

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

REGULAR MEETING - JULY 5, 2017

The St. Martin Parish Council met in Regular Session convened at 5:03 P.M., Wednesday, July 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, Neil Thibodeaux, Chris Tazuin, Jill Hebert, Albert Menard and Dean LeBlanc. Members absent: Daniel Richard, Jr. (excused). Also present: Parish President Guy Cormier and Parish Attorney Chester Cedars.

A motion was made by Albert Menard and seconded by Lisa Nelson to approve the minutes of the St. Martin Parish Council Regular Meeting of June 6, 2017.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

A motion was made by Albert Menard and seconded by Jill Hebert to approve the minutes of the St. Martin Parish Council Special Meeting of June 8, 2017.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

Chairman Jason Willis welcomed Suzanne deMahy, candidate for the 16th Judicial District Court, Division B. Ms. DeMahy introduced herself and gave a brief history of family, work, educational and career background (*candidate push-card on file*). Council Members and Parish President Guy Cormier thanked Ms. DeMahy for the introduction and wished her best of luck in the race for 16th Judicial District Court, Division B.

The Council met as a Board of Adjustment to consider the request for a variance to allow for a Dollar General store sign to exceed the measurements allowed by the Parish ordinance. Parish President Guy Cormier stated the request is to allow for the sign to measure 144 square feet, instead of 120 square feet. Parish Attorney Chester Cedars cautioned the Council in granting variances, as it should only be done in rare and hardship cases. After a general discussion amongst Council Members and Heath Babineaux, Planning and Zoning Coordinator, it was requested for Mr. Babineaux to get an explanation of why that particular store needed a sign that measured larger than their other stores within St. Martin Parish.

A motion was made by Jill Hebert and seconded by Albert Menard to postpone this variance request until further explanation could be given.

This motion 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 and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

It was announced the St. Martin Parish Council would enter into Executive Session prior to adjournment.

A motion was made by Albert Menard 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, Neil Thibodeaux,
Chris Tauzin, Jill Hebert, Albert Menard and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

Chairman Jason Willis asked for public comment regarding the proposed ordinances being considered for final adoption.

Clerk of the Council Laci Laperouse read each Ordinance Summary.

Parish Attorney Chester Cedars is recommending a few changes to Ordinance Summary No. 1181-OR {An Ordinance regulating the location, construction, operation and maintenance of borrow pits in St. Martin Parish, Louisiana, to provide for an effective date thereof; and to otherwise provide with respect thereto.} After a discussion amongst Council Members and Parish Attorney Chester Cedars ensued, it was determined to postpone Ordinance Summary No. 1181-OR indefinitely.

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

A motion was made by Dean LeBlanc and seconded by Albert Menard 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, Neil Thibodeaux,
Chris Tauzin, Jill Hebert, Albert Menard and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

A motion was made by Lisa Nelson and seconded by Dean LeBlanc that the following ordinance be postponed indefinitely:

SUMMARY NO. 1181-OR

AN ORDINANCE REGULATING THE LOCATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF BORROW PITS IN ST. MARTIN PARISH, LOUISIANA, TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, there is a need to protect the health, safety and welfare of the citizens of St. Martin Parish, Louisiana arising out of the location, construction, operation and maintenance of Borrow Pits in the unincorporated areas of the Parish; and

WHEREAS, there is a similar need to preserve and protect Parish roads, bridges, drainage structures and other public property from the risks associated with the location, construction, operation and maintenance of Borrow Pits in the unincorporated areas of the Parish; and

WHEREAS, pursuant to and in accordance with the provisions of LSA-R.S. 33:4780.41, the governing authority of a parish may divide the parish into districts of such number, shape and area as may be deemed best suited to carry out such purposes and within the districts so created may regulate and restrict the erection, construction, alteration or use of buildings, structures or land.

NOW, THEREFORE, BE IT ORDAINED that the St. Martin Parish Council does hereby adopt and ordain the following:

SECTION 1

1. DEFINITION

“Borrow Pit” means an excavation for the purpose of extracting sand, gravel, clay, dirt or other similar materials to be used as fill at another site. Borrow Pit shall NOT mean any of the following:

- a. Mines subject to the jurisdiction of the United States Mine Safety and Health Administration;
- b. Site activity or excavation in connection with a building, swimming pool, retaining wall or other structure authorized in connection with a validly issued building permit;
- c. Septic system installation, repair, maintenance and/or alteration;

- d. Landscaping and sprinkler installation, repair, maintenance and/or alteration;
- e. Recognized and accepted agricultural practices such as plowing, cultivating, harvesting or construction of agricultural structures, aquaculture ponds;
- f. Utility or public works installation, repair, maintenance and/or alteration;
- g. Cemetery graves;
- h. Minor excavations normally and customarily associated with owner-occupied, single family residences where no material leaves the property and such materials are intended for use on the property by the owner or occupant of the property. However, the edge of such excavations shall be no closer than thirty-five (35') feet from a neighboring property line and for public health and safety purposes sloped at a minimum ratio of 3:1; and
- i. Ponds and/or retention or detention areas included in and a part of a residential or commercial subdivision whose plats, plans and layout have been approved by the St. Martin Parish Planning and Zoning Commission and the St. Martin Parish Council. However, the edge of such excavations shall be no closer than thirty-five (35') feet from a neighboring property line and for public health and safety purposes sloped at a minimum of 3:1.

2. APPLICABILITY

The provisions of this Ordinance shall apply to all Borrow Pits located in the unincorporated areas of St. Martin Parish, except such Borrow Pits in existence and operation prior to the effective date of this Ordinance. However, any change in the ownership of any such Borrow Pit shall result in the application of all aspects of this Ordinance, including the requirement of obtaining a permit.

