

## **PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL**

### **REGULAR MEETING - JUNE 6, 2017**

The St. Martin Parish Council met in Regular Session convened at 5:05 P.M., Tuesday, June 6, 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 Dean LeBlanc. Following the pledge, Parish President Guy Cormier requested a moment of silence for the recent passing of Mr. Greg Guirard. Mr. Guirard was a member of the St. Martin Parish Tree Board and Commissioners since its inception in 1999. Mr. Guirard was well known for not only his pass of the Atchafalaya, but also his photographs, books and woodworking crafts.

The following members were present: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr. Members absent: Chris Tauzin (excused). Also present: Parish President Guy Cormier and 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 May 1, 2017.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the motion was declared adopted this 6th day of June, 2017.

Clerk of the Council Laci Laperouse announced all speakers under Persons to Address the Council could not attend tonight's meeting, due to flooding in Lower St. Martin. Parish President Guy Cormier stated, at this time, Director Terry Guidry, St. Martin Parish Office of Homeland Security and Emergency Preparedness will give an update on the recent flooding that continues to threaten Lower St. Martin Parish. Mr. Guidry mentioned 37,400 sandbags were distributed. Parish President Guy Cormier thanked many people for their hard work and dedication to this flood fight, including Public Works Department, neighboring parishes, Sheriff's Department, Council Member

Byron Fuselier and Director Terry Guidry. Parish President Guy Cormier publicly thanked Senator Clay Higgins' office for trying to expedite the Flood Proofing Project that is currently being held up by a permit from the United States Army Corps of Engineer, due to a handful of residents against it. This project will ultimately affect over 200 homes.

A motion was made by Jill Hebert and seconded by Albert Menard 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,  
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the motion was declared adopted this 6th day of June, 2017.

Chairman Jason Willis asked for public comments regarding each proposed ordinance being considered for final adoption.

Clerk of the Council Laci Laperouse read each Ordinance Summary.

Parish President Guy Cormier recommended staying at the same millage rates for Ordinance Summary No. 1175-OR {Adoption of Ordinance No. 1175-OR, an Ordinance providing for the adoption of Millage Rate(s) for the Tax Year 2017}.

Parish President Guy Cormier reminded the Council Members that previous discussion and also the approval from the Planning Commission was had for Ordinance Summary No. 1179-OR {An Ordinance to amend 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 the Assignment/Designation of Zoning Classification District on a portion of a road, added to the Public Road System since December 18, 1995 (Original Zoning Ordinance adopted). {**1251 Bordelon Road**}}.

Parish President Guy Cormier mentioned that Ordinance Summary No. 1180-OR {An Ordinance to establish a policy for reimbursement of expenses for healthcare services rendered on behalf of inmates incarcerated at St. Martin Parish jail facilities and to provide for related matters.} had also been previously discussed. Mr. Paulma Johnson questioned if an inmate will still receive healthcare services if he/she is not able to pay, nor has insurance. Legal Counsel Chester Cedars

stated the inmate will still receive care as per Section 7 of Ordinance Summary No. 1180-OR.

Upon requesting and hearing no further 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 Jill Hebert 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,  
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the motion was declared adopted this 6th day of June, 2017.

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

**ORDINANCE NO. 17-06-1175-OR**

**AN ORDINANCE PROVIDING FOR THE ADOPTION OF MILLAGE RATE(S) FOR THE TAX YEAR 2017.**

BE IT ORDAINED by the St. Martin Parish Council that the Assessor be and he is hereby authorized and instructed to assess the following millage on the assessment rolls for the year 2017.

	MILLAGE
GENERAL PARISH ALIMONY	2.27 mills
CORPORATE CRIMINAL	0.99 mills
ROAD MAINTENANCE	3.72 mills
HEALTH UNIT MAINTENANCE & OPERATION	2.68 mills
FIRE PROTECTION MAINTENANCE	4.88 mills
COURTHOUSE & LAW ENFORCEMENT CENTER	1.78 mills
DRAINAGE MAINTENANCE	5.27 mills
RECREATION MAINTENANCE & OPERATION	1.05 mills
INDUSTRIAL PARK	1.55 mills
SUB ROAD DISTRICT NO. 1 OF ROAD DISTRICT NO. 1	5.82 mills
ROAD DISTRICT NO. 2 MAINTENANCE	11.06 mills

