

PROCEEDINGS OF THE TERREBONNE PARISH SCHOOL BOARD

September 16, 2003

The Terrebonne Parish School Board met today at 7:00 P.M. in regular session at its regular meeting place, the Terrebonne Parish School Board Office, 201 Stadium Drive, Houma, Louisiana, with Mr. Clark J. Bonvillain, President, presiding, and the following members present: Mr. L. P. Bordelon, III, Vice-President; Mr. Roosevelt Thomas, Mr. Gregory Harding, Mr. Richard Jackson, Mr. Rickie Pitre, Mr. Roger Dale DeHart, Mr. Donald Duplantis, and Mr. Hayes Badeaux.

ABSENT: None

Ms. Wanda Rhodes led the Board and audience in the opening prayer and Pledge of Allegiance to the Flag.

Motion of Mr. Badeaux, seconded by Mr. Duplantis, unanimously carried, the Board approved the minutes of the School Board meeting of September 2, 2003, as recorded.

The following partial report of the Buildings, Food Service, and Transportation Committee was presented to the Board with Mr. DeHart, Chairman, presiding:

Dear Members of the Board:

The **Buildings, Food Service, and Transportation Committee** met on Monday, September 15, 2003, at 5:00 P. M. in the Board Room of the School Board Office, 201 Stadium Drive, with the following members present: Mr. Roger Dale DeHart, Chairman, Mr. Rickie Pitre, Vice-Chairman, and Mr. Gregory Harding. Others in attendance were Mr. L. P. Bordelon, III, Vice-President, Mr. Hayes Badeaux, Mr. Richard Jackson, Mr. Roosevelt Thomas, Superintendent Elizabeth Scurto, and members of the staff.

Mr. DeHart called the meeting to order. The meeting began with the invocation and Pledge of Allegiance to the Flag.

The following is a partial report of the Committee meeting:

Mr. Robert Bergeron, Parish President, Mr. Al Levron, Parish Manager, and Mr. Michael Deroche, Emergency Preparedness Director, Terrebonne Parish Consolidated Government, and Superintendent Scurto addressed a Cooperative Endeavor/Intergovernmental Agreement between the Terrebonne Parish School Board and the Terrebonne Parish Consolidated Government relative to the use of schools for emergency shelters.

RECOMMENDATION NO. 1

The Committee recommends that the Board enter into a Cooperative Endeavor/Intergovernmental Agreement with the Terrebonne Parish Consolidated Government relative to the use of certain Terrebonne Parish School Board facilities, to be used during declared potential natural disaster emergencies, and authorize the Board President to sign all necessary documents pertaining thereto, subject to Board attorney review.

Mr. Ronald J. Boudreaux, Ronald J. Boudreaux, P.E., Inc., addressed a change order and substantial completion for the South Terrebonne Memorial Stadium lighting project.

RECOMMENDATION NO. 2

The Committee recommends that the Board approve a change order in the amount of \$1,870.00 for ground rods and relocation of light fixtures, increase the construction cost from \$34,000.00 to \$35,870.00, monies to be derived

from previously budgeted funds in the Building Fund, and grant an extension of time for fourteen (14) days, due to inclement weather, extending the contract time from August 1-15, 2003, for the South Terrebonne Memorial Stadium lighting project, and further, authorize the Board President to sign all necessary documents pertaining thereto.

RECOMMENDATION NO. 3

The Committee recommends that the Board approve the substantial completion of the South Terrebonne Memorial Stadium lighting project, subject to the punch list, authorize the Board President to sign all necessary documents pertaining thereto, and upon completion of the punch list items, final inspection, and receipt of the lien-free certificate, authorize release of retainage.

Mr. Merlin Lirette, The Merlin Group, LTD, addressed the substantial completion of the Grand Caillou Middle School roof project.

RECOMMENDATION NO. 4

The Committee recommends that the Board approve the substantial completion of the Grand Caillou Middle School roof project, subject to the punch list, authorize the Board President to sign all necessary documents pertaining thereto, and upon completion of the punch list items, final inspection, and receipt of the lien-free certificate, authorize release of retainage.

Mr. Lirette also addressed a change order for an extension of time for the Vocational- Technical High School roof project.

RECOMMENDATION NO. 5

The Committee recommends that the Board approve a change order for an extension of time for twenty-one (21) days, due to inclement weather, for the Vocational-Technical High School roof project, extending the contract time from September 5-26, 2003, and further, authorize the Board President to sign all necessary documents pertaining thereto.