All Borrow Pits, including those in existence at the time of the effective date of this Ordinance, shall be operated in accordance with all applicable federal, state and local laws, rules and regulations and all permits granted by the State of Louisiana and/or the United States of America or any regulatory agencies thereof.

3. PERMIT REQUIRED

- a. No person, firm, corporation, partnership, limited liability company or other such entity shall own, construct, operate or maintain a Borrow Pit in the unincorporated areas of St. Martin Parish without first obtaining a permit for such operations from

the St. Martin Parish Government. Each Borrow Pit shall require a separate permit and if more than one Borrow Pit is proposed or to be constructed on a single tract of land each additional Borrow Pit must first be approved by the St. Martin Parish Planning and Zoning Commission of the St. Martin Parish Government.

- b. If the excavation area of the Borrow Pit to be constructed on a property or antiguous properties is to be less than five (5) acres, the application for such a permit shall be made on a form provided by St. Martin Parish Government and include, at least, the following information:
1. The name, address and telephone numbers of the owner(s) and/or operator(s) of the Borrow Pit;
 2. The exact size and location of the Borrow Pit;
 3. A map, plat or survey of the area to be utilized in connection with the Borrow Pit clearly showing the location of all adjacent roads, bridges, public buildings, and residential and commercial structures, as well as all public ditches, canals, coulees, channels and streams located throughout the property;
 4. A statement as to the estimated volume of materials to be excavated from the Borrow Pit;
 5. A certification from the owner(s) and/or operator(s) of the Borrow Pit that all activities conducted in connection with the location, construction, operation and maintenance thereof will be undertaken in accordance with all federal, state and local laws, rules and regulations and that all necessary permits have been obtained from the appropriate federal, state and local regulatory agencies. Copies of each such permit shall be attached to the application;
 6. A restoration plan for the property indicating phasing, sequencing and a specific proposed restoration, plan for the reuse of the property; and
 7. Proof of general liability insurance coverage with minimum limits of liability of \$500,000.00 per person and \$1,000,000.00 per event.

The cost of applying for such a permit or any renewal thereof shall be \$50.00. Any such permit shall be renewed annually for as long as the Borrow Pit continues to operate or until restored for re-use in accordance with the restoration plan submitted in connection with the permit application.

No permit shall be issued for the location, construction, operation and maintenance of any such Borrow Pit unless the St. Martin Parish Government Director of Public Works or the Civil Engineering firm hired by St. Martin Parish Government determines that the applicant is not currently in violation of this ordinance or has not had multiple violations of this ordinance, that such activities will not cause damage to any Parish roads, bridges, drainage structures or other public property beyond normal wear and tear and that the Borrow Pit is not located within two hundred (150') feet of a public drainage ditch, canal, coulee, channel, stream or building.

However, the applicant shall have the right to appeal the determination of the St. Martin Parish Government Director of Public Works or the Civil Engineering firm hired by St. Martin Parish Government that the permit should not be issued because such activities will cause damage to any road, bridge, drainage structure or public property beyond normal wear and tear. The appeal shall be submitted in writing and received at the offices of the St. Martin Parish President within thirty (30) days from the date of the denial of the requested permit. Any applicant seeking to appeal the denial of the requested permit in doing so agrees to pay the cost of obtaining any report or assessment regarding the potential for damage to any parish road, bridge, drainage structure or other public property from the Civil Engineering Firm hired by St. Martin Parish Government.

- c. If the Borrow Pit to be constructed is five (5) acres or more, the application for such a permit shall be made on a form provided by St. Martin Parish Government and include at least the following information:
 1. The name, address and telephone numbers of the owner(s) and/or operator(s) of the Borrow Pit;
 2. The exact size and location of the Borrow Pit;
 3. A survey of the entire property upon which the Borrow Pit will be located, including the legal description thereof, which shall also clearly show the location of all adjacent roads, bridges, public buildings, and residential and commercial structures, as well as all public ditches, canals, coulees, channels and streams located throughout the property;

4. A statement as to the estimated volume of materials to be excavated from the Borrow Pit;
5. A certification from the owner(s) and/or operator(s) of the Borrow Pit that all activities conducted in connection with the location, construction, operation and maintenance thereof will be undertaken in accordance with all federal, state and local laws, rules and regulations and that all necessary permits have been obtained from the appropriate federal, state and local regulatory agencies. Copies of each such permit shall be attached to the application;
6. A restoration plan for the property indicating phasing, sequencing and a specific proposed restoration plan for the reuse of the property;
7. Proof of general liability insurance coverage with minimum limits of liability of \$1,000,000.00 per person and \$2,000,000.00 per event;
8. A letter of approval from the St. Martin Parish Government, Director of Public Works or the Civil Engineering Firm hired by St. Martin Parish Government;
9. A letter of approval from the St. Martin Parish Government Building Official;
10. A Resolution of the St. Martin Parish Council authorizing the granting of the permit; and
11. A heavy haulers permit, if applicable.

The cost of applying for such a permit or any renewal thereof shall be \$100.00. Any such permit shall be renewed annually for as long as the Borrow Pit continues to operate or until it is restored for re-use in accordance with the restoration plan submitted in connection with the permit application.

4. GENERAL REGULATIONS

- a. The owner or operator shall post the original permit, or a copy thereof, at the entrance site of the Borrow Pit where the applicant accesses the site from a public roadway.
- b. The owner or operator shall display and maintain a business sign at least four (4') feet by eight (8') feet in size at the nearest state or parish roadway entrance which

must display, at a minimum, the name of the owner/operator, contact information and person and method to contact them in case of an emergency.

