

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

SPECIAL MEETING - AUGUST 16, 2016

The St. Martin Parish Council met in Special Session pursuant to the following Notice of Special Meeting:

NOTICE OF SPECIAL MEETING

Parish President Guy Cormier has called a **Special Meeting** of the St. Martin Parish Council for 5:00 P.M., Tuesday, August 16, 2016, Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana, in accordance with the Provisions of the St. Martin Parish Home Rule Charter, Section 2.07, Council Meetings and Rules, Paragraph C, to consider the following items:

- 1) CALL TO ORDER
- 2) INVOCATION
- 3) PLEDGE OF ALLEGIANCE
- 4) ROLL CALL
- 5) SPECIAL BUSINESS:
None.
- 6) ORDINANCE INTRODUCED FOR PUBLIC HEARING:
None.
- 7) RESOLUTIONS:

SUMMARY NO. 070-RS (Introduced by Jason Willis, District 3)
A Resolution affirming and ratifying any and all acts adopted by Parish President Guy Cormier relative to his declaration of a state of emergency and/or state of disaster in accordance with the provisions of the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*
- 8) ORDINANCE INTRODUCED FOR PUBLICATION:
None.
- 9) ADJOURNMENT.

NOTE: According to the Home Rule Charter, Section 2.07, Paragraph C, "the power of the Council to act at a special or emergency meeting shall be limited, under penalty of nullity, to the objects specifically enumerated in the call."

**ST. MARTIN PARISH COUNCIL
LACI LAPEROUSE
CLERK OF THE COUNCIL**

The meeting was called to order by Chairman Jason Willis.

The Invocation was read by Laci Laperouse and the Pledge of Allegiance was led by Daniel Richard, Jr.

The following members were present: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr. Members absent: None. Also present: Parish President Guy Cormier and Legal Counsel Andrew Shealy.

A motion was made by Jill Hebert and seconded by Albert Menard that the following resolution be adopted:

RESOLUTION NO. 16-070-RS

WHEREAS, acting in accordance with the dictates of La. R.S. 29:721, *et seq*, the Parish President has declared a state of emergency and state of disaster as a consequence of the torrential rain storms from August 12, 2016, through August 14, 2016, inclusively; and

WHEREAS, Governor John Bel Edwards issued Proclamation Number 111 JBE 2016 relative to the aforesaid storms; and

WHEREAS, the destruction caused by the subject storms has caused and will continue to cause significant loss of property, severe damage to property, and the disruption of essential services such as water, electricity, and communications; and

WHEREAS, the destruction associated with the storms and consequential flooding has not been remedied and continues to pose a threat to the safety, welfare, and comfort of the citizens of St. Martin Parish, Louisiana; and

WHEREAS, many residents and citizens of St. Martin Parish are elderly, disabled, and/or otherwise physically unable to attend to their property/homes relative to addressing the destruction and debris associated with subject storms and flooding; and

WHEREAS, the proclamation issued by Governor of the State of Louisiana and the notice of emergency issued by the Parish President authorizes employees of St. Martin Parish, acting at the discretion of the Parish President, to assist in removing from private property the debris caused by these torrential rain storms; and

WHEREAS, time is of the essence relative to debris removal and the remediation of health hazards associated with the said flooding, including, but not limited to, mosquito and pest control.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby affirm and ratify any and all acts adopted by Parish President Guy Cormier relative to his declaration of a state of emergency and/or state of disaster in accordance with the provisions of the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to enter into a contract with any firm(s)/contractor(s), for the removal of all possible hazards to life and property resulting from the severe weather of August 12, 2016, through August 15, 2016. Any such contract(s) shall provide for compensation within the budgetary constraints established or to be established by the St. Martin Parish Council.

BE IT FURTHER RESOLVED that the aforesaid contract(s) shall contain such other terms, conditions and provisions as deemed necessary and fit in the discretion of the Parish President, and shall specifically provide for cancellation upon forty-eight (48) hours after notification from the St. Martin Parish Government.

BE IT FURTHER RESOLVED that this declaration shall and does hereby empower the Parish President to enter into any and all contracts necessary to implement and effectuate the dictates set forth herein in accordance with the procedures set forth in La. R.S. 38:2212(P) and 38:2212(K).

BE IT FURTHER RESOLVED that the Parish President be empowered, authorized, and directed to allow employees of St. Martin Parish, during regular working hours, to enter upon private property to remove debris and otherwise address safety hazards, all associated with the consequential issues associated with the rain storms referenced herein. However, the entry upon private property for such purposes shall only occur where the safety and health of the citizens of St. Martin Parish is endangered and whenever the owners/residents of the private property is physically unable to address the destruction caused by the said storms. Thus, to the extent necessary, the objective criteria by which to determine when entry upon private property is appropriate previously established

by the Parish President as part of the Declaration Of State Of Emergency issued by him on August 15, 2016, is hereby ratified and affirmed.

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to enter into Intergovernmental Agreements with other political subdivisions within St. Martin Parish, Louisiana, relative to the coordination of efforts to remedy the hazards and remove the debris associated with the destruction and damage caused by the said rain storms, and to incorporate into such accords those provisions deemed necessary and fit in his discretion; however, any such agreement shall obligate the political subdivision to reimburse St. Martin Parish Government for any expenses incurred in connection therewith which are not reimbursed by FEMA, the State of Louisiana, or any agency thereof.

BE IT FURTHER RESOLVED that the Parish President adopt whatever steps deemed necessary in order to receive benefits through and/or from the Federal Emergency Management Agency and/or State of Louisiana with regard to reimbursement of the costs of effectuating this resolution and in carrying out his duties and responsibilities as the Parish President of St. Martin Parish.

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to enter into any other agreements which he may deem necessary in order to effectuate the above and foregoing resolutions, such accords to be within the budgetary constraints established or to be established by the St. Martin Parish Council.

BE IT FURTHER RESOLVED that as to any projects performed in conjunction with and as a result of this resolution, St. Martin Parish Government waives any and all local permits and licenses which this Parish may otherwise require.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Chris Tauzin,
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

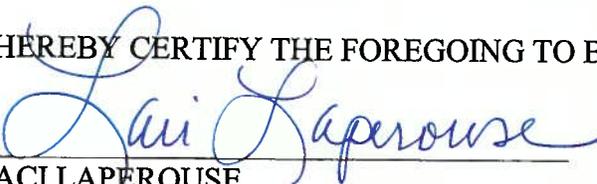
ABSENT: None.

And the Resolution was declared adopted this 16th day of August, 2016.

* * * * *

A motion was made by Dean LeBlanc and seconded by Albert Menard that the St. Martin Parish Council does hereby adjourn. Motion was unanimously approved.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



LACI LAPEROUSE
CLERK OF THE COUNCIL