The Committee deviated from the agenda to allow Mr. Ira Davis to address the waterproofing of the main building at Lacache Middle School, and then returned to the regular order of the agenda.

RECOMMENDATION NO. 6

The Committee recommends that the Board authorize administration to proceed with the waterproofing of the main building at Lacache Middle School and establish a budget not to exceed \$49,000.00, monies to be derived from the Building Fund.

A final report of the Committee meeting will be presented to the Board at its October 7, 2003, meeting.

Respectfully submitted,

/s/ Roger Dale DeHart, Chairman
 /s/ Rickie Pitre, Vice-Chairman
 /s/ Gregory Harding

Mr. Bordelon moved, seconded by Mr. Pitre, that the Board enter into a Cooperative Endeavor/Intergovernmental Agreement with the Terrebonne Parish Consolidated Government relative to the use of certain Terrebonne Parish School Board facilities, to be used during declared potential natural disaster emergencies, and authorize the Board President to sign all necessary documents pertaining thereto, subject to Board attorney review.

A roll call vote having been called for on the motion, the vote thereon was as follows:

YEAS: Mr. Thomas, Mr. Harding, Mr. Jackson, Mr. Pitre, Mr. Bonvillain, Mr. Bordelon, Mr. DeHart, Mr. Duplantis, and Mr. Badeaux

NAYS: None

ABSENT: None

The Chairman declared the motion carried.

Motion of Mr. Badeaux, seconded by Mr. Bonvillain, unanimously carried, the Board approved a change order in the amount of \$1,870.00 for ground rods and relocation of light fixtures, increasing the construction cost from \$34,000.00 to \$35,870.00, monies to be derived from previously budgeted funds in the Building Fund, granted an extension of time for fourteen (14) days, due to inclement weather, extending the contract time from August 1-15, 2003, for the South Terrebonne Memorial Stadium lighting project, and further, authorized the Board President to sign all necessary documents pertaining thereto.

Motion of Mr. Badeaux, seconded by Mr. Thomas, unanimously carried, the Board approved the substantial completion of the South Terrebonne Memorial Stadium lighting project, subject to the punch list, authorized the Board President to sign all necessary documents pertaining thereto, and upon completion of the punch list items, final inspection, and receipt of the lien-free certificate, authorize release of retainage.

Motion of Mr. Duplantis, seconded by Mr. Pitre, unanimously carried, the Board approved the substantial completion of the Grand Caillou Middle School roof project, subject to the punch list, authorized the Board President to sign all necessary documents pertaining thereto, and upon completion of the punch list items, final inspection, and receipt of the lien-free certificate, authorize release of retainage.

Motion of Mr. Bordelon, seconded by Mr. Badeaux, unanimously carried, the Board approved a change order for an extension of time for twenty-one (21) days, due to inclement weather, for the Vocational-Technical High School roof project, extending the contract time from September 5-26, 2003, and further, authorized the Board President to sign all necessary documents pertaining thereto.

Mr. Bonvillain moved, seconded by Mr. Duplantis, that the Board authorize administration to proceed with the waterproofing of the main building at Lacache Middle School and establish a budget not to exceed \$49,000.00, monies to be derived from the Building Fund.

Following a lengthy discussion, a roll call vote having been called for on the motion, the vote thereon was as follows:

YEAS: Mr. Harding, Mr. Jackson, Mr. Pitre, Mr. Bonvillain, Mr. Bordelon, Mr. DeHart, Mr. Duplantis, and Mr. Badeaux

NAYS: Mr. Thomas

ABSENT: None

The Chairman declared the motion carried.

The partial report of the Buildings, Food Service, and Transportation Committee was concluded, and the President reassumed the chair and presided for the remainder of the proceedings.

Motion of Mr. Thomas, seconded by Mr. Bordelon, unanimously carried, the Board approved a request to allow Ms. Carmalisa W. James, Guidance Counselor, and Ms.

Brenetta D. Dorsey, Classroom Teacher, Ellender Memorial High School, to attend the National Tech Prep Network Conference on October 9-11, 2003 (Thursday-Saturday), in Nashville, Tennessee, in accordance with Policy (FILE: F-11.2), expenses to be paid through Region 3 Tech Prep Consortium.

Motion of Mr. Duplantis, seconded by Mr. Jackson, unanimously carried, the Board approved a request to allow Ms. Ellen Lusco, Assistant Principal at Acadian Elementary School, to attend the Mid-South School Educational Research Association Conference on November 5-7, 2003 (Wednesday-Friday), in Biloxi, Mississippi, in accordance with Policy (FILE: F-11.2), expenses to be borne by Ms. Lusco.