- c. The owner/operator of the Borrow Pit shall remove all dirt, mud and debris on at least a daily basis from all state and parish roads located at or near areas of ingress and egress to the property.
- d. The owner/operator of the Borrow Pit shall be liable for any and all damages to parish roads, normal wear and tear excepted.
- e. All internal roads located within the property comprising the Borrow Pits used by dump trucks, front end loaders or any other similar machinery and equipment shall be constructed and maintained in such a manner as to limit the adverse effects of drainage, dust, noise and other such nuisances upon neighboring residences and businesses.
- f. All road access and clear areas shall be maintained by the owner or operator in such a manner as to provide ready access for fire and emergency equipment and personnel.
- g. The hours of operation shall be between the hours of 6:00 a.m. and 6:00 p.m. central standard time, Monday through Saturday only. No starting, running or warming up of engines or equipment shall take place before 6:00 a.m. central standard time.
- h. The property on which the Borrow Pit site is located shall not be used for the disposal of any material not originally found in the Borrow Pit or excavation site, except for fill sand or other suitable materials used in connection with the backfilling of the Borrow Pit or other suitable materials approved by the St. Martin Parish Government Department of Public Works.
- i. Within thirty (30) days from the date on which operations have been completed or abandoned, the owner or operator shall have sloped, revegetated, filled or treated the excavation area to avoid standing or stagnant water and erosion and siltation of nearby drainage structures in accordance with "industry best practices standards" and the Restoration Plan for the reuse of the property submitted at the time of the application.
- j. The excavation or removal of material from any Borrow Pit shall be conducted in such a manner as to maintain a buffer of at least one thousand (1000') feet from any

parks, playgrounds, schools, libraries, hospitals, health care facilities, churches, nursing homes, assisted living facilities where dust, noise or increased traffic can become a danger or nuisance.

- k. The property upon which any Borrow Pit is located shall not be used for the disposal of any materials not originally contained in the Borrow Pit, except for dirt, sand or other similar fill materials or as otherwise approved by the St. Martin Parish Council.

5. SPECIAL REGULATIONS

- a. *Requirements for Borrow Pits of one acre or less in area on a single-family home site providing that material is sold and hauled away to another site.*

An application shall be submitted and the applicable fees paid in order to obtain a permit. The Borrow Pit must be dug in a manner that will allow for it to hold water. For public health and safety reasons, the edge of the Borrow Pit shall be sloped at a minimum ratio of 3:1. The depth of such Borrow Pit shall not exceed fifteen (15') feet. The edge of such dirt pit or pond shall be no closer than thirty-five (35') feet from a neighboring property line. During construction of the one acre or less Borrow Pit, if legitimate complaints arise, the parish government may require watering to control dust.

- b. *Requirements for dirt pits and/or ponds more than one (1) acre but less than five (5) acres in area providing that material is sold and hauled away to another site.*

An application shall be submitted and the applicable fees paid along with the items set forth herein below before a permit may be issued pursuant to this article. The applicant must present a plan for access to a state highway or to a parish roadway. If the site is constructed with the intention to create a pond, such pond shall be constructed in a manner that will allow it to hold water and at the completion of the job, for public health and safety reasons, the edges of the pond shall be sloped at a minimum ratio of 3:1. The depth of such Borrow Pit shall not exceed fifteen (15') feet. The edge of such dirt pit and/or pond shall be no closer than forty-five (45') feet from a neighboring property line. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located closer than one hundred fifty (150') feet from the existing residential house structure, water well or sewer system of a neighboring

property owner. If at any time the pit becomes abandoned, for public health and safety purposes there shall be no pool of water or pond allowed to remain unless the edges of the pond are sloped at a minimum ratio of 3:1. Prior to expanding the site to include excavation of more than five acres, the contractor/excavator/ miner must apply for and obtain the permit required in Section "3C" of this ordinance.

c. *Requirements for dirt pits and/or ponds five (5) acres or more in area.*

This will be considered as a commercial site and as such, an application shall be submitted and fees paid in order to obtain a permit. The permit application must be reviewed and recommended for approval by the permit office, the St. Martin Parish Director of Public Works or Civil Engineering Firm hired by St. Martin Parish Government and then and only then be submitted to the St. Martin Parish Council for final approval of the permit, by resolution and which approval shall not be unreasonably withheld. Prior to placing this permit application on the St. Martin Parish Council agenda, the applicant shall have also obtained the written approval of the building official and from the St. Martin Parish Director of Public Works or the Civil Engineering Firm hired by St. Martin Parish Government.

Once a permit is issued, the following requirements shall apply:

1. If timber is to be harvested to clear the site, a heavy haulers permit is required;
2. A water truck must be maintained on the site and must be used daily to control dust except in the event of substantial periods of rain;
3. If the site is constructed with the intention to create a pond, at completion of the job, such pond shall be constructed in a manner that will allow it to hold water and for public health and safety reasons, the edges of the pond shall be sloped at a minimum ratio of 3:1;
4. At all times, the edges of any such Borrow Pit and/or pond can be no closer than sixty (60') feet from a neighboring property line;
5. To protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located closer than two hundred (200') feet from the existing residential house structure, water well or sewer system of a neighboring property owner;

6. If at any time the pit becomes abandoned, for public health and safety purposes, there shall be no pool of water or pond allowed to remain unless the edges of the pool or pond are sloped at a minimum ratio of 3:1;
7. If the depth of the Borrow Pit exceeds fifteen (15') feet, there shall be a five (5') foot shelf constructed before each additional fifteen (15') feet in depth; and
8. In the event the Borrow Pit is abandoned and any pool of water or pond remains, such pond or pool of water shall be completely enclosed with a six (6') foot high chain link fence or other similar solid fencing material which shall be thereafter maintained in excellent condition.

