
TERREBONNE PARISH COUNCIL

POLICY, PROCEDURE, AND LEGAL COMMITTEE

Mr. Gerald Michel
Mr. Darrin W. Guidry, Chairman
Sr. Vice-Chairman
Mr. John Navy Member
Ms. Arlanda Williams Member
Mr. Scotty Dryden Member
Ms. Christa Duplantis- Member
Prather Member
Mr. Al Marmande Member
Mr. Dirk Guidry Member
Mr. Steve Trosclair



In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Venita H. Chauvin, Council Clerk, at (985) 873-6519 describing the assistance that is necessary.

AGENDA

October 9, 2017
5:30 PM

Parish Council Meeting Room

NOTICE TO THE PUBLIC: If you wish to address the Council, please complete the "Public Wishing to Address the Council" form located on either end of the counter and give it to either the Chairman or the Council Clerk prior to the beginning of the meeting. Individuals addressing the council should be respectful of others in their choice of words and actions. Thank you.

**ALL CELL PHONES, PAGERS AND ELECTRONIC DEVICES USED FOR COMMUNICATION
SHOULD BE SILENCED FOR THE DURATION OF THE MEETING**

INVOCATION

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER

ROLL CALL

1. Co-sponsorship request from Terrebonne Advocates for Possibility for annual Chauvin Culture & Heritage Festival at the Ward 7 Citizens Hall and Grounds, on October 28 and 29, 2017.
2. Co-sponsorship request from the South La. Wetlands Discovery Center for the annual Rougarou Fest, Downtown Houma on October 21-22, 2017.
3. Discussion and possible action relative to how many times a resolution or ordinance can be re-introduced after the item fails.

4. Adjourn

Category Number:
Item Number:



Monday, October 9, 2017

Item Title:

INVOCATION

Item Summary:

INVOCATION

Category Number:
Item Number:



Monday, October 9, 2017

Item Title:

PLEDGE OF ALLEGIANCE

Item Summary:

PLEDGE OF ALLEGIANCE

Category Number:
Item Number: 1.



Monday, October 9, 2017

Item Title:

Cosponsorship request - Chauvin Culture & Heritage Festival

Item Summary:

Co-sponsorship request from Terrebonne Advocates for Possibility for annual Chauvin Culture & Heritage Festival at the Ward 7 Citizens Hall and Grounds, on October 28 and 29, 2017.

ATTACHMENTS:

Description

Cosponsorship request

Upload Date

10/3/2017

Type

Application

Terrebonne Advocates for Possibility



August 18, 2017

Dirk Guidry
TPCG - Council District 8
5114 Bayouside Drive
Chauvin, La. 70344

Terrebonne Advocates for Possibility is requesting Co-Sponsorship from Terrebonne Parish Government, as done in the past, for our annual Chauvin Culture & Heritage Festival. The Festival dates are on October 28th and 29th, 2017 and will be held at the Ward 7 Citizen Hall and Grounds in Chauvin, Louisiana.

Thanking you in Advance for your consideration and continued commitment to our community.

Sincerely,

A handwritten signature in black ink that reads "Kurt Lirette". The signature is written in a cursive style.

Kurt Lirette

President, Terrebonne Advocates for Possibility
985-594-5000 (H)

EIN-36-4662978
501 (c) (3) and 509 (a) (2)

Name of Applicant/Agency (seeking co-sponsorship):

TAP (Terrebonne Advocates for Possibility)

Name of Authorized Representative and Capacity (If applicant is not an individual):

Kurt Lirette

Mailing Address:

5544 Hwy 56 - Chauvin, La. 70344

Telephone Number:

985-594-5000

E-Mail Address:

kalinc21@yahoo.com

Location and Date of Event:

Ward 7 - Chauvin, La; October 28th & 29th, 2017

Describe the reason for the co-sponsorship, the nature of the contemplated event and how such serves a public purpose:

Raise revenue to refurbish Boudreaux Canal Store to Culture Center

Services Requested:

Garbage bags, safety vests, Dumpster



Signature

August 17, 2017

Date

(TPCG USE ONLY)

Date Received: _____ Signed: _____

Category Number:
Item Number: 2.