Motion of Mr. Jackson, seconded by Mr. Harding, unanimously carried, the Board approved a request to allow Ms. Pinkie Ruffin, Dyslexia/504 Coordinator, and Ms. Kathleen Gilmore, 504 Technical Teacher, to attend the 54th Annual International Dyslexia Reading Conference on November 12-15, 2003 (Wednesday-Saturday), in San Diego, California, in accordance with Policy (FILE: F-11.2), expenses to be paid through Dyslexia/504 Fund.

Motion of Mr. Jackson, seconded by Mr. Badeaux, unanimously carried, the Board approved a request to allow Ms. Donna Gauthreaux, Ms. Dawn Himel, Ms. Linda Joseph, Ms. Ruby Manuel, Ms. Jessica Naccio, and Ms. Jessica Rosado, Classroom Teachers at Caldwell Middle School, to attend the Renaissance Learning Math/Accelerated Math one-day seminar on November 18, 2003 (Tuesday), in Gulfport, Mississippi, in accordance with Policy (FILE: F-11.2), expenses to be paid through NCLB Title I Fund.

Motion of Mr. Duplantis, seconded by Mr. Jackson, unanimously carried, the Board approved the personnel appointment, as recommended by the Superintendent, of Ms. Annie Nickels, Educational Facilitator in the Special Education Department, effective September 17, 2003.

Mr. Joseph Jevic, Attorney, addressed the Board regarding: Matter Pertaining to Proposed Amendment by Texaco, Inc. (now Chevron Texaco, Inc.) to Previous Settlement Approved and Duly Executed Involving Section 16, Township 17 South, Range 12 East Entitled: St. Mary Parish School Board, et al vs. Texaco, Inc., 108,242, 16th Judicial District Court, Parish of St. Mary; and Matter Pertaining to Pending Lawsuit for Section 16, Township 17 South, Range 13 East Entitled: Terrebonne Parish School Board vs. Bass Enterprises, 127,049, 32nd Judicial District Court, Parish of Terrebonne (Executive Session Required).

Motion of Mr. Bordelon, seconded by Mr. DeHart, unanimously carried, the Board voted to go into executive session at this time (7:37 P.M.).

Motion of Mr. Bordelon, seconded by Mr. DeHart, unanimously carried, the Board reconvened in open session (8:00 P.M.) with all members present.

Motion of Mr. Bordelon, seconded by Mr. Duplantis, unanimously carried, the Board approved the following resolution, as presented by Mr. Joseph Jevic, Attorney, relative to: Matter pertaining to proposed amendment by Texaco, Inc. (now Chevron Texaco, Inc.) to previous settlement approved and duly executed involving Section 16, Township 17 South, Range 12 East entitled: St. Mary Parish School Board, et al vs. Texaco, Inc., 108,242, 16th Judicial District Court, Parish of St. Mary:

RESOLUTION NO. 1722

A RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS ALLOWING FOR THE SETTLEMENT AND/OR APPROVAL OF VARIANCES IN A LAWSUIT ENTITLED *ST. MARY PARISH SCHOOL BOARD, ET AL VS. TEXACO, INC., ET AL*, DOCKET NUMBER 108,242, DIVISION "E" OF THE 16TH JUDICIAL DISTRICT COURT IN AND FOR THE PARISH OF ST. MARY WITH TEXACO AND AUTHORIZING THE EXECUTION OF AN AFFIDAVIT WITH TEXACO CONFIRMING THE TERREBONNE PARISH SCHOOL BOARD'S SUPPORT OF TEXACO'S APPLICATION OF PASSIVE CLOSURE OF TWO PITS AND FOR

TEXACO'S APPLICATION FOR A VARIANCE OF TWO PITS IN THE SWEET BAY LAKE FIELD.

BE IT RESOLVED:

That a lawsuit captioned *St. Mary Parish School Board, et al vs. Texaco, Inc., et al*, Cause of Action No. 108,242, St. Mary Parish, Louisiana, was filed by the School Board seeking damages and clean up of certain oil and gas properties leased by the School Board to Texaco in Sweet Bay Lake.

That Texaco seeks to modify its original settlement and has requested that the Board approve passive closure on the remaining oil and gas pit which it had previously agreed to remediate and that in return for approval of the same, with the consent of the appropriate state agencies, Texaco will pay additional settlement monies to the Board.

That there were previously identified 28 sites in the Sweet Bay Lake Field which have been identified as pits associated with oil and gas production.