In addition to the other requirements for a permit, the applicant shall also submit along with the permit application the following, to-wit:

- a. Site plan that includes the legal description and survey of the entire property;
- b. A diagram of the proposed dirt pit or pond at completion;
- c. A letter of approval from the St. Martin Parish Director of Public Works or Civil Engineering Firm hired by St. Martin Parish Government;
- d. A letter of approval from the St. Martin Parish Building Official;
- e. A resolution of the St. Martin Parish Council granting the permit; and
- f. A heavy haulers permit, if applicable.

6. ENFORCEMENT AND PENALTIES

Any person or entity found to be in violation of this Ordinance shall be subject to a maximum fine of \$500.00 and/or imprisonment for thirty (30) days in the parish jail or both. Each day in violation of this Ordinance shall be considered a separate offense. Nothing contained herein to the contrary shall prohibit St. Martin Parish Government from enforcing this Ordinance by any other lawful means; including, but not limited to, suits for damages, restraining orders or other such remedies.

7. REPEAL OF CONFLICTING ORDINANCES

All ordinances or resolutions heretofore enacted which are in conflict herewith are hereby repealed.

8. SEVERABILITY

If any one or more of the provisions of this ordinance shall, for any reason, be held to be illegal or invalid, shall illegality or invalidity shall not affect any other provision of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

9. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption by the St. Martin Parish Council and approval by the Parish President in accordance with Section 2-13 of the Home Rule Charter.

This Ordinance 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 and Dean LeBlanc.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Daniel Richard, Jr. (excused).

And the Ordinance was declared postponed indefinitely this 5th day of July, 2017.

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

ORDINANCE NO. 17-07-1182-OR

AN ORDINANCE PROVIDING FOR THE LEASE OF ONE (1) KOBELCO MODEL SK75SR-3E MINI EXCAVATOR.

BE IT ORDAINED by the St. Martin Parish Council to enter into a lease agreement with Wells Fargo Equipment Finance, Inc. (CLM Equipment Company, Inc.) for the lease of one (1) Kobelco SK75SR-3E Mini Excavator (\$92,573.40 Total Basic Rent) for a cost of \$1,536.38 payable monthly for said excavator leased, for a period of sixty (60) months.

BE IT FURTHER ORDAINED by the St. Martin Parish Council that the Parish President is hereby authorized and empowered to enter into this agreement.

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, Neil Thibodeaux,
Chris Tauzin, Jill Hebert, Albert Menard and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

ORDINANCE NO. 17-07-1183-OR

WHEREAS, the 2017 Operating Budget was adopted by the St. Martin Parish Council at their Regular Meeting of December 6, 2016; and

WHEREAS, at the time of adoption the 2017 Drainage and Recreation Bond Projects were being studied, planned and designed; and

WHEREAS, the completion of the budget document, Fund No. 310, has been reviewed and is ready for placement into the 2017 Operating Budget.

BE IT, THEREFORE, ORDAINED that the St. Martin Parish Council does hereby recognize the receipt of Fund No. 310, 2017 Drainage and Recreation Bond Projects, and accepts placement of said fund into the 2017 Operating Budget.

This Ordinance 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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-072-RS

WHEREAS, the St. Martin Parish Council has a written report on illegal dumping of debris and overgrown grass on property located in our parish, which the St. Martin Parish Planning and Zoning Coordinator has declared to be a public nuisance, and which he recommends demolition or removal of same; and

WHEREAS, being declared a “nuisance” entails any condition of or the use of any premises, buildings, or structures which:

1. Unreasonably causes or tends to cause substantial diminution in the value of the property of others in the neighborhood or vicinity in which, such premises, buildings or structure is located; or
2. Is unreasonably offensive to the senses or persons or ordinary sensibility; or
3. Is in any way dangerous to the health and safety of others.

WHEREAS, Daniel Wiltz is identified in the St. Martin Parish Assessor’s Office Tax Rolls as the owner of the property; and

WHEREAS, since the owner of the property located at 1032 Red Barn Loop, Breaux Bridge, Louisiana, (Parcel ID 05101B4654) whereabouts are unknown, the Parish President must appoint an Attorney at Law upon whom the notice will be served.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council that Parish President Guy Cormier is hereby authorized to appoint an Attorney at Law upon whom notice will be served, since the owner of the property located at 1032 Red Barn Loop, Breaux Bridge, Louisiana, (Parcel ID 05101B4654) whereabouts are unknown.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-073-RS

WHEREAS, in the aftermath of Hurricane Isaac, the United States Congress, through Public Law 113-2 and 78 FR 103, appropriated funds to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program for use through the State of Louisiana for disaster recovery; and

WHEREAS, the Office of Community Development, on behalf of the State of Louisiana, administers the State's CDBG disaster recovery program, which is subject to the Federal statutes and regulations governing CDBG grants, as modified by exceptions and waivers previously granted and which may hereinafter be granted by HUD; and

WHEREAS, Hurricane Isaac caused significant damage to St. Martin Parish and, based on damage estimates, St. Martin Parish is an impacted parish; and

WHEREAS, on January 2, 2014, HUD approved Louisiana's Partial Action Plan No. 1 for the Utilization of CDBG Funds in Response to Hurricane Isaac. Partial Action Plan No. 1 obligates funds for the Parish Hazard Mitigation Assistance LMI Cost Share Program. Partial Action Plans will be submitted by the State to HUD detailing request(s) for further program funding; and

WHEREAS, St. Martin Parish Government has applied for assistance from the CDBG Disaster Recovery Program (CDBG-DR) through the Hurricane Isaac Parish Mitigation Assistance LMI Cost Share Program for recovery assistance from damage suffered by the parish as a result of Hurricane Isaac; and

