

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

REGULAR MEETING - DECEMBER 5, 2017

The St. Martin Parish Council met in Regular Session convened at 5:00 p.m., Tuesday, December 5, 2017, Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana.

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 Albert Menard.

The following members were present: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tausin, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr. Members absent: Neil Thibodeaux (excused). Also present: Parish President Guy Cormier and Parish Attorney Chester Cedars.

A motion was made by Dean LeBlanc and seconded by Lisa Nelson to approve the minutes of the St. Martin Parish Council Regular Meeting of November 7, 2017.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion was declared adopted this 5th day of December, 2017.

The Council met as a Board of Zoning Adjustment to consider granting a waiver to allow for a reduction of a front yard setback from twenty-five feet (25') to twenty feet (20') only on the front side of the property, located at Widow Lane, Cecilia, District 8. Property owner Ronnie Calais explained he would like to utilize as much of his property as possible, and therefore, building closer to the front side of the property would be ideal. Council Member Dean LeBlanc stated approval from not only the St. Martin Parish Public Works Department but also the utility company have confirmed twenty feet (20') would be the closest Mr. Calais could build on. After a general discussion amongst Council Members, it was determined a waiver be granted to Mr. Calais to allow for a reduction of a front yard setback from twenty-five feet (25') to twenty feet (20') only on the

front side of the property, located at Widow Lane, Cecilia, District 8.

A motion was made by Dean LeBlanc and seconded by Albert Menard that the waiver to allow for a setback reduction be granted.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion was declared adopted this 5th day of December, 2017.

A motion was made by Dean LeBlanc and seconded by Jill Hebert to open the Public Hearing to obtain public comments regarding ordinances being considered for final adoption.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion was declared adopted this 5th day of December, 2017.

Chairman Jason Willis asked for public comments regarding ordinances being considered for final adoption.

Clerk of the Council Laci Laperouse read each ordinance summary.

Upon hearing no comments from the audience regarding the proposed ordinances being considered for final adoption, the Chairman requested a motion to close the Public Hearing.

A motion was made by Albert Menard and seconded by Lisa Nelson that the Public Hearing be closed.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion was declared adopted this 5th day of December, 2017.

A motion was made by Lisa Nelson and seconded by Jill Hebert that the following ordinance be adopted:

ORDINANCE NO. 17-12-1203-OR

An Ordinance acknowledging that Bruce Foods Corporation has fulfilled all its obligations relative to that certain Cooperative Agreement To Transfer and Lease and that certain Lease, recorded respectively under Entry Numbers 366455 and 375834 of the Conveyance Records of St. Martin Parish, Louisiana; and, authorizing the Parish President to execute any and all documents acknowledging the foregoing and to transfer to Bruce Foods Corporation that certain property described in the said cooperative agreement and lease.

WHEREAS, in approximately 2004, Bruce Foods Corporation expanded its facilities located in St. Martin Parish, Louisiana; and

WHEREAS, the expansion of the said facilities was of significant economic benefit to the State of Louisiana, in general, and St. Martin Parish, in particular; and

WHEREAS, the Louisiana Economic Development Corporation (“LED”) embraced the aforesaid expansion project; and

WHEREAS, the LED approved and awarded a grant in favor of Bruce Foods Corporation and/or St. Martin Parish to aid in the financing of the expansion project, all in accordance with La. R.S. 51:2341, *et seq*; and

WHEREAS, the said grant approval/award mandated that the St. Martin Parish Government acquire the property and improvements which were the objects of the expansion project of Bruce Foods Corporation; and

WHEREAS, the property referenced in the foregoing paragraph is described in Exhibit A attached hereto and hereinafter referred to as the “Property”; and

WHEREAS, the grant approval/award further required that the St. Martin Parish Government lease to Bruce Foods Corporation the Property, with the term ending on January 1, 2008, and the lease further acknowledging that the subject property would be transferred *ipso facto* from the Parish to Bruce Foods Corporation immediately upon termination of the lease; and

WHEREAS, Bruce Foods Corporation and the St. Martin Parish Government executed a Cooperative Agreement To Transfer And Lease and a Lease, recorded respectively under Entry Numbers 366455 and 375834 of the Conveyance Records of St. Martin Parish, those documents being made a part of this Ordinance by reference; and

WHEREAS, Bruce Foods Corporation and St. Martin Parish Government honored all of the terms and conditions of the said cooperative agreement and lease accord, as well as all of the conditions of the LED grant/approval; and

WHEREAS, the transfer of the Property was for the sole and exclusive purpose(s) of confecting the grant from LED, and it was never the intent that Bruce Foods Corporation would be divested of the ownership and care, custody, and control of the Property:

NOW, THEREFORE, BE IT ORDAINED that the ST. MARTIN PARISH GOVERNMENT does hereby acknowledge and concur that on January 1, 2008, contemporaneously with the termination of that Lease recorded under Entry Number 375834 of the Conveyance Records of St. Martin Parish, Louisiana, the full ownership of the Property was transferred *ipso facto* from the Parish to BRUCE FOODS CORPORATION at which time the latter was vested with the full ownership thereof. Consequently, ST. MARTIN PARISH GOVERNMENT does not own or assert any right, title, or interest in or to the Property, all as set forth in the Cooperative Agreement To Transfer And Lease and the Lease which are described herein and made a part hereof.