That Texaco had previously proposed to remediate to applicable regulatory standards two pit locations in the Sweet Bay Lake Field.

After discussion with the applicable state department, Texaco has proposed passive closure of both pits located in the Sweet Bay Lake Field upon receiving the necessary approvals and variances from all state agencies. In the event that a passive closure order cannot be obtained after all administrative proceedings are final and Texaco is ordered to close this pit, Texaco will perform a remediation of the pit location to applicable regulatory limits as previously agreed.

As part of the settlement of *St. Mary Parish School Board, et al vs. Texaco, Inc., et al*, the Board understands that on its property some 28 individual sites exist which were likely pits or reservoirs utilized for storing or circulating materials used in or produced from oil and gas operations. The Board further understands that as a part of the settlement, Texaco desires to allow passive closure on each of these sites. The Board understands that the 28 sites may contain some waste materials, but that, it is Texaco's position that remediation of those 28 sites could cause more environmental damage than agreeing to leave the materials in place. Therefore, the Board by this resolution agrees to seek with Texaco passive closure through the various Louisiana State regulatory bodies that must approve such closure.

Should Texaco agree to settle this matter by payment of funds (One Hundred Twenty-Five Thousand per pit site) for the variance and passive closure of the additional two pits designated as STWU1LY1C1 and STW1C1 on the above proposed terms, then the Board authorizes Michael X. St. Martin and Joseph G. Jevic, III, its Attorneys, to settle and compromise this matter in full and sign the necessary documents on behalf of the Board. The Board further authorizes its President to enter into an affidavit in agreement with Texaco, which will confirm the Board's support of Texaco's application for passive closure of the additional 2 pits in Sweet Bay Lake. The Board understands that with regard to those pits located in Sweet Bay Lake, that the St. Mary Parish School Board owns an interest in those properties and will share in the proceeds of any payments, and further, that it is necessary for the St. Mary Parish School Board to approve passive closure of pit sites STWU1LY1C1 and STW1C1.

Motion of Mr. Bordelon, seconded by Mr. Duplantis, unanimously carried, the Board authorized the law firm of St. Martin & Williams to take the appropriate steps regarding any future prosecution and/or dismissal relative to: Matter pertaining to pending lawsuit for Section 16, Township 17 South, Range 13 East entitled "Terrebonne Parish School Board vs. Bass Enterprises, 127,049, 32nd Judicial District Court, Parish of Terrebonne."

Mr. Badeaux moved, seconded by Mr. DeHart, that the Board go into executive session at this time (8:03 P.M.) relative to: Matter Pertaining to Employee - Mr. Nathan Naquin [Executive Session Required Pursuant to R.S. 42:6.1Aa(1)].

A roll call vote having been called for on the motion, the vote thereon was as follows:

YEAS: Mr. Thomas, Mr. Harding, Mr. Jackson, Mr. Pitre, Mr. Bonvillain, Mr. Bordelon, Mr. DeHart, Mr. Duplantis, and Mr. Badeaux

NAYS: None

ABSENT: None

The President declared the motion to go into executive session carried.

Motion of Mr. Bordelon, seconded by Mr. DeHart, unanimously carried, the Board reconvened in open session (8:55 P.M.) with all members present.

Mr. Bordelon moved, seconded by Mr. Pitre, that the Board suspend employee, Mr. Nathan Naquin, with pay, to be retroactive with the 2003-2004 school session.

A roll call vote having been called for on the motion, the vote thereon was as follows:

YEAS: Mr. Thomas, Mr. Harding, Mr. Jackson, Mr. Pitre, Mr. Bonvillain, Mr. Bordelon, Mr. DeHart, and Mr. Badeaux

NAYS: Mr. Duplantis

ABSENT: None

The President declared the motion carried.

Motion of Mr. DeHart, seconded by Mr. Badeaux, unanimously carried, the Board voted to go into executive session at this time (9:00 P.M.) relative to: Matter Pertaining to Employee - Mr. Katrell Dixon [Executive Session Required Pursuant to R.S. 42:6.1A(1)].

Motion of Mr. DeHart, seconded by Mr. Duplantis, unanimously carried, the Board reconvened in open session (9:16 P.M.) with all members present.

Superintendent Scurto stated, at this time, that Mr. Katrell Dixon has resigned his position with the Terrebonne Parish School Board.

Motion of Mr. Duplantis, seconded by Mr. Harding, unanimously carried, the Board voted to adjourn its meeting (9:18 P.M.).

/s/ Elizabeth Scurto, Secretary
President

/s/ Clark J. Bonvillain,

RLB