WHEREAS, the St. Martin Parish Government is scheduled to receive disaster recovery funds under the Community Development Block Grant Disaster Recovery Program for the purpose of funding activities under the Hurricane Isaac Parish Hazard Mitigation Assistance LMI Cost Share Program.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council that Parish President Guy Cormier is hereby authorized to enter into a Cooperative Endeavor Agreement on behalf of the St. Martin Parish Government with the State of Louisiana, Division of Administration, Office of Community Development, implementing grant under the Community Development Block Grant Disaster Recovery Program through the Hurricane Isaac Parish Hazard Mitigation Assistance LMI Cost Share Program, CFDA# 14.228, Grant# B-13-DS-22-001, Year 2013.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-074-RS

WHEREAS, under provisions of Title 23, United States Code, Section 144 “Highway Bridge Replacement and Rehabilitation Program,” as amended, funds have been appropriated out of the Highway Trust Fund to finance replacement or rehabilitation of bridges located off the State and Federal road system; and

WHEREAS, St. Martin Parish has requested the Department of Transportation and Development (DOTD) to allocate necessary funds to finance the off-system bridge improvements projects defined in the Parish’s approved priority list, subject to special terms and conditions set forth herein; and

WHEREAS, DOTD is agreeable to implementation of the Projects and desires to cooperate with St. Martin Parish as hereinafter provided; and

WHEREAS, following the execution of this Agreement, the Agreement of September 17, 2007, for the Federal Aid Off-System Highway Bridge Rehabilitation and Replacement Program shall be null and void.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session, convened on this 5th day of July, 2017, does hereby authorize, direct, and empower Parish President Guy Cormier to execute an Intergovernmental Agreement on behalf of St. Martin Parish with the Louisiana Department of Transportation and Development for the Federal Off-System Bridge Rehabilitation and Replacement Program in St. Martin Parish, Louisiana.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-075-RS

A RESOLUTION INDICATING THE INTENTION OF THE PARISH OF ST. MARTIN, STATE OF LOUISIANA, TO APPROVE THE TWO (2) YEAR APPOINTMENT OF GUY CORMIER AS A DIRECTOR TO THE BOARD OF THE LOUISIANA LOCAL GOVERNMENT AUTHORITY (THE "AUTHORITY") AS PROVIDED BY CHAPTER 10-D OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED.

WHEREAS, Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of R.S. 33:4548.1 through 4548.16 is known as the Louisiana Local Government Environmental Facilities and Community Development Authority Act (the "Act"); and

WHEREAS, the Act creates the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority") for the purpose of assisting political subdivisions, as defined in the Act, and other designated entities in acquiring, financing and constructing certain facilities, including environmental, public infrastructure, community and economic development purposes and to otherwise establish programs to aid in the financing of local government and economic development projects; and

WHEREAS, the Parish of St. Martin, State of Louisiana, previously passed a resolution to become a participating political subdivision of the Authority in accordance with the Act.

NOW THEREFORE, BE IT RESOLVED by the governing authority of the Parish of St. Martin, State of Louisiana, acting in such capacity:

Section 1. Approve the appointment of Guy Cormier to serve as a Director of the Authority for a term of two (2) years from the date hereof.

Section 2. This resolution shall take effect immediately and a certified copy hereof shall be forwarded to the offices of the Authority.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-076-RS

WHEREAS, St. Martin Parish Government wishes to hire Ms. Judy Mesteyer (an independent contractor) for the duties related to the opening and closing and cleaning for events scheduled at the Coteau Holmes Civic Center at 1814 Coteau Holmes Highway, St. Martinville, Louisiana, and that she will work on as needed basis; and

WHEREAS, Ms. Judy Mesteyer’s annual contract is effective July 7, 2017, and will expire on July 6, 2018.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize Parish President Guy Cormier to execute a contract in behalf of the St. Martin Parish Government with Ms. Judy Mesteyer.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-077-RS

WHEREAS, a contract for the Cade Community Center Chiller Building Addition Project, was awarded to low bidder, Garden City Construction Co., Inc., in the amount of \$334,374.00; and

WHEREAS, Vermilion Architects, L.L.C. has recommended Change Order No. 3 in the amount of \$5,318.73 (increase).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize the signature of Parish President to execute Change Order No. 3 in the amount of \$5,318.73 (increase) for the Cade Community Center Chiller Building Addition Project, by Garden City Construction Co., Inc.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-078-RS

RESOLUTION OF ACCEPTANCE

A RESOLUTION AUTHORIZING AND DIRECTING THE PARISH PRESIDENT TO EXECUTE FOR AND ON BEHALF OF THE ST. MARTIN PARISH GOVERNMENT, ST. MARTIN PARISH, LOUISIANA, A CERTIFICATE OF SUBSTANTIAL COMPLETION, PERTAINING TO THE CADE COMMUNITY CENTER CHILLER BUILDING ADDITION PROJECT, ST MARTIN PARISH, LOUISIANA.

WHEREAS, Garden City Construction Co., Inc., 7219 Johnston Street, Lafayette, Louisiana 70503, has substantially completed the work on the Cade Community Center Chiller Building Addition Project, St. Martin Parish, Louisiana.

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 a Certificate of Substantial Completion for and on behalf of the St. Martin Parish Government accepting the work on the Cade Community Center Chiller Building Addition Project, 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.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

NOTICE OF ACCEPTANCE

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

Public Notice is given, according to law, that the undersigned Owner has accepted the work done by Garden City Construction Co., Inc., 7219 Johnston Street, Lafayette, Louisiana 70503, under its contract with said Firm pertaining to the Cade Community Center Chiller Building Addition Project, St. Martin Parish, Louisiana.

All subcontractors, architects, engineers, master-mechanics, workmen, laborers, and furnishers of materials, machinery, fixtures, and supplies must assert whatever claims they have against the said Contractor, growing out of the execution of the Contract.

THUS DONE AND SIGNED at St. Martin Parish, Louisiana on this 6th day of July, 2017.