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

And the Ordinance was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**ORDINANCE NO. 17-06-1179-OR**

AN ORDINANCE TO AMEND 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 THE ASSIGNMENT/DESIGNATION OF ZONING CLASSIFICATION DISTRICT ON A PORTION OF A ROAD, ADDED TO THE PUBLIC ROAD SYSTEM SINCE DECEMBER 18, 1995 (ORIGINAL ZONING ORDINANCE ADOPTED). {**1251 BORDELON ROAD**}

The Parish Council of the Parish of St. Martin does hereby ordain as follows:

SECTION I: The Parish Road Zoning Data Sheets are hereby amended to change the zoning classification district on a portion of the parish road listed below and to allow the remainder of the road to remain as classified.

<u>Road</u>	<u>Old Zoning Classification</u>	<u>New Zoning Classification</u>
<b>Bordelon Road (1251)</b>	<b>R-2 (Mixed Residential)</b>	<b>C-1 (Light Commercial)</b>

This zoning classification change is being made to allow for the operation of a generator repair shop at 1251 Bordelon Road, Assessor’s Parcel No. 06002C4155. If a change in this type of business is desired in the future, the change would have to be approved by the Parish Council in the form of an amended ordinance. This zoning classification shall remain in effect only so long as the subject property remains owned by Bryan Joseph Collette.

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

And the Ordinance was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

A motion was made by Lisa Nelson and seconded by Jill Hebert that Ordinance No. 17-06-1180-OR be adopted. Albert Menard made a substitute motion that the said ordinance be rejected. This motion then failed for lack of a second. The Council then considered the original motion that the following ordinance be adopted:

**ORDINANCE NO. 17-06-1180-OR**

**AN ORDINANCE TO ESTABLISH A POLICY FOR REIMBURSEMENT OF EXPENSES FOR HEALTHCARE SERVICES RENDERED ON BEHALF OF INMATES INCARCERATED AT ST. MARTIN PARISH JAIL FACILITIES AND TO PROVIDE FOR OTHER RELATED MATTERS.**

WHEREAS, the St. Martin Parish Government is responsible for the payment of all medical expenses of pretrial detainees incarcerated in jail facilities within St. Martin Parish, Louisiana; and

WHEREAS, the medical costs associated with healthcare services rendered on behalf of pretrial detainees have significantly increased over the last several years; and

WHEREAS, La.R.S. 15:705 provides that the governing authority of each parish in the State of Louisiana is authorized to obtain reimbursement from a parish inmate for medical and dental expenses; and

WHEREAS, La.R.S. 15:705 further provides that the parish governing authority must establish written rules and regulations for the reimbursement from a parish inmate for such medical expenses; and

WHEREAS, the Basic Jail Guidelines issued by the Governor for the State of Louisiana, working in conjunction with the Louisiana Department of Public Safety and Corrections and the Louisiana Sheriff's Association, recognize and permit a facility's medical reimbursement plan for pretrial detainees to be implemented in connection with a Parish governing authority securing reimbursement for such medical expenses.

BE IT, THEREFORE, ORDAINED that the St. Martin Parish Council, on behalf of the St. Martin Parish Government, does hereby establish the following policy, practice, and procedure for the reimbursement of medical expenses incurred for healthcare services rendered to inmates housed at jail facilities within St. Martin Parish, Louisiana.

### **Section 1. Statement of Policy.**

It is the policy of the St. Martin Parish Government to reduce frivolous or nonessential medical services through the implementation of an inmate medical co-payment policy for healthcare services while insuring that no inmate will be denied medical care because of his/her inability to make such co-payments or reimbursements. Furthermore, the increased costs of healthcare services for and on behalf of inmates have realized a significant increase and, therefore, constitute a significant burden on the public fisc of the St. Martin Parish Government. Consequently, without compromise to a parish inmate's right to receive medical care while incarcerated in St. Martin Parish, Louisiana, the St. Martin Parish Government does hereby establish the following policy, practice, and procedure for seeking reimbursement from inmates for healthcare services rendered during incarceration.

