the priority list adopted by the Parish Council. The vote was as follows: YEAS: Jerry Red, Pam Gautreau, Gary Courville. NAYS: Hurlin Dupre. ABSENT: Dexter Brown.
9. A motion was made by Hurlin Dupre and seconded by Pam Gautreau to forward to the full Council the call for an election for a parish wide one cent sales tax. The vote was as follows: YEAS: Hurlin Dupre, Pam Gautreau, Gary Courville. NAYS: Jerry Red. ABSENT: Dexter Brown.
10. A motion was made by Hurlin Dupre and seconded by Pam Gautreau to forward to the full Council the call for an election to elect a Justice of the Peace District Eight, Parish of St. Landry. The vote was as follows: YEAS: Jerry Red, Hurlin Dupre, Pam Gautreau, Gary Courville. NAYS: None. ABSENT: Dexter Brown.
11. A motion was made by Pam Gautreau and seconded by Hurlin Dupre to forward to the full Council a resolution regarding millages to be levied on the 2009 Tax roll on all property subject to taxation by St. Landry Parish Government. The vote was as follows: YEAS: Jerry Red, Hurlin Dupre, Pam Gautreau, Gary Courville. NAYS: None. ABSENT: Dexter Brown.
12. A motion was made by Hurlin Dupre and seconded by Gary Courville to forward to the full Council a pay increase for the assistant council clerk of \$1.00 an hour. The vote was as follows: YEAS: Jerry Red, Hurlin Dupre, Gary Courville. NAYS: Pam Gautreau. ABSENT: Dexter Brown.
13. A motion was made by Gary Courville and seconded by Hurlin Dupre to approve that a cell phone be provided for Novella Richard. The vote was as follows: YEAS: Hurlin Dupre, Pam Gautreau, Gary Courville. NAYS: Jerry Red. ABSENT: Dexter Brown.
14. A motion was made by Hurlin Dupre and seconded by Gary Courville to forward to the full Council relocation of two voting precincts in the areas of Morrow and Melville. The vote was as follows: YEAS: Jerry Red, Hurlin Dupre, Pam Gautreau, Gary Courville. NAYS: None. ABSENT: Dexter Brown.

15. A motion to adjourn was made by Gary Courville and seconded by Pam Gautreau.

Submitted by:
/s/ Albert Hollier, Chairman

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.
NOVELLA RICHARD, COUNCIL CLERK

XVI. OTHER BUSINESS

XVII. ADJOURNMENT