OWNER: ST. MARTIN PARISH GOVERNMENT

BY: /s/ Guy Cormier
Parish President Guy Cormier

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

RESOLUTION NO. 17-079-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing members of the Hospital Service District No. 2 Board (St. Martin Hospital) whose terms will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Ms. Melazie Jacobs and Mr. Fred Mills, Jr. to serve as members of the Hospital Service District No. 2 Board (St. Martin Hospital) for six (6) year terms; said terms will expire on July 6, 2023.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-080-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member of the St. Martin Parish Library Board of Control whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Tommy Romero to serve as a member of the St. Martin Parish Library Board of Control, for a five (5) year term expiring on July 1, 2022.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-081-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the St. Martin Parish Recreation District No. 1 Committee whose term will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Ms. Donna Vorenkamp to serve as a member on the St. Martin Parish Recreation District No. 1 Committee for a five (5) year term expiring on July 6, 2022.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-082-RS

WHEREAS, the St. Martin Parish Council regretfully accepted the resignations of Mr. Frances Reed and Mr. Richard Todd Dugas as members of the St. Martin Parish Recreation Steering Committee; and

WHEREAS, Ms. Marguerite “Pi” Yongue has been recommended to fill the vacancy created by Mr. Reed’s resignation, representing District 6; and

WHEREAS, Mr. Snapper Doré has been recommended to fill the vacancy created by Mr. Dugas’ resignation, representing District 9.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby appoint Ms. Marguerite “Pi” Yongue and Mr. Snapper Doré, to serve as board members on the St. Martin Parish Recreation Steering Committee, for five (5) year terms, expiring on July 5, 2022.

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 and Dean LeBlanc.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-083-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the St. Martin Parish Sewerage District No. 2 Board (Cecilia) whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Warren Arnaud for a one (1) year term expiring on July 5, 2018, to serve as a member of the St. Martin Parish Sewerage District No. 2 Board (Cecilia).

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 and Dean LeBlanc.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-084-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member of the Spanish Lake Game and Fishing Preserve Commission whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Carroll Delahoussaye for a four (4) year term expiring on July 5, 2021, to serve as a member of the Spanish Lake Game and Fishing Preserve Commission.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-085-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member of the St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River) whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Eroy Acosta to serve as a member on the St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River) for a two (2) year term expiring on July 2, 2019.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-086-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing members of the St. Martin Parish Waterworks District No. 3 Board (Cade) whose terms have expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Roland Kerlegan, Ms. Gretta Pickney, Ms. Nikki Girouard, and Ms. Cynthia Davis, all for a three (3) year terms expiring on July 2, 2020, to serve as members on the St. Martin Parish Waterworks District No. 3 Board (Cade).

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 and Dean LeBlanc.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Daniel Richard, Jr. (excused).

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

A motion was made by Lisa Nelson and seconded by the entire Parish Council, and, therefore, unanimously adopted:

RESOLUTION NO. 17-087-RS

WHEREAS, Section 4-02(A) of the Home Rule Charter for St. Martin Parish provides for the appointment of a legal counsel by the Parish President, subject to approval by the Parish Council; and

WHEREAS, Section 4-02(D) of the Home Rule Charter for St. Martin Parish declares that, as circumstances dictate, special legal counsel may be retained by the Parish Government for specific purposes approved by the favorable vote of a majority of the authorized membership of the Parish Council; and

WHEREAS, the term “special legal counsel” envisioned by Section 4-02(D) of the Home Rule Charter for St. Martin Parish has always been viewed by both the Parish President and the Parish Council as meaning an attorney who specializes in select, esoteric fields such as tax law, bond matters, reapportionment, and civil rights; furthermore, the said term does not embrace counsel who ordinarily defend litigation claims; and

WHEREAS, Chester R. Cedars served as general counsel for the ST. MARTIN PARISH GOVERNMENT from January 1, 2000, the inception date of the Home Rule Charter, until July 1, 2016; and

WHEREAS, the Parish President now desires to again secure the legal services of Chester R. Cedars as parish attorney (general counsel) for St. Martin Parish; and

WHEREAS, members of the St. Martin Parish Council have expressed the same sentiments as the Parish President as regards the retention of the said Chester R. Cedars as general counsel/parish attorney; and

WHEREAS, the defense of litigation claims is not, and has never been, viewed by the ST. MARTIN PARISH GOVERNMENT as falling within the ambit of the exclusive duties of its parish attorney/general counsel; and

WHEREAS, both the Parish President and the St. Martin Parish Council have expressed the desire that all litigation matters involving the ST. MARTIN PARISH GOVERNMENT also be handled by Chester R. Cedars under such terms and conditions as may be fixed by the Parish President; and

WHEREAS, by virtue of prior resolutions, the St. Martin Parish Council has affirmed its posture relative to its general counsel and the defense of litigation claims; and

WHEREAS, by virtue of the aforesaid resolutions, the ST. MARTIN PARISH GOVERNMENT has acknowledged that in all litigation claims where the said Chester R. Cedars cannot assume the Parish's defense, then the Parish President will reassign the subject litigation defense to another attorney, at his discretion, and for a fee to be fixed by the Parish President; and

WHEREAS, both the Parish President and the St. Martin Parish Council acknowledge that the representation of St. Martin Parish by Chester R. Cedars as general counsel, and in selective litigation matters, has never been, and is not currently, the product of any solicitation by him; rather, the ST. MARTIN PARISH GOVERNMENT has solicited his representation; and

WHEREAS, the legal relationship between the ST. MARTIN PARISH GOVERNMENT and the said Chester R. Cedars has been a significant benefit to the public served by the ST. MARTIN PARISH GOVERNMENT; and

WHEREAS, Chester R. Cedars meets all of the requirements of Section 4-02(B) of the St. Martin Parish Home Rule Charter relative to serving as general counsel for the ST. MARTIN PARISH GOVERNMENT.