BE IT FURTHER ORDAINED that the Parish President is hereby authorized and directed to execute such instruments necessary to effectuate the transfer of the Property to Bruce Foods Corporation and to effectuate the terms and provisions of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of December, 2017.

A motion was made by Chris Tauzin and seconded by Albert Menard that the following ordinance be adopted:

ORDINANCE NO. 17-12-1204-OR

An Ordinance ratifying the execution by the Parish President of an agreement confirming the existence of a servitude located on property in Section 58, Township 9 South, Range 6 East of St. Martin Parish, Louisiana.

WHEREAS, over thirty (30) years ago, the ST. MARTIN PARISH GOVERNMENT relocated a drainage lateral/channel on property owned by ALLEN BLANCHARD and GEORGIE BLANCHARD, husband and wife; and

WHEREAS, the drainage lateral/channel was relocated/constructed on the property owned by the aforesaid ALLEN BLANCHARD and GEORGIE BLANCHARD described as follows:

That certain tract of land, 100 feet in width, located in Section 58, Township 9 South, Range 6 East of St. Martin Parish, Louisiana, running a distance of 1,887.5 feet along the entirety of the northwest boundary line of Tract 2 shown and depicted on a plat of survey prepared by Fred L. Colomb, dated April 25, 1961, and marked "Ne Varietur" for identification with an Act of Sale by Odille Blanchard Allemond, *et al*, in favor of Joel Blanchard, the sale being dated June 8, 1961, and recorded in the Conveyance Records of St. Martin Parish, Louisiana.

WHEREAS, the ST. MARTIN PARISH GOVERNMENT has maintained the said drainage lateral/channel continuously since its construction/relocation over thirty (30) years ago; and

WHEREAS, inexplicably, no written servitude accord was ever executed/confected relative to the aforesaid servitude of drainage; and

WHEREAS, ALLEN BLANCHARD is now deceased; however, his widow, GEORGIE BLANCHARD, has acknowledged the existence of the said servitude interest over the aforescribed property in favor of ST. MARTIN PARISH GOVERNMENT, acknowledging it is exclusively for drainage and embraces the right of ingress and egress for the maintenance thereof; and

WHEREAS, Parish President Guy Cormier has executed a written agreement confirming the existence of the servitude, acknowledging its adoption as a necessary component of the Parish's drainage system under La. R.S. 38:113 and permitting the ST. MARTIN PARISH GOVERNMENT to deposit spoil/dredged materials on property owned by the late ALLEN BLANCHARD and his widow, GEORGIE BLANCHARD, all in accordance with law; and

WHEREAS, the distribution of any spoil/dredged materials generated by the maintenance of the said drainage lateral/channel on the contiguous property owned by the servient estate owner inures to the benefit of the ST. MARTIN PARISH GOVERNMENT:

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of St. Martin Parish, Louisiana, duly convened in regular session on the 5th day of December, 2017, that the servitude agreement executed by Parish President Guy Cormier, on behalf of the ST. MARTIN PARISH GOVERNMENT, and GEORGIE BLANCHARD, a replica of which is appended to this ordinance, be and is hereby confirmed and ratified.

BE IT FURTHER ORDAINED that the Parish President be and is hereby directed, empowered, and authorized to execute any and all other agreements which he may deem necessary in order to confirm the existence of the foregoing servitude of drainage.

BE IT FURTHER ORDAINED by the St. Martin Parish Council that this ordinance shall become effective immediately upon signature of the Parish President.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of December, 2017.

A motion was made by Dean LeBlanc and seconded by Albert Menard that the following ordinance be adopted:

ORDINANCE NO. 17-12-1205-OR

An Ordinance to create the position of Assistant Clerk of The Council/Executive Branch Liaison and to amend Ordinance Number 15-05-1095-OR to add that position to the St. Martin Parish Pay Schedule and to assign the position to Pay Range 10; and to add to the St. Martin Parish Pay Schedule an additional (16th) Step to each Pay Range reflected on the aforesaid pay schedule; all pursuant to Section 2-10 of the Home Rule Charter of St. Martin Parish, Louisiana.

WHEREAS, by virtue of Ordinance Number 17-01-1167-OR the St. Martin Parish Council created the position of Assistant Clerk of the Council; and

WHEREAS, Ordinance Number 17-01-1167-OR further assigned the position of Assistant Clerk of the Council to Pay Range 9 of the St. Martin Parish Pay Schedule; and

WHEREAS, on September 5, 2017, Ordinance Number 17-01-1167 was amended by Ordinance Number 17-01-1188 to provide that the position of Assistant Clerk of the Council would be full-time; and

WHEREAS, the Parish President and Clerk of the Council have determined that the best interests of the Parish will be served by assigning additional responsibilities to the current Assistant Clerk of the Council which would embrace, but not be limited to, acting as a liaison between the St. Martin Parish Council and the Office of the Parish President; and