Monday, October 9, 2017

Item Title:

Cosponsorship request - Rougarou Fest

Item Summary:

Co-sponsorship request from the South La. Wetlands Discovery Center for the annual Rougarou Fest, Downtown Houma on October 21-22, 2017.

ATTACHMENTS:

Description

Cosponsorship request

Upload Date

10/3/2017

Type

Report

Name of Applicant/Agency (seeking co-sponsorship):

South Louisiana Wetlands Discovery Center

Name of Authorized Representative and Capacity (if applicant is not an individual):

Jonathan Foret, Executive Director

Mailing Address:

7910 Park Avenue, Houma, LA 70364

Telephone Number:

985-580-7289

E-Mail Address:

jforet@slwdc.org

Location and Date of Event:

Downtown Houma October 21-22

Describe the reason for the co-sponsorship, the nature of the contemplated event and how such serves a public purpose: The festival is free and open to

the public. It is designed to increase tourism, and to
publicize southern Louisiana with particular emphasis on
Terrebonne Parish's culture and distinctive coast/wetlands.

Services Requested:

We would like to use this co-sponsorship to help
cover security costs.

Jonathan Foret
Signature

October 3, 2017
Date

(TPCG USE ONLY)

Date Received: 10/3/17

Signed: Van Th Chauvin



Monday, October 9, 2017

Item Title:

How often can item failed be brought back to Council

Item Summary:

Discussion and possible action relative to how many times a resolution or ordinance can be re-introduced after the item fails.

ATTACHMENTS:

Description

Roberts Rules of Order Sections
email from Ms. Allison Wallis

Upload Date

10/4/2017
10/4/2017

Type

Backup Material
Backup Material

Venita Chauvin

From: Venita Chauvin
Sent: Wednesday, October 4, 2017 2:14 PM
To: Gerald Michel
Subject: Allison Wallis

From: ALISON WALLIS [<mailto:alisonwallis@mac.com>]
Sent: Monday, September 18, 2017 4:03 PM
To: Venita Chauvin
Subject: Re: Roberts Rules of Order Training & Parliamentary Procedures

I now see why you said it failed, as it did not get a majority of the membership.

RONR prohibits the same motion being made again in the same session, but a different meeting is a different session. RONR ALLOWS "renewal" motions to be made at a different session. Only a more specific rule in your governing documents would overrule this requirement. "Any motion that is still applicable can be renewed at any later session, except where a specific rule prevents its renewal;" [see RONR 11th edition, pp. 90-1; 336-342].

I would not want them to be bogged down with the word "renewal." The motion, if you are correct that the charter does not address it, does not prohibit this motion being made. It can be made by any member, can be the same language or different, and the members can vote however they wish.

Now, there are possible parliamentary motions that COULD be adopted to stop consideration, but as you describe it, it is allowable.

Good luck!

Alison

Alison Wallis
Attorney at Law
Professional Registered Parliamentarian
Certified Parliamentarian-Teacher
504-261-6111
ParliamentaryLaw.org

On Sep 18, 2017, at 3:23 PM, Venita Chauvin <vchauvin@tpcg.org> wrote:

According to our Home Rule Charter: All ordinances and resolutions shall be passed by the favorable vote of at least a majority of the authorized membership of the council except s otherwise provided by the charter.

There are 9 Council Members, 2 were absent.

There is nothing in Charter that I can find that doesn't allow an ordinance that fails to come back.

I thought I read something in Robert's Rules that give a time frame that an ordinance (or motion) could be brought back.

Venita

From: ALISON WALLIS [<mailto:alisonwallis@mac.com>]

Sent: Monday, September 18, 2017 2:30 PM

To: Venita Chauvin

Subject: Re: Roberts Rules of Order Training & Parliamentary Procedures

Thanks for inviting me and I felt people really enjoyed it.

Without seeing the bylaws, I will share a few comments on this question, which is covered in the "big book" *Robert's Rules of Order Newly Revised* under the category Renewal of motions.

I'm not clear why this motion failed. 4 to 3 is a majority vote and would adopt the motion. Is this one of those cases that a certain number of votes are required to adopt?