### **Section 2. Definitions.**

The following words, terms, and phrases, when used in this edict, shall have the meaning ascribed to them, except where the context clearly indicates a different meaning:

- A. "Book balance" means an inmate's actual balance, less what is owed for medical and dental expenses, with regard to his drawing account.
- B. "Co-payment" is a fee collected from an inmate's drawing account for specific healthcare services requested by that inmate or rendered on that inmate's behalf during incarceration.
- C. "Drawing account" means any account under the control of the correctional facility from which an inmate may withdraw funds.
- D. "Healthcare services" shall mean and include, but not be limited to, physician consultations, psychiatric consultations, psychological consultations, dental services, prescription medication, over-the-counter medication, medical transport services, after-hour sick calls, and sick call evaluations.
- E. "Inmate" refers to any person confined to a parish correctional facility prior to being sentenced to the custody of the Department of Public Safety and Corrections.

- F. "Over-the-counter" medication includes the following non-exclusive list of medication which does not require a prescription:

Aspirin, Acetaminophen, Ibuprofen, Orajel, antifungal cream, antibiotic ointment, Maalox, Milk of Magnesium, Ichthammal ointment, and hemorrhoid ointment, etc.

### **Section 3. Authority for Withdrawal from Drawing Account.**

In compliance with, and pursuant to, the authority expressed in La.R.S. 15:705, as that statute may be from time to time amended, the Warden of any correctional facility under the jurisdiction of the duly elected Sheriff of St. Martin Parish, Louisiana, shall withdraw from an inmate's drawing account reimbursement for the inmate's healthcare services and shall reimburse such funds to the St. Martin Parish Government in accordance with the schedule set forth in Section 4 herein.

### **Section 4. Co-payment Schedule.**

The withdrawal amounts for all healthcare services rendered for and on behalf of inmates shall be in the amounts set forth in the following co-payment schedule:

Physician visits/services	\$30.00
Dental services	\$20.00
Psychological and psychiatric services/evaluations	\$20.00
Prescription medications, including refills	Actual cost
Sick call services by an emergency medical technician, LPN, or RN	\$5.00
After-hours sick call with emergency medical technician, LPN, or RN	\$60.00
Consultation services rendered by University Hospitals & Clinics on an out-patient basis	\$54.00
Lab work	\$10.00
Interpretation by medical care providers	Actual cost
Over-the-counter medication	Actual cost

Medical supplies	Actual cost
In-patient hospital treatment	Actual cost
Ambulance services	\$250.00

**Section 5. Precedence of Withdrawals.**

Except as provided in Section 6 herein, reimbursement for healthcare services rendered for and on behalf of an inmate shall be made prior to any other withdrawal from that inmate's drawing account.

**Section 6. Exceptions.**

This ordinance shall not prohibit the withdrawal of funds for the purpose of payments under the Crime Victim's Reparations Act (La.R.S. 46:1801, *et seq*), court costs as authorized by law, and other withdrawals specifically authorized by court order or by the duly elected Sheriff of St. Martin Parish, Louisiana.

**Section 7. Indigent Inmates.**

Under no circumstances shall an inmate be denied or refused access to healthcare services because of his inability to pay in accordance with the schedule set forth in Section 4 of this ordinance. Consequently, if an inmate's drawing account does not reflect a sufficient balance to absorb the reimbursement amount(s) set forth herein, he/she shall nevertheless be afforded full and complete healthcare services as any other inmate would be entitled to receive.

**Section 8. Records.**

The Warden shall maintain records of all co-payments made pursuant to this policy and/or shall cause to be kept a record of any amount(s) for reimbursement due by the St. Martin Parish Government in accordance herewith, all including details of all requests, appointments, and the dispensation of medication.

**Section 9. Insufficient Funds.**

If, at any time, an inmate's drawing account does not have sufficient funds to reimburse the cost of healthcare services, that account shall carry a negative balance until such time as funds are deposited into the account. When funds become available, the healthcare services reimbursement

set forth in Section 4 herein shall be immediately deducted from that account. Moreover, the Warden is authorized to freeze assets in an inmate's drawing account and prohibit withdrawals therefrom until all co-payments due under this ordinance and as specified in Section 4 are fully paid, regardless of the source of the assets contained in the drawing account.

**Section 10. Transfer of Inmate and Inmate's Return.**

Any inmate who is transferred to another facility and/or discharged shall remain liable for any reimbursement authorized under this ordinance. Furthermore, should an inmate be discharged with a negative balance in the drawing account due to unpaid healthcare service reimbursements, and the inmate is subsequently returned to the correctional facility, the unpaid balance shall immediately be collected from the new drawing account established upon re-entry to the correctional facility, all in accordance with the provisions outlined in this edict.