WHEREAS, the Parish President and Clerk of the Council have further concluded that the aforementioned additional responsibilities could become unduly burdensome for the current Assistant Clerk of the Council although the position is now full-time; and

WHEREAS, the St. Martin Parish Council concurs with the aforesaid determinations of the Clerk of the Council and Parish President; and

WHEREAS, it is the conclusions of the Parish President, Clerk of the Council, and St. Martin Parish Council that a position denominated as "Assistant Clerk of the Council/Executive Branch Liaison" should be added to the St. Martin Parish Pay Schedule to reflect the additional duties and obligations which would, without such a position, be assumed by the Assistant Clerk of the Council; and

WHEREAS, the St. Martin Parish Council has further determined that the newly created position of Assistant Clerk of the Council/Executive Branch Liaison, because of the additional duties and responsibilities, should be assigned to pay Range 10 of the Parish's pay schedule; and

WHEREAS, despite the creation of the new position of Assistant Clerk of the Council/Executive Branch Liaison, the position of Assistant Clerk of the Council should be maintained to insure that, should future circumstances so dictate, there are sufficient personnel positions available to the St. Martin Parish Government in order for it to effectively discharge its administrative and clerical duties, obligations, and responsibilities; and

WHEREAS, the St. Martin Parish Council, acting in concert and cooperation with the Parish President, has also determined that an additional Step should be added to all pay Ranges reflected on the current pay schedule of the Parish, increasing the Steps in all pay Ranges to sixteen (16):

NOW, THEREFORE, BE IT ORDAINED that the pay schedule referenced in Rule 4.0 of the St. Martin Parish Government Rules and Procedures Manual be revised and amended to add to the said pay schedule the position of Assistant Clerk of the Council/Executive Branch Liaison.

BE IT FURTHER ORDAINED that pay schedule referenced in Rule 4.0 of the St. Martin Parish Government Rules and Procedures Manual be further revised and amended to assign the position of Assistant Clerk of the Council/Executive Branch Liaison to pay Range ten (10).

BE IT FURTHER ORDAINED that the current position of Assistant Clerk of the Council be maintained and the pay Range for that position remain the same;

BE IT FURTHER ORDAINED that pay schedule referenced in Rule 4.02(a) of the St. Martin Parish Government Rules and Procedures Manual be revised and amended to add a sixteenth (16th) Step to each pay Range of the aforesaid schedule, and thus to read as follows:

"Pay Schedule: The pay structure shall be contained in one general schedule for all employees in the parish service. The general schedule shall consist of thirty (30) pay Ranges. Each pay Range will be divided into sixteen (16) Steps with each pay Step within its respective Range being 5% higher than the Step immediately preceding it."

BE IT FURTHER ORDAINED that this Ordinance shall become effective on January 1, 2018.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of December, 2017.

A motion was made by Albert Menard and seconded by Byron Fuselier that the following ordinance be adopted:

ORDINANCE NO. 17-12-1206-OR

An Ordinance to amend Article VIII of the St. Martin Parish Zoning Ordinance by the repeal, amendment, revision, enactment, and/or re-enactment of Sections 1 and 2 thereof, the repeal of Section 4, and the enactment of Section 9 thereof, to provide for the Parish Council to sit as a Board of Zoning Adjustment, appointment of legal counsel therefor, and to provide for all other matters related thereto.

WHEREAS, the Zoning Ordinance for St. Martin Parish, Louisiana, was adopted on December 18, 1995; and

WHEREAS, the aforesaid Zoning Ordinance was enacted when St. Martin Parish, Louisiana, was governed by a "Police Jury" form of government; and

WHEREAS, on March 27, 1999, the voters of St. Martin Parish, Louisiana, adopted a Home Rule Charter to govern the affairs of St. Martin Parish, all pursuant to Article VI, Section 5 of the Louisiana Constitution; and

WHEREAS, the aforesaid Home Rule Charter for St. Martin Parish became effective on January 1, 2000; and

WHEREAS, Article VIII of the Zoning Ordinance for St. Martin Parish provides for the creation of a Board of Zoning Adjustment and further confers upon that Board certain powers, duties, and obligations; and

WHEREAS, since the adoption in 1995 of the Parish's Zoning Ordinance, the legislative authority for St. Martin Parish has served as the Board of Zoning Adjustment provided for in Article VIII of the Zoning Ordinance; and

WHEREAS, La. R.S. 33:4727 provides that a Board of Zoning Adjustment may be established by the legislative body of a local political subdivision; however, the Louisiana Supreme Court has declared that a Board of Zoning Adjustment is not mandatory [*See Lambert v. Parish of Jefferson*, 390 So.2d 515 (La. 1980)]; and

WHEREAS, questions have arisen as to the propriety of the St. Martin Parish Council sitting as the Board of Zoning Adjustment; and

WHEREAS, the legislative authority sitting as the Board of Zoning Adjustment has proven to be workable and has fostered an effective implementation of the provisions of the Zoning Ordinance for St. Martin Parish, Louisiana; and