Your question requires a specific look at the bylaws of the particular jurisdiction. If there is nothing special in the bylaws, the default rule from *Robert's* would be that the motion CAN be made again at a future meeting. I have seen several parishes that DO have rules prohibiting consideration in a specific time period. Also, notice requirements would have to be observed as for a new motion.

Be aware that what the absent members might have done is not part of the equation. If the motion is renewed, members can vote however they wish, so the results might be different.

For this question, avoid the term "reconsideration." If the motion was in fact lost, follow any special rules to make another motion saying the same or similar thing.

I hope this provides guidance.

Alison

On Sep 18, 2017, at 9:13 AM, Venita Chauvin <vchauvin@tpcg.org> wrote:

Hi Allison,

I want to thank you for your presentation in August. I received positive feedback.

I have a question about whether an ordinance that fails can be put back on agenda for re-consideration. There were 2 Council Members absent and the was 4 in favor and 3 against. The two members who were absent were probably going to vote in favor. Now, the Council Member who had originally introduced wants to know if the same ordinance can be put back on the agenda for reconsideration.

I looked through Roberts' Rules of Order and still am not clear.

If you can tell me what section to refer to it would be much appreciated.

Venita H. Chauvin, Council Clerk
Terrebonne Parish Council

vchauvin@tpcg.org

(985) 873-6519



Venita H. Chauvin

Terrebonne Parish Council Clerk

Ph. (985) 873-6520

Fax (985) 873-6521

1 session begins at any time during or before the third calendar
month after the calendar month in which the first session
ends. For example, with reference to a session held in January,
no more than a quarterly time interval has elapsed since the
5 previous session if that session ended on or after October 1st
of the preceding calendar year; and no more than a quarterly
time interval will elapse before the next session if that session
will begin on or before April 30th of the current year.

10 If two business sessions are separated by *more than a*
quarterly time interval—or if the term of a specified portion
of the membership expires before the start of the later session
(as may happen in an elected legislative assembly or in a
board)—then business can go over from the earlier session to
the later one only by means of referral to a committee (13).
15 If two consecutive regular business sessions are separated
by *no more than a quarterly time interval*, then—provided
that there is no specified portion of the membership whose
term expires before the start of the later session—there are
several ways in which business can go over from the earlier
20 session to the later one:*

- 1) by being postponed to, or otherwise set as a general or
special order for, the later session (see 14, 41);
- 2) by being laid on the table (17) at the earlier session
and not taken from the table (34) before that session
25 adjourns;

*It should be noted that if some, but not all, of an organization's regular
business sessions are separated by no more than quarterly time intervals, it is
only between meetings which are that close together that a question can go
over from one session to the next by any means other than referral to a com-
mittee. If a society holds regular monthly business meetings from September
through May, for example, but does not meet during the summer, a question
can be postponed until the next meeting at any of the meetings from Sep-
tember through April, but such a question cannot be postponed at the May
meeting until the September meeting.

- 3) by going over to the later session as unfinished busi-
ness or as an unfinished special order (see pp. 236-37,
356-59);
- 4) by being the subject of a motion to *Reconsider* (37) that
is not finally disposed of at the earlier session; and
- 5) by being referred to a committee (13) that can report at
the later session.

The only way for business to be carried over directly from
one session to some later regular session *beyond* the next reg-
ular business session is by being referred to a committee that
will report at that later session.

When a question is carried over from one session to an-
other by any of the above processes, it remains *within the*
control of the assembly as a question that has been *temporarily*,
but not finally, disposed of.

Any business that falls within the objects of the society as
defined in its bylaws (or, in the case of a board, any business
within the authority of the board) can be transacted at any
regular meeting (provided that the parliamentary rules relat-
ing to action already taken, or to matters not finally disposed
of and remaining within the control of the assembly, are com-
plied with in cases where they apply; compare pp. 110-13;
see also 35 and 38).