**Section 11. Private or Public Insurance Coverage.**

Any inmate who is the benefactor of a private medical/healthcare insurer or any public medical assistance program shall file a claim for the payment and/or reimbursement of any healthcare services provided to him/her during his/her period of incarceration. Furthermore, such inmate shall be compelled to assign in favor of the St. Martin Parish Government that portion of any insurance proceeds realized from the filing of any such claim(s) which may be due the St. Martin Parish Government under the terms and provisions of this ordinance.

**Section 12. Probation.**

The amount(s) due to be reimbursed to the St. Martin Parish Government for healthcare services in accordance with this ordinance may be ordered, at the discretion of the sentencing court, to be paid by an inmate as a condition of probation upon conviction, all pursuant to the conditions specified in Article 895.1 of the Louisiana Code of Criminal Procedure.

**Section 13. Notice of Ordinance.**

Upon booking, or at the earliest possible time thereafter, an inmate shall sign an agreement/contract obligating him/her to file any and all claims for payment of healthcare expenses incurred for services rendered on his/her behalf and/or for reimbursement to the St. Martin Parish Government, all in accordance with Section 11 of this ordinance. Any such agreement shall also

include authorization for the release of medical records by attaching the standard HIPAA form being used at the time of booking. Consequently, all inmates shall be notified of the provisions of this ordinance upon incarceration at any jail facility under the jurisdiction of the duly elected Sheriff of St. Martin Parish and/or when a request for healthcare services is made by the inmate.

**Section 14. Severability.**

The terms and 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 given efficacy without the offending provision or section.

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

And the Ordinance was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-059-RS**

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reschedule the July 2017 Regular Meeting from Tuesday, July 4, 2017, to Wednesday, July 5, 2017, at the usually scheduled time of 5:00 p.m. in the Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana, due to the Independence Day holiday.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-060-RS**

WHEREAS, in accordance with La R.S. 43:141, the official journal of each parish is to be selected the first meeting in June each year; and

WHEREAS, the appointment of the current official journal for St. Martin Parish expires on June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby appoint the *Teche News* as the official journal for St. Martin Parish and that said appointment period will begin on July 1, 2017, and will expire on June 30, 2018.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-061-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing members to the St. Martin Parish Planning Commission whose terms will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Kip Lastrapes and Mr. Randy Dore' for five (5) year terms expiring on June 14, 2022, to serve as members of 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, Jill Hebert,  
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-062-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to the St. Martin Parish Tourist Commission whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Ms. Carole Lancon to serve as a member of the St. Martin Parish Tourist Commission for a three (3) year term, expiring on June 2, 2020.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-063-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing members to serve on the St. Martin Parish Tree Board and Commissioners whose terms have expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Jim Foret and Mr. Daniel Green for four (4) year terms expiring on June 1, 2021, to serve as members on the St. Martin Parish Tree Board and Commissioners.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-064-RS**

WHEREAS, the Moving Ahead for Progress in the 21st Century (MAP-21) Transportation Act provides funds to the State of Louisiana for grants to federal, state, local government agencies, non-profit organizations and commercial entities to acquire, develop and/or maintain motorized and non-motorized trails; and

WHEREAS, the FHWA Recreational Trails Program for Louisiana (FRTPL) has been delegated the responsibility for the administration of the program within the state and setting up necessary procedures governing project application under the program; and

WHEREAS, these regulations require an application to have resolutions of support from the local governmental body of the jurisdiction in which the proposed project(s) is/are located.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Government does hereby endorse and support the application being submitted to the FRTPL by The TECHE Project.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

After a lengthy discussion was had regarding Resolution Summary No. 065-RS, the following motions were made:

A substitute motion was made by Daniel Richard, Jr. and seconded by Dean LeBlanc to amend the resolution to reduce the millage from 2.00 mills to 1.75 mills.

Council Member Albert Menard requested a roll-call vote for the substitute motion of reducing the millage from 2.00 mills to 1.75 mills.