WHEREAS, the St. Martin Parish Council now desires that Article VIII of the Zoning Ordinance for St. Martin Parish, Louisiana, be revised to comport with its longstanding policy and practice of sitting as a Board of Zoning Adjustment and therefore further seeks that Article VIII of the Zoning Ordinance for St. Martin Parish, Louisiana, be revised accordingly:

BE IT ORDAINED by the Parish Council of St. Martin Parish, Louisiana, duly convened in regular session on the 5th day of December, 2017, that:

Article VIII, Sections 1 and 2 of the Zoning Ordinance for St. Martin Parish, Louisiana, be amended by the repeal, amendment, revision, enactment, and/or re-enactment of Sections 1 and 2; that Article VIII, Section 4 of the Zoning Ordinance for St. Martin Parish, Louisiana, be repealed; and that Article VIII be amended by the enactment of Section 9, all as follows:

Section 1. Parish Council to Serve as Board of Zoning Adjustment.

In the implementation of the Zoning Ordinance of St. Martin Parish, Louisiana, there shall be no separate and distinct advisory or administrative board known as the Board of Zoning Adjustment. Rather, the St. Martin Parish Council shall serve as the Board of Zoning Adjustment. Therefore, wherever in the Zoning Ordinance for St. Martin Parish reference is made to the Board of Zoning Adjustment or Board of Adjustment, it shall mean the St. Martin Parish Council sitting in such capacity.

Section 2. Organization and Procedures.

The dictates of Section 2-07 of the Home Rule Charter for St. Martin Parish, Louisiana, shall govern the proceedings of the St. Martin Parish Council when sitting as the Board of Zoning Adjustment, where applicable. Furthermore, any action or decision of the Parish Council sitting in such capacity shall require a majority vote of the authorized membership of the Council. Moreover, the Clerk of the Council shall serve as the Secretary of the Board of Zoning Adjustment. All officers of the St. Martin Parish Council shall serve in identical capacities relative to meetings of the Parish Council when sitting as a Board of Zoning Adjustment.

Section 9. Legal Counsel.

The attorney appointed by the Parish President and confirmed by the Parish Council pursuant to Section 4-02 of the Home Rule Charter for St. Martin Parish, Louisiana, shall also serve as general counsel for the Board of Zoning Adjustment. However, special legal counsel may be retained by the Board of Zoning Adjustment for a particular engagement or purpose. Any such authorization shall set forth the compensation, if any, to be paid for such special legal services.

BE IT FURTHER ORDAINED by the St. Martin Parish Council that all prior acts of the legislative bodies of St. Martin Parish, Louisiana, wherein they functioned as the Board of Zoning Adjustment be and are hereby confirmed, ratified, and approved.

BE IT FURTHER ORDAINED by the St. Martin Parish Council that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof which can be afforded efficacy without the invalid provision or application. Furthermore, any parish ordinance heretofore adopted by the St. Martin Parish Government, or its predecessor, which is in conflict with the provisions of this ordinance is hereby deemed to be repealed with respect to the conflicting provision(s).

BE IT FURTHER ORDAINED by the St. Martin Parish Council that this ordinance shall become effective as provided by Section 2-12 of the Home Rule Charter of St. Martin Parish, Louisiana.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of December, 2017.

It was requested by Parish Attorney Chester Cedars and approved by Chairman Jason Willis to move forward to Resolution Summary Nos. 140-RS and 142-RS.

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

RESOLUTION NO. 17-140-RS

A RESOLUTION ESTABLISHING A POLICY GOVERNING THE PUBLIC PARTICIPATION AT ALL MEETINGS OF THE ST. MARTIN PARISH COUNCIL AND PROVIDING FOR ALL OTHER MATTERS RELATED THERETO.

WHEREAS, the St. Martin Parish Council recognizes that its governmental duties and business should be performed in as open and public a manner as plausible so as to insure that the general public is advised and made aware of the deliberations and decisions that form the core of the public policy of St. Martin Parish, Louisiana; and

WHEREAS, the St. Martin Parish Council acknowledges that Article XII, Section 3 of the Louisiana Constitution establishes the right of private citizens to participate in the deliberations of public bodies so that governmental decisions are not generated without the opportunity for public input; and

WHEREAS, the St. Martin Parish Council encourages citizens of this Parish to be afforded an opportunity to address it by specific and advanced requests to be listed on an agenda for its meetings; and

WHEREAS, embodied in the Open Meetings Law of the State of Louisiana, La. R.S. 42:11, *et seq*, are specific statutes which govern public meetings of political subdivisions of the State of Louisiana; and

WHEREAS, La. R.S. 42:14(D) provides that with regard to public meetings of a political subdivision of the State of Louisiana, members of the public shall be afforded a reasonable opportunity to comment on any agenda item upon which a vote is to be taken; and

WHEREAS, the St. Martin Parish Council desires that the citizens of this parish be encouraged to attend its meetings so that they may become better acquainted with governmental affairs and so that they may be intelligently advised of the nature of the business and policy decisions adopted by the St. Martin Parish Council; and

WHEREAS, the St. Martin Parish Council declares that all of its meetings should be conducted in full view of and with welcomed participation by the public; and