BE IT, THEREFORE, RESOLVED that the St. Martin Parish Council does hereby confirm and approve the formal appointment of Chester R. Cedars as its parish attorney/general counsel retroactively to May 15, 2017.

BE IT FURTHER RESOLVED that the Parish President is hereby authorized, empowered, and directed to confect a written contract with the said Chester R. Cedars specifying his appointment as parish attorney (general counsel), defining his duties and responsibilities as general counsel, and fixing the compensation therefor at Five Thousand and No/100 (\$5,000.00) Dollars per month, plus a monthly cellular telephone allowance at the rate of One Hundred Seventy-Five and No/100 (\$175.00) Dollars.

BE IT FURTHER RESOLVED that any accord confected by and between the ST. MARTIN PARISH GOVERNMENT and the said Chester R. Cedars shall contain such other terms, conditions, and provisions as the Parish President, acting in his uncontrolled discretion, may deem appropriate including, but not limited to, conditions associated with fees for the representation of ST. MARTIN PARISH GOVERNMENT in litigation matters.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-088-RS

WHEREAS, the St. Martin Parish Council at their Regular Meeting of September 7, 2010, authorized Parish President Guy Cormier to execute a Contract between St. Martin Parish Government and Sellers & Associates, Inc. to provide professional engineering and consulting services in connection with the Community Development Block Grant Parish Implemented Recovery Program for “Bayou du Portage (T-Bayou) Drainage Improvements”; and

WHEREAS, Amendment No. 1 to said Contract was made part of and incorporated into said Contract on the 7th day of November, 2013; and

WHEREAS, both parties desire to amend, Amendment No. 2, said Contract between St. Martin Parish Government and Sellers & Associates, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the St. Martin Parish Council authorizes Parish President Guy Cormier to execute Amendment No. 2 to the Engineering Contract between St. Martin Parish Government and Sellers & Associates, Inc. for Professional Engineering and Surveying Services in connection with the Community Development Block Grant (CDBG) Parish Implemented Recovery Program for Bayou du Portage (T-Bayou) Drainage Improvements Project.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-089-RS

A RESOLUTION ADOPTING THE 2017-2019 FEDERAL OFF-SYSTEM HIGHWAY BRIDGE PROGRAM PRIORITY LIST.

WHEREAS, the Louisiana Department of Transportation and Development has approved programming \$26 million for the 2017-2019 federal fiscal years; and

WHEREAS, eighty percent (80%) of this total will be funded by the Federal Government with the remaining portion to be funded with State funds; and

WHEREAS, St. Martin Parish Government's project allocation will be spent on construction costs and design fees; and

WHEREAS, the 2017-2019 Federal Off-System Highway Bridge Program Priority List for St. Martin Parish Government is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the St. Martin Parish Council hereby adopts the 2017-2019 Federal Off-System Highway Bridge Program Priority List.

(Insert Priority List)

**FEDERAL OFF-SYSTEM HIGHWAY BRIDGE PROGRAM
2017 - 2019 PRIORITY LIST**

PARISH: St. Martin

DISTRICT: 03

PROJECTED BALANCE: \$389,990

<i>STRUCTURE</i>	
Structure Number:	P5030186914871
Report/Recall Number:	030132
Type of Existing Roadway Surfacing and Base	concrete
Posted Speed:	35 mph
Posted Load:	-
Design Load (if known):	-
Name of Road:	Chas Courville Road
Name of Stream:	Nicole Coulee
Estimated Replacement Cost: \$388,360. ⁰⁰	
<i>STRUCTURE</i>	
Structure Number:	
Report/Recall Number:	
Type of Existing Roadway Surfacing and Base	
Posted Speed:	
Posted Load:	
Design Load (if known):	
Name of Road:	
Name of Stream:	
Estimated Replacement Cost:	
TOTAL REPLACEMENT COST:	

FILL IN TABLE *COMPLETELY*. (See example)

1. LIST THE TYPE OF **ROADWAY** SURFACING (i.e. GRAVEL, ASPHALT, CONCRETE).
2. GIVE **BOTH** A ROAD NAME AND A STREAM NAME.
3. THE ESTIMATED REPLACEMENT COST IS SHOWN ON THE ENCLOSED QUALIFYING BRIDGE LIST.

A PARISH RESOLUTION & VERBAL STATEMENT FROM PROPERTY OWNERS IS REQUIRED WITH SUBMITTAL OF THIS FORM. ALSO REQUIRED IS THE COMPLETED ENVIRONMENTAL CHECKLIST FOR EACH SITE. ANY FORM NOT HAVING THE PROPER ATTACHMENTS WILL BE RETURNED WITHOUT ACTION.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-090-RS

WHEREAS, a contract for the St. Martin Parish Road Project, was awarded to low bidder, Coastal Bridge Company, L.L.C., in the amount of \$4,789,074.85; and

WHEREAS, Professional Engineering & Surveying Co., Inc. (PENSCO) has recommended Plan Change No. 1 in the amount of \$828,736.09 (increase).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize the signature of Parish President to execute Plan Change No. 1 in the amount of \$828,736.09 (increase) for the St. Martin Parish Road Project, by Coastal Bridge Company, L.L.C.

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 and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

A motion was made by Lisa Nelson and seconded by Jill Hebert that the St. Martin Parish Council does hereby extend the agenda for Resolution Summary Nos. 091-RS and 092-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, Neil Thibodeaux,
Chris Tauzin, Jill Hebert, Albert Menard and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-091-RS

WHEREAS, the St. Martin Parish Council regretfully accepted the resignation of Mr. Herbert Thibodeaux as a member of the St. Martin Parish Planning Commission; and

WHEREAS, Mr. Eddie Dumatrait has been recommended to fill the vacancy of the St. Martin Parish Planning Commission created by Mr. Thibodeaux's resignation.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby appoint Mr. Eddie Dumatrait for a five (5) year term expiring on June 14, 2022, to serve as a board member on the St. Martin Parish Planning Commission.