The voting was recorded as follows:

YEAS: Byron Fuselier, Lisa Nelson, Neil Thibodeaux, Jill Hebert,  
Dean LeBlanc and Daniel Richard, Jr.

NAYS: Albert Menard.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

Chairman Jason Willis announced the substitute motion carries.

A second substitute motion was made by Lisa Nelson and seconded by Dean LeBlanc to amend Exhibit A to delete the following paragraph: "Notice is further given that a portion of the monies collected from the tax described in the Proposition shall be remitted to certain state and statewide retirement systems in the manner required by law."

The voting on that substitute motion was recorded as follows:

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tauzin (excused).

Chairman Jason Willis announced the substitute motion carries.

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

### **RESOLUTION NO. 17-065-RS**

A Resolution ordering and calling a special election to be held in the Parish of St. Martin, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the St. Martin Parish Council, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Martin, State of Louisiana (the "Parish"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, OCTOBER 14, 2017**, between the hours of seven o'clock (7:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

#### **PROPOSITION (MILLAGE)**

Shall the Parish of St. Martin, State of Louisiana (the "Parish"), levy a special tax of one and seventy-five hundredths (1.75) mills on all property subject to taxation within the Parish (an estimated \$650,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, for the purpose of providing funding for senior citizens programs, activities, services and facilities operated by the St. Martin Council on Aging, Inc., in both Upper St. Martin Parish and Lower St. Martin Parish?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *Teche News*, a newspaper of general circulation within the Parish, published in St. Martinville, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the forgoing, prior to the publication of the Notice of Election, the Chairman is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any State or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana, on **TUESDAY, NOVEMBER 7, 2017**, at **FIVE O'CLOCK (5:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places designated by the governing authority of the Parish for the precincts set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which the said election will be held.

SECTION 5. Election Commissioners; Voting Machines. The officers designated in accordance with law to serve as Commissioners-in-Charge and Commissioners, including such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, November 7, 2017, as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Clerk of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman and/or Clerk of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of St. Martin Parish and the Registrar of Voters of St. Martin Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

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

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

/s/ Laci Laperouse

Clerk

/s/ Jason Willis

Chairman



STATE OF LOUISIANA

PARISH OF ST. MARTIN

I, the undersigned Clerk of the St. Martin Parish Council, State of Louisiana (the "Governing Authority"), the governing authority of the Parish of St. Martin, State of Louisiana (the "Parish"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Governing Authority on June 6, 2017, ordering and calling a special election to be held in the Parish of St. Martin, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at St. Martinville, Louisiana, on this, the 6<sup>th</sup> day of June, 2017.

/s/ Laci Laperouse  
Clerk

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

### **RESOLUTION NO. 17-066-RS**

A Resolution authorizing the Parish President to enter into intergovernmental agreements with the City of St. Martinville, Louisiana, Village of Parks, Louisiana, Town of Henderson, Louisiana, City of Breaux Bridge, Louisiana, and Recreation District No. 1 of the Parish of St. Martin, State of Louisiana, for the transfer and expenditure of portions of the proceeds from the sale of general obligation bonds approved by the electorate on December 10, 2016, the said transfers and expenditures to be for the sole purposes of acquiring, constructing, improving, and equipping public parks, playgrounds, recreation centers, and other recreational facilities located in those municipalities and recreational district.

WHEREAS, by virtue of an election held on December 10, 2016, the electorate of St. Martin Parish approved the issuance of bonds by the ST. MARTIN PARISH GOVERNMENT for the acquisition, construction, improvement, and equipping of public parks, playgrounds, recreation centers, and other recreational facilities; and

WHEREAS, proceeds from the sale of the said bonds will soon be received by the issuer, ST. MARTIN PARISH GOVERNMENT; and

WHEREAS, the CITY OF BEAUX BRIDGE, LOUISIANA, CITY OF ST. MARTINVILLE, LOUISIANA, VILLAGE OF PARKS, LOUISIANA, and the TOWN OF HENDERSON, LOUISIANA, (hereinafter referenced collectively as "THE MUNICIPALITIES") are the owners of public parks, playgrounds, recreational centers and/or recreational facilities within their respective municipalities; and

WHEREAS, RECREATION DISTRICT NO. 1 OF THE PARISH OF ST. MARTIN, STATE OF LOUISIANA (hereinafter referenced as "THE DISTRICT") is the owner of public parks, playgrounds, recreational centers and/or recreational facilities within jurisdictional boundary; and