WHEREAS, the St. Martin Parish Council recognizes that its meetings should be administered and conducted with decorum and without undue disruption; and

WHEREAS, the St. Martin Parish Council further acknowledges that to as great an extent as legally and practically plausible, the privacy rights of Parish employees and the citizens of this Parish should be protected; and

WHEREAS, the St. Martin Parish Council likewise acknowledges that often governmental issues and proceedings should transpire in executive session:

NOW, THEREFORE, BE IT RESOLVED that to balance the competing interests of the public and the St. Martin Parish Council in conducting meetings in a prompt, professional, and open manner free of unnecessary disruption and without the undue infringement of privacy rights, and within the guidelines of proper decorum, the following policy is hereby adopted:

I. Rules of Parliamentary Procedure.

All meetings of the St. Martin Parish Council shall be conducted in accordance with the most recent edition of *Robert's Rules of Order*, except as otherwise provided for by the laws of the State of Louisiana, the provisions of the Home Rule Charter for St. Martin Parish, Louisiana, and/or the dictates set forth herein.

II. Request for Item(s) to be Placed on Agenda.

Any delegation or individual who wishes to appear and address the St. Martin Parish Council at any public meeting shall submit a request to the Clerk of the Council, in writing, at least seven (7)

working days prior to the meeting date. The request shall specify the matter to be commented upon at the meeting and the approximate time needed to speak. The Clerk of the Council shall adopt all steps to insure that such item(s) will be included on the agenda of the meeting at which the delegation or individual wishes to appear. In the case of a delegation seeking to address the Council at a meeting, only one (1) person should be selected as the spokesperson therefor.

No person appearing before the St. Martin Parish Council shall address: the candidacy of any person seeking office (except a candidate who appears on his/her own behalf); matters which are in current or anticipated litigation; any personnel issue which is presently under investigation; the character, professional competency, or physical/mental health of any person; or any other matter deemed confidential by law.

III. Public Comment on Agenda Item(s).

In addition to the privilege of an individual being allowed to address the Council pursuant to having been placed on the agenda, a public comment period shall be held prior to action on an agenda item which requires that a vote be taken. To exercise this privilege, no prior request for placement on the agenda is necessary. Comments from the public shall be entertained after introduction of the item to be voted on and before any discussion by members of the Council. No public comment shall be allowed on any item which does not require that a vote be taken and/or which does not appear on the agenda.

A person wishing to comment on any agenda item may be requested, at the discretion of the Chairperson, to complete a "Public Comment Form" prior to the meeting indicating the specific agenda item which he or she would like to address.

Any person appearing before the St. Martin Parish Council in connection with such agenda item shall first state his or her name and shall limit his or her remarks to five (5) minutes. However, the Chairperson may deviate from this time limitation unless his/her decision is overridden by a majority vote of the Council. All statements shall be directed to the St. Martin Parish Council as a whole and not to any specific member. No person shall speak more than once per agenda item. No dialogue between members of the Council and/or other members of the public shall be permitted, except at the discretion of the Chairperson, and then only to clarify the nature of questions and/or comments.

No aspect of this policy is intended to limit or circumvent the right of the public to address the St. Martin Parish Council on an agenda item which may be added to the agenda at the meeting.

Any person who has been recognized to speak to the St. Martin Parish Council on an agenda item shall reserve his or her comments to matters that are strictly relevant to that specific item. All comments shall be presented in a respectful manner, and participants must conduct themselves orderly and with civility. Comments or language of a lewd, insulting, or provocative nature shall not be tolerated or permitted. Members of the public audience shall remain silent unless and until recognized as a speaker by the Chairperson. Furthermore, personal and derogatory remarks about the Parish President, any member of the St. Martin Parish Council, any employee of the St. Martin Parish Government, or any other identified individual shall be deemed inappropriate. The Chairperson may, therefore, dismiss any speaker who violates the dictates of this policy.

Additionally, any person who interrupts the meeting or refuses to keep quiet or otherwise disrupts the proceedings of the St. Martin Parish Council, or who violates any aspect of this policy, shall first be admonished by the Chairperson. If the interruption or disruption continues, the Chairperson may demand that the offender vacate the Council meeting room.

IV. Public Hearings.

There are occasions where public hearings are conducted by the St. Martin Parish Council. Such instances include, but are not limited to, the adoption of an ordinance, requests for zoning changes, variances, or exceptions, consideration of the violation of nuisance ordinances, and when the Council sits as the Board of Zoning Adjustment. On any such occasion, the dictates of Section III of this policy shall govern such appearances; however, it is recognized that in the instances of a public hearing or requests for zoning changes, the Chairperson shall have the authority to deviate from the constrictures of Section III unless his/her decision is overridden by a majority vote of the Council.

V. Applicability.

This policy shall apply to and govern all regular and special meetings of the St. Martin Parish Council, all meetings of any and all committees thereof, and when the St. Martin Parish Council sits as the Board of Zoning Adjustment.

VI. Miscellaneous.

Nothing specified in this policy shall limit the St. Martin Parish Government from convening in executive session in those instances permitted by La. R.S. 42:16 and La. R.S. 42:17, as may from time to time be amended.