Special Meeting

A *special meeting* (or *called meeting*) is a separate session
of a society held at a time different from that of any regular
meeting, and convened only to consider one or more items
of business specified in the call of the meeting. Notice of the
time, place, and purpose of the meeting, clearly and specifi-
cally describing the subject matter of the motions or items of
business to be brought up, must be sent to all members a rea-
sonable number of days in advance. The reason for special
35

RENEWAL OF MOTIONS; DILATORY AND IMPROPER MOTIONS

§38. RENEWAL OF MOTIONS

If a motion is made and disposed of without being adopted, and is later allowed to come before the assembly after being made again by any member in essentially the same connection, the motion is said to be *renewed*. Renewal of motions is limited by the basic principle that an assembly cannot be asked to decide the same, or substantially the same, question twice during one session—except through a motion to reconsider a vote (37) or a motion to rescind an action (35), or in connection with amending something already adopted (see also pp. 74-75). A previously considered motion may become a substantially different question through a significant change in the wording or because of a difference in the time or circumstances in which it is proposed, and such a motion may thus be in order when it could not otherwise be renewed. The rules restricting renewal of motions do not apply to any motion that was last disposed of by being withdrawn. A motion that is withdrawn becomes as if it had never been made and can be renewed whenever it would be originally in

§38

RENEWAL OF MOTIONS

337

order. The rules restricting renewal of motions also do not apply to any motion that dies for lack of a second. Although such a motion is not treated as if it had never been made, it too is a motion which the assembly was not called upon to decide, and thus it too may be renewed whenever it would originally be in order to make it.

Two general principles govern the renewal of motions:

- 1) *No motion can be renewed during the same session in which it has already been before the assembly, except where its renewal is permitted by a specific rule; and such a rule always implies circumstances under which the motion has in some respect become a different question.* (For a discussion of the rules growing out of this principle, see *Nonrenewability During the Same Session, and Exceptions*, below.) Whenever it is stated without qualification that a particular parliamentary motion "cannot be renewed," such a statement means that the motion cannot be renewed during the same session, or, in the case of a subsidiary or incidental motion, not during that session in connection with the same motion to which it directly adhered.
- 2) *Any motion that is still applicable can be renewed at any later session, except where a specific rule prevents its renewal; and such an impediment to renewal at a later session normally can exist only when the first motion goes over to that session as not finally disposed of, in which case the question can then be reached through the first motion* (see pp. 90-91, 340-41).

Nonrenewability During the Same Session, and Exceptions

The following rules are derived from the first principle stated above, by which a motion is not renewable at the same session unless the question has become somehow different.

1 PARTICULAR CASES OF THE GENERAL RULE
AGAINST RENEWAL. Applications of the general rule
against renewal during the same session include the following:

- 5 • A main motion, or a motion for the same amendment to a given motion, cannot be renewed at the same session unless there is a change in wording or circumstances sufficient to present substantially a new question, in which case this becomes technically a different motion. If a series of resolutions voted on together is lost, however, one or more of them can be offered again at the same session, but enough resolutions must be left out to present a genuinely different question from the viewpoint of probable voting result; otherwise this procedure becomes dilatory.
- 10 • A motion to *Postpone Indefinitely* cannot be renewed in connection with the same main question during the same session, even if the main motion has been materially amended since the previous vote against indefinite postponement. There will be another opportunity to accomplish the same object—that is, to defeat the main motion—when it comes up for a final vote.
- 15 • A motion to *Reconsider* that has been rejected cannot be renewed in connection with the same vote. To be able to be reconsidered a second time, the original question must have been materially amended during the first reconsideration—in which case the proposal to reconsider a second time is a new question.
- 20 • A motion to *Rescind* that has been voted down cannot be renewed at the same session unless the motion proposed to be rescinded has meanwhile been amended sufficiently to present a new question.
- 25 • A motion to divide the same question in substantially the same way cannot be renewed at the same session.
- 30 • When a *Question of Privilege* or a *Point of Order* has been ruled on adversely by the chair, it cannot be raised again
- 35

at the same session unless an appeal is made and the chair's decision is reversed. After a decision of the chair has been sustained on an appeal, no point of order or appeal contrary to it can be made during that session.