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 and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

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

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

RESOLUTION NO. 17-092-RS

RESOLUTION OF ACCEPTANCE

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE AN ACT OF ACCEPTANCE FROM LEBLANC MARINE, L.L.C., PERTAINING TO THE COMPLETION OF THE CONTRACT FOR THE BEAU BAYOU SWAMP HYDROLOGIC RESTORATION PROJECT, ST. MARTIN PARISH, LOUISIANA.

WHEREAS, LeBlanc Marine, L.L.C., as Contractor, has completed the Beau Bayou Swamp Hydrologic Restoration Project in accordance with the plans and specification contained in the contract documents pertaining thereto; and

WHEREAS, the St. Martin Parish Council desires to accept the completed work.

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 a Notice of Acceptance for and on behalf of the St. Martin Parish Government, accepting the work on the Beau Bayou Swamp Hydrologic Restoration Project, St. Martin Parish, Louisiana, as being complete.

BE IT FURTHER RESOLVED that he be authorized and directed to have a copy of said Acceptance recorded in the Conveyance Records of the Parish of St. Martin, State of 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, Neil Thibodeaux,
Chris Tauzin, Jill Hebert, Albert Menard and Dean LeBlanc.
NAYS: None.
ABSTAIN: None.
ABSENT: Daniel Richard, Jr. (excused).

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

NOTICE OF ACCEPTANCE

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

Public Notice is given, according to law, that the undersigned Owner has accepted the work done by LeBlanc Marine, L.L.C., Contractor, domiciled at Post Office Box 9959, New Iberia, Louisiana 70562, under the contract with said Firm pertaining to the Beau Bayou Swamp Hydrologic Restoration Project, 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 Contractor or against the property growing out of the execution of the Contract according to law, within forty-five (45) days from registration hereof.

THUS DONE AND SIGNED at St. Martin Parish, Louisiana on this 6th day of July, 2017.

OWNER: ST. MARTIN PARISH GOVERNMENT

BY: /s/ Guy Cormier
Parish President Guy Cormier

Parish President Guy Cormier updated the Council Members on the current road project, which is delayed due to weather. (*Albert Menard stepped out at 5:43 p.m.; returned at 5:45 p.m.*) Parish President Guy Cormier also mentioned some equipment that was relocated to Lower St. Martin during the flood is now being returned to its previous location. Parish President Guy Cormier stated employee evaluations will begin next week. A general discussion ensued amongst Parish President Guy Cormier and Council Members regarding a State project in Henderson and also the recent purchase of a sand bagging machine.

Returning to Item 7-A: Council to sit as a Board of Adjustment to consider the request for a variance to allow for a Dollar General store sign to exceed the measurements allowed by the Parish Ordinance.

Mr. Heath Babineaux mentioned he was able to speak to a representative from the Dollar General store and was told the reason for a larger store sign was for visibility purposes. After a general discussion ensued amongst the Council Members and Parish Attorney Chester Cedars, it was recommended to deny the request to grant a variance allowing for the sign to measure differently than what the parish ordinance permits.

A motion was made by Dean LeBlanc and seconded by Jill Hebert to deny the Dollar General sign to exceed parish regulations.

This motion 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 and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

And the motion to deny the request was declared carried this 5th day of July, 2017.

Returning to Item 7-B: Council to enter Executive Session to discuss a personnel issue.

A motion was made by Albert Menard and seconded by Lisa Nelson that the St. Martin Parish Council does hereby enter Executive Session.

This motion to enter in Executive Session 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 and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

And the motion to enter in Executive Session was declared carried by unanimous vote this 5th day of July, 2017.

Regular Meeting recessed at 5:51 p.m.

Executive Session adjourned, and Regular Meeting reconvened at 6:33 p.m.

A motion was made by Albert Menard and seconded by Lisa Nelson that the Regular Meeting reconvene.

This motion to reconvene the Regular Meeting 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 and Dean LeBlanc.

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

And the motion to reconvene the Regular Meeting was declared carried by unanimous vote this 5th day of July, 2017.

Parish Attorney Chester Cedars briefed the public of Executive Session, which was to discuss the potential investigative proceedings involving a former employee, concerning some allegations of potential misconduct. Parish Attorney Chester Cedars stated this is allowed to be discussed in Executive Session. Also discussed in Executive Session was the comments made by said former employee of prospective litigation. Parish Attorney Chester Cedars stated if we would have discussed the basis of those allegations, that might have had an adverse affect on the litigating position of Parish Government, therefore Executive Session was appropriate. Finally, Parish Attorney Chester Cedars stated Executive Session was warranted and legally permissible in that the areas talked about implicates some areas of privilege, as regards to an attorney-client relationship, which is very sacred under the

law of the State of Louisiana, particularly Article 506 of the Code of Evidence. Parish Attorney Chester Cedars recommended the Council Members grant him authorization, on behalf of the administration and Parish President, to submit a demand transmittal to the former employee, seeking the production of some documents. These documents will help determine whether the misconduct of that former employee may implicate any other employees and allow the administration to take the steps necessary to address the allegations and proceed accordingly.

A motion was made by Albert Menard and seconded by Jill Hebert to allow Parish Attorney Chester Cedars to submit a demand transmittal for production of documents to the former employee.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Daniel Richard, Jr. (excused).

And the motion to allow Parish Attorney Chester Cedars to submit a demand transmittal for production of documents to the former employee was declared carried by unanimous vote this 5th day of July, 2017.

A motion was made by Albert Menard seconded by Lisa Nelson 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