VII. Severability/Conflicts.

The provisions of this policy are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof which can be afforded efficacy without the invalid provision or application.

Moreover, in case of any conflict between the dictates of this policy and the mandates of the laws of the State of Louisiana or the Home Rule Charter for St. Martin Parish, Louisiana, the provisions of the latter shall prevail. Additionally, any prior resolutions of the St. Martin Parish Council or its predecessor which may be in conflict with the provisions of this policy are hereby deemed to be repealed with respect to the conflicting provision(s).

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

* * * * *

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

RESOLUTION NO. 17-142-RS

A Resolution authorizing the Parish President to enter into an Intergovernmental Agreement with the City of Breaux Bridge, Louisiana, for the sale or other disposition of property adjudicated to both political subdivisions pursuant to La. R.S. 47:2196, *et seq.*, the said agreement to also provide for the remediation/abatement of offending conditions of said adjudicated properties and reimbursement for the expenditures associated therewith.

WHEREAS, the **ST. MARTIN PARISH GOVERNMENT** has entered into an agreement with Archon Information Systems, LLC, d/b/a CivicSource to identify all properties adjudicated to the **ST. MARTIN PARISH GOVERNMENT** pursuant to the provisions of La. R.S. 47:2196, *et seq.*; and

WHEREAS, many of the adjudicated properties are located within the corporate limits of the municipalities of St. Martin Parish, Louisiana; and

WHEREAS, the aforementioned adjudicated properties have frequently been adjudicated to both **ST. MARTIN PARISH GOVERNMENT** and the municipality in whose jurisdiction the said premises are located; and

WHEREAS, in many instances, if not most, the adjudicated properties are blighted and constitute a “nuisance” under the regulatory ordinances of both the **ST. MARTIN PARISH GOVERNMENT** and the municipality in which the subject properties are located; and

WHEREAS, the blighted conditions of the adjudicated properties frequently negatively impact their marketability by CivicSource and/or the political subdivision(s) to whom the properties have been adjudicated; and

WHEREAS, the length of time necessary to confect a private sale/donation of the adjudicated properties is substantial and may be effected only under limited circumstances; and

WHEREAS, the dictates of public health and safety concerns warrant the abatement of the offending conditions of the adjudicated properties; and

WHEREAS, the abatement/remediation of blighted adjudicated properties will serve the best interests of public health and safety, as well as encourage the marketability of said premises; and

WHEREAS, the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, have frequently jointly engaged in cooperative endeavors to aid and assist in providing services to the public, each other, and other governmental entities; and

WHEREAS, the cooperative and mutual endeavors between the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, provide an excellent vehicle by which up-to-date services can be provided for and on behalf of the citizens of St. Martin Parish, Louisiana; and

WHEREAS, a joint venture between the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, addressing the abatement of blighted properties would serve the best interests of both the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, in particular, and the public, in general; and

WHEREAS, the remediation of blighted adjudicated properties is a public endeavor which both the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, are authorized by law to pursue; and

WHEREAS, the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, desire to enter into a mutual agreement whereby the abatement of blighted properties which have been adjudicated under the provisions of La. R.S. 47:2196, *et seq.*, will be encouraged and effected without undue financial hardship to either public entity; and

WHEREAS, Article VII, Section 14(C) of the Louisiana Constitution permits cooperative endeavors for such public purposes; and

WHEREAS, the **ST. MARTIN PARISH GOVERNMENT** and the **CITY OF BREAUX BRIDGE, LOUISIANA**, postulate that entering into such an accord will serve an extremely valuable public purpose and will yield significant financial and social benefits:

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize, direct, and empower Guy Cormier, Parish President, to negotiate and execute a cooperative endeavor agreement, intergovernmental agreement, and/or joint venture agreement with the **CITY OF BREAUX BRIDGE, LOUISIANA**, to provide for the disposition of properties adjudicated to both political subdivisions by virtue of the provisions of La. R.S. 47:2196, *et seq.*, and to provide for the division of the proceeds from the sale or other disposition of the said adjudicated properties.

BE IT FURTHER RESOLVED that the Parish President, Guy Cormier, be authorized to provide in the said agreement such provisions as he may deem necessary and fit to permit the entry onto any properties adjudicated to both the **CITY OF BREAUX BRIDGE, LOUISIANA**, and the **ST. MARTIN PARISH GOVERNMENT** by either entity for the purposes of abating any offending condition which causes the said property to constitute a nuisance under the law of the Parish or City and to provide for the reimbursement of any costs of the said remediation.

BE IT FURTHER RESOLVED that the Parish President, Guy Cormier, is hereby authorized, directed, and empowered to negotiate and incorporate within the intergovernmental agreement, cooperative endeavor agreement, and/or joint venture accord such other terms, conditions, and provisions as he may, in his uncontrolled discretion, deem necessary, fit, and proper.