WHEREAS, the public parks, playgrounds, recreational centers/facilities are utilized by persons who reside in the unincorporated areas of St. Martin Parish, Louisiana, THE DISTRICT, and in THE MUNICIPALITIES; and

WHEREAS, the proposition proposed and adopted by the electorate on December 10, 2016, does not specify any particular park, playground, or recreational center/facility for which the

proceeds may be expended, nor does the said proposition restrict or limit the expenditure of bond proceeds to those recreational facilities situated in THE DISTRICT or the other unincorporated areas of St. Martin Parish, Louisiana; and

WHEREAS, the said bond proposition was approved by a margin of twenty percent (20%) of the votes cast; and

WHEREAS, payment of the bonds shall be payable from ad valorem taxes to be collected within both the incorporated and unincorporated areas of St. Martin Parish, Louisiana; and

WHEREAS, the administration of ST. MARTIN PARISH GOVERNMENT has, in conjunction with THE DISTRICT and THE MUNICIPALITIES, calculated an accurate estimation of the number of residents of the unincorporated areas of St. Martin Parish, Louisiana (outside THE DISTRICT), who utilize the services of the public parks, playgrounds, and recreational centers/facilities located within THE MUNICIPALITIES and THE DISTRICT; and

WHEREAS, the ST. MARTIN PARISH GOVERNMENT desires that the use of the aforementioned bond proceeds be maximized to insure that as many St. Martin Parish residents as possible have the maximum opportunities to utilize the public parks, playgrounds, and recreational centers and facilities in this Parish which are up-to-date with modern and well maintained equipment, playgrounds, and related amenities; and

WHEREAS, the expenditure of the aforesaid bond proceeds only in public parks within the unincorporated areas of St. Martin Parish, Louisiana, which are outside THE DISTRICT would frustrate the intent of the ST. MARTIN PARISH GOVERNMENT to provide all residents thereof with the opportunity to recognize and realize the benefits associated with recreational activities/facilities/centers and properly maintained, up-to-date parks and playgrounds; and

WHEREAS, in the promotion of the bond proposal adopted by the electorate on December 10, 2016, the ST. MARTIN PARISH GOVERNMENT declared that the bond proceeds dedicated for the acquisition, construction, improvement, and equipping of public parks, playgrounds, recreation centers, and other recreational facilities would be expended throughout the Parish and not be limited solely to the unincorporated areas of St. Martin Parish, Louisiana; and

WHEREAS, the expenditure of public funds for recreational activities is a public purpose which both ST. MARTIN PARISH GOVERNMENT, THE DISTRICT, and THE MUNICIPALITIES are obligated to pursue; and

WHEREAS, THE MUNICIPALITIES and/or THE DISTRICT do not have sufficient resources to maintain and/or equip the public parks, playgrounds, and recreational centers/facilities within their respective corporate/jurisdictional limits at the levels which they desire; and

WHEREAS, the ST. MARTIN PARISH GOVERNMENT, THE DISTRICT, and THE MUNICIPALITIES desire to enter into agreements whereby the ST. MARTIN PARISH GOVERNMENT will provide to THE MUNICIPALITIES and THE DISTRICT a portion of the aforesaid bond proceeds for the sole, exclusive purposes of improving public parks, playgrounds, recreation centers, and other recreational facilities located in their respective municipalities and within THE DISTRICT; and

WHEREAS, the ST. MARTIN PARISH GOVERNMENT, THE DISTRICT, and THE MUNICIPALITIES have jointly agreed that a fair, reasonable, and equitable division of the subject bond proceeds among THE MUNICIPALITIES and THE DISTRICT would be as follows: THE CITY OF BREAUX BRIDGE, LOUISIANA-\$975,000.00; THE CITY OF ST. MARTINVILLE, LOUISIANA-\$975,000.00; THE TOWN OF HENDERSON, LOUISIANA-\$425,000.00; RECREATION DISTRICT NO. 1 OF THE PARISH OF ST. MARTIN, STATE OF LOUISIANA-\$325,000.00; and, THE VILLAGE OF PARKS, LOUISIANA-350,000.00; and

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

WHEREAS, the ST. MARTIN PARISH GOVERNMENT, THE DISTRICT, and THE