7

5 MOTIONS THAT CAN BE RENEWED AT A LATER MEETING OF THE SAME SESSION. Following are two cases of motions which cannot be renewed at the same meeting, but which may have become different questions—and consequently are renewable—at another meeting of the same session (see 8):

10

- Although the motion to *Suspend the Rules* for the same purpose cannot be renewed at the same meeting, such a motion can be renewed at the next meeting or any later meeting, even if the next meeting is held on the same day or is part of the same session. This renewal is allowable because by the time of the next meeting the attendance or situation may already have changed sufficiently to justify the renewal. The mere passage of time may make it a new question.
- 15
- The same motion to *Fix the Time to Which to Adjourn*—that is, a motion to set the same date, hour, and place for an adjourned meeting—cannot be renewed at the same meeting at which it is voted down; but if, after the first motion is rejected, the assembly decides to set an adjourned meeting for an earlier time than proposed in the first motion, then at that adjourned meeting it is in order to move to set a second adjourned meeting for the same time as originally considered for the first.
- 20
- 25
- 30

MOTIONS THAT CAN BE RENEWED AFTER MATERIAL PROGRESS IN BUSINESS OR DEBATE. The following motions are renewable if they become new questions as described, even within the same meeting:

35

- 1 • The subsidiary motions to *Commit*, to *Postpone to a Certain Time*, to *Limit or Extend Limits of Debate*, for the *Previous Question*, and to *Lay on the Table* can be renewed whenever progress in business or debate has been such that they are no longer practically the same questions. In addition, a motion to *Lay on the Table* can be renewed if something urgent has arisen that was not known when the assembly rejected this motion.
- 5 • A motion to *Take from the Table* that has failed can be renewed after disposal of the business that was taken up following rejection of the motion.
- 10 • A *Call for the Orders of the Day* can be renewed after disposal of the business that was taken up when the assembly refused to proceed to the orders of the day.
- 15 • A motion to *Adjourn* or to *Recess* can be renewed after material progress in business or in debate—such as an important decision or speech. A vote on a motion to *Recess* or to *Lay on the Table* is not business of a character to justify renewal of a motion to *Adjourn*, and a vote on any of these three motions is not sufficient business to allow renewal of either of the others.
- 20 • Motions to close nominations or the polls can be renewed after progress in nominations or voting has been such as to make them essentially new questions.

Conditions That May Impede Renewal at a Later Session

30 MAIN MOTIONS THAT GO OVER TO ANOTHER SESSION: MOTIONS WITHIN THE CONTROL OF THE ASSEMBLY, BECAUSE NOT FINALLY DISPOSED OF. Referring to the second general principle stated on page 337, a main motion that was introduced but not adopted during one session can, except as noted in this paragraph, be renewed at any later session unless it has become

absurd. Such exceptions occur only through one of the processes by which, from one session to another, a main motion can remain within the control of the assembly (that is, temporarily, but not finally, disposed of), so that the same motion can be considered at the later session. Four of these processes (numbered 1 through 4 below) can arise only in cases of organizations where no more than a quarterly time interval (see pp. 89-90) will elapse until the next regular session. In such societies, a main motion cannot be renewed during the next session after a session at which it was:

- 1) postponed to, or otherwise set as a general or special order for, the next session (14);
- 2) allowed to go over to the next session as unfinished business or as an unfinished special order (see pp. 236-37, 356-59);
- 3) laid on the table and not taken from the table (17, 34); or
- 4) the subject of a motion to *Reconsider* (37) that was made but not finally disposed of.

Also, in any assembly:

- 5) a main motion that has been referred to a committee cannot be renewed until after the session at which the assembly finally disposes of the main motion—after the committee has reported it back or has been discharged from its consideration (36).

NONRENEWABILITY OF UNSUSTAINED OBJECTION TO THE CONSIDERATION OF A QUESTION.

An unsustained *Objection to the Consideration of a Question* (26) cannot be renewed in connection with the same main motion—even at a later session if the main motion goes over to that session through one of the processes stated

1 immediately above. By deciding to consider the question, the
assembly has already begun its involvement, and it is too late
to make an objection. But if an original main motion is finally
disposed of at one session without being adopted and is re-
newed at a later session, it is then a new motion and its con-
sideration can be objected to, subject to the usual rules.