BE IT FURTHER RESOLVED that the Parish President is hereby authorized, directed, and empowered to negotiate and execute any and all documents necessary and deemed fit in his discretion to effectuate the above and foregoing resolution.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

A motion was made by Daniel Richard, Jr. and seconded by Jill Hebert that the following resolution be adopted:

RESOLUTION NO. 17-138-RS

WHEREAS, the Acadiana Criminalistics Laboratory (ACL) Commission consists of the district attorneys, sheriffs, and police jury/council representatives for Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermilion parishes; and

WHEREAS, the law that provides for funding the laboratory (R.S. 40:2266) requires that the budget be approved annually by a majority of the Police Juries and Parish Councils represented on the Commission; and

WHEREAS, the Acadiana Criminalistics Laboratory budget for 2018 was approved and adopted at the ACL Commission meeting on November 14, 2017.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session convened this 5th day of December, 2017, does hereby approve the Acadiana Criminalistics Laboratory Budget for the year 2018, as presented.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

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

RESOLUTION NO. 17-139-RS

WHEREAS, the revised Work Crew Agreements for the calendar year beginning January 1, 2018, was drawn up by Sheriff Ronald J. Theriot; and

WHEREAS, St. Martin Parish Government will pay to the St. Martin Parish Sheriff's Office four thousand one hundred eleven dollars and no/100 (\$4,111.00) per month for the Fire District Crew.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council that Parish President Guy Cormier be and he is hereby authorized, directed and empowered to enter into an Intergovernmental Agreement in behalf of the St. Martin Parish Government with the St. Martin Parish Sheriff's Office for the use of a Fire District trustee crew.

BE IT FURTHER RESOLVED that the term of this agreement is for twelve (12) months commencing on January 1, 2018, and terminating on December 31, 2018.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tausin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

A motion was made by Chris Tauzin and seconded by Daniel Richard, Jr. that the following resolution be adopted:

RESOLUTION NO. 17-141-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member of the St. Martin Parish Board of Waterworks Commissioners District No. 4, whose term will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Leland Guidry, Jr. for a one (1) year term, expiring on December 7, 2018, to serve as a member of the St. Martin Parish Board of Waterworks Commissioners District No. 4.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

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

RESOLUTION NO. 17-143-RS

WHEREAS, a contract for the Butte La Rose Boat Launch Improvements Project (Capital Outlay Project No. ABFP-12-08), was awarded to low bidder, Patriot Construction & Industrial, L.L.C., in the amount of \$592,145.00; and

WHEREAS, Sellers & Associates, Inc. has recommended Contract Change Order No. 2 in the amount of \$3,874.40 (decrease).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to execute Contract Change Order No. 2 in the amount of \$3,874.40 (decrease) for the Butte La Rose Boat Launch Improvements Project (Capital Outlay Project No. ABFP-12-08), by Patriot Construction & Industrial, L.L.C.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

A motion was made by Chris Tauzin and seconded by Byron Fuselier that the following resolution be adopted:

RESOLUTION NO. 17-144-RS

RESOLUTION OF ACCEPTANCE

A RESOLUTION AUTHORIZING AND DIRECTING THE PARISH PRESIDENT TO EXECUTE FOR AND ON BEHALF OF THE ST. MARTIN PARISH GOVERNMENT AN ACT OF ACCEPTANCE, PERTAINING TO THE COMPLETION OF THE CONTRACT FOR THE BUTTE LA ROSE BOAT LAUNCH IMPROVEMENTS - DNR PROJECT NO. ABFP-12-08.

WHEREAS, Patriot Construction and Industrial, L.L.C., 1026 Toby Mouton Road, Duson, Louisiana 70529, has completed the work, in accordance with the plans and specifications contained in the contract documents pertaining thereto, on the Butte La Rose Boat Launch Improvements Project (Capital Outlay Project No. ABFP-12-08), St. Martin Parish, Louisiana; and

WHEREAS, the St. Martin Parish Council desires to accept the completed work, subject to the completion of the punch list items attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, that Parish President Guy Cormier be and he is hereby empowered, authorized, and directed to execute an Act of Acceptance for and on behalf of the St. Martin Parish Government accepting the work on the Butte La Rose Boat Launch Improvements Project (Capital Outlay Project No. ABFP-12-08), St. Martin Parish, Louisiana, as being complete.

BE IT FURTHER RESOLVED that he be authorized and directed to have a copy of said Certificate recorded in the mortgage records of St. Martin Parish, Louisiana.

THEREUPON, the above resolution was declared adopted.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

NOTICE OF ACCEPTANCE

TO WHOM IT MAY CONCERN, and especially all subcontractors, architects, engineers, master mechanics, mechanics, workmen, laborers, and furnishers of materials, machinery and fixtures:

Public notice is hereby given, according to law, that the undersigned Owner has accepted the work done by Patriot Construction and Industrial, LLC, Contractor, domiciled at 1026 Toby Mouton Road, Duson, Louisiana 70529, under the contract with said firm for the Butte La Rose Boat Launch Improvements Project (Capital Outlay Project No. ABFP-12-08), St. Martin Parish, Louisiana.

All subcontractors, architects, engineers, master mechanics, mechanics, workmen, laborers, and furnishers of materials, machinery, fixtures and supplies must assert whatever claims they have against the said Contractors or against the property growing out of the execution of the contract according to law, within forty-five (45) days from registration hereof.

/s/ Guy Cormier

GUY CORMIER, PRESIDENT
ST. MARTIN PARISH GOVERNMENT
ST. MARTINVILLE, LOUISIANA

December 6, 2017

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

RESOLUTION NO. 17-145-RS

WHEREAS, the St. Martin Parish Government entered into a Cooperative Endeavor Agreement with the Office of Facility Planning and Control of the Division of Administration for the "Four-Mile Bayou Road Improvements Project," Planning and Construction (St. Martin); FP&C Project No. 50-J50-12-01; and

WHEREAS, the current level of funding in Exhibit "B" and the proposed allocation of those funds in Exhibit "A" reflects a reallocation of funds to better meet the needs of the project; and

WHEREAS, FP&C Project No. 50-J50-12-01 also reflects an update of Article VIII regarding Change Orders as mandated by R.S.39:126 and Article XVIII regarding Auditing; and

WHEREAS, the Cooperative Endeavor Agreement must be amended.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, in Regular Session convened this 5th day of December, 2017, that Parish President Guy Cormier be and he is hereby authorized, directed and empowered to execute the 3rd Amended Cooperative Endeavor Agreement with the Office of Facility Planning and Control of the Division of Administration for the "Four-Mile Bayou Road Improvements Project," Planning and Construction (St. Martin), for and in behalf of the St. Martin Parish Government.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

A motion was made by Albert Menard and seconded by Jill Hebert that the St. Martin Parish Council does hereby extend the agenda for Resolution Summary No. 146-RS.

This motion to extend the agenda having been submitted to a vote, the vote thereon was as follows:

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

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion to extend the agenda was declared carried by unanimous vote this 5th day of December, 2017.

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

RESOLUTION NO. 17-146-RS

WHEREAS, the St. Martin Parish Government has made an official call for bids for the Four Mile Bayou Road Improvements Project - Phase II; and

WHEREAS, in accordance with the advertisement, sealed bids were opened on December 5, 2017, and three (3) complete bid packets were received for said project; and

WHEREAS, the bids were taken under advisement and have been analyzed by Professional Engineering & Surveying Co., Inc. (PENSCO); and

WHEREAS, Professional Engineering & Surveying Co., Inc. (PENSCO) has recommended, in writing, the low bidder, Coastal Bridge Company, L.L.C., in the amount of \$749,027.50.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby award the contract for the Four Mile Bayou Road Improvements Project - Phase II to the low bidder, Coastal Bridge Company, L.L.C., in the amount of \$749,027.50.

BE IT FURTHER RESOLVED that the St. Martin Parish Council does hereby authorize Parish President Guy Cormier to sign all necessary contract documents to effect the award of this contract.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Resolution was declared adopted this 5th day of December, 2017.

Clerk of the Council Laci Laperouse read ordinances introduced for publication, as follows:

SUMMARY NO. 1207-OR (Introduced by Chris Tauzin, District 5)

An Ordinance reducing the speed limit to 15 mph on Noe Road, located in District 5.

SUMMARY NO. 1208-OR (Introduced by Dean LeBlanc, District 8)

An Ordinance amending Chapter 19, St. Martin Parish Zoning Ordinance, Appendix D, Parish Road Zoning Data Sheets of the Code of Ordinances for the St. Martin Parish Government by: amending the zoning classification district on a portion of a road zoned in the original ordinance adopted on December 18, 1995. {1031 Guidry Road}

SUMMARY NO. 1209-OR (Introduced by Jill Hebert, District 6)

An Ordinance authorizing Parish President Guy Cormier to execute a Commercial Lease Agreement with John and Bertha Delahoussaye for the lease of office space for the St. Martin Parish Tourist Commission.

SUMMARY NO. 1210-OR (Introduced by Jason Willis, District 3)

An Ordinance providing for the amendments to all funds under the jurisdiction of the St. Martin Parish Government to the Revenues and Expenditures of the Year 2017 Budgets as mandated by Revised Statute 39:1310.

SUMMARY NO. 1211-OR (Introduced by Jill Hebert, District 6)

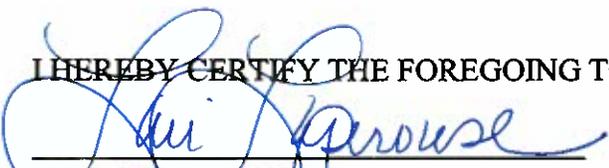
An Ordinance sanctioned by La. R.S. 47:2201 to authorize the St. Martin Parish Government, acting through its Parish President, to sell all of its rights, title and interests in any and all property adjudicated to it pursuant to La. R.S. 47:2196, *et seq*, and to execute any and all documents necessary to effectuate the disposition of said adjudicated properties.

Prior to adjournment, Parish President Guy Cormier and Council Members discussed items not requiring Council action. Parish President Guy Cormier updated the Council Members of the Road Improvements Project, as well as, the Courthouse Employee Parking Lot Project.

(Parish Attorney Chester Cedars stepped out at 5:40 p.m.)

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

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



LACI LAROUSE
CLERK OF THE COUNCIL