§39. DILATORY AND IMPROPER MOTIONS

10 Dilatory Motions

A motion is *dilatory* if it seeks to obstruct or thwart the
will of the assembly as clearly indicated by the existing parla-
mentary situation.

15 Parliamentary forms are designed to assist in the transac-
tion of business. Even without adopting a rule on the subject,
every deliberative assembly has the right to protect itself from
the dilatory use of these forms.

Any main or other motion that is frivolous or absurd or
20 that contains no rational proposition is dilatory and cannot
be introduced. As further examples, it is dilatory to obstruct
business by appealing from a ruling of the chair on a question
about which there cannot possibly be two reasonable opin-
ions, by demanding a division (29) on a vote even when there
25 has been a full vote and the result is clear, by moving to lay
on the table the matter for which a special meeting has been
called, by constantly raising points of order and appealing
from the chair's decision on them, or by moving to adjourn
again and again when nothing has happened to justify renewal
30 of such a motion. By use of such tactics, a minority of two or
three members could bring business to a standstill.

It is the duty of the presiding officer to prevent members
from misusing the legitimate forms of motions, or abusing the
35 privilege of renewing certain motions, merely to obstruct busi-
ness. Whenever the chair becomes convinced that one or more

members are repeatedly using parliamentary forms for dilatory
purposes, he should either not recognize these members or
he should rule that such motions are out of order—but he
should never adopt such a course merely to *speed up* business,
and he should never permit his personal feelings to affect his
judgment in such cases. If the chair only *suspects* that a motion
is not made in good faith, he should give the maker of the
motion the benefit of the doubt. The chair should always be
courteous and fair, but at the same time he should be firm in
protecting the assembly from imposition.

Improper Motions

Motions that conflict with the corporate charter, consti-
tution, or bylaws of a society, or with procedural rules pre-
scribed by national, state, or local laws, are out of order, and
if any motion of this kind is adopted, it is null and void. Like-
wise, motions are out of order if they conflict with a motion
that has been adopted by the society and has been neither re-
scinded, nor reconsidered and rejected after adoption. Such
conflicting motions, if adopted, are null and void unless
adopted by the vote required to rescind or amend the motion
previously adopted.

Motions are also improper when they present practically
the same question as a motion previously decided at the same
session. In addition, motions are improper that conflict with,
or present practically the same question as, one still within
the control of the society because not finally disposed of (see
pp. 90-91, 340-41). If a conflicting motion were allowed in
such cases, it would interfere with the freedom of the assem-
bly in acting on the earlier motion when its consideration is
resumed.

No motion can be introduced that is outside the object
of the society or assembly as defined in the bylaws (see
p. 571), unless by a two-thirds vote the body agrees to its

Venita Chauvin

From: ALISON WALLIS [alisonwallis@mac.com]
Sent: Wednesday, October 4, 2017 3:13 PM
To: Venita Chauvin
Subject: Re: Roberts Rules of Order Training & Parliamentary Procedures

If there is no special rule (and I have seen parishes that have them), the item cannot be brought up again at the same meeting (unless it is voted to reconsider the vote), but a new motion saying exactly the same thing can be made at future meetings.

If this is a recurring problem, perhaps the council would wish to adopt rules prohibiting bringing the same motion within __ months or more than twice (or some such idea). Also, if it is ONE council member, if no one else is in favor, they should not second the motion. There are also motions to object to the consideration, which might prevent time being consumed.

Good luck,

Alison

On Oct 4, 2017, at 3:07 PM, Venita Chauvin <vchauvin@tpcg.org> wrote:

Do you know of a limit of how many times an item can be brought back to the Council after it fails?

Venita H. Chauvin, Council Clerk
Terrebonne Parish Council
vchauvin@tpcg.org
(985) 873-6519



From: Venita Chauvin
Sent: Monday, September 18, 2017 4:05 PM
To: 'ALISON WALLIS'
Subject: RE: Roberts Rules of Order Training & Parliamentary Procedures

Thank you very much!

That is what our Parish Attorney indicated, but I wanted to make sure.

Venita

From: ALISON WALLIS [<mailto:alisonwallis@mac.com>]
Sent: Monday, September 18, 2017 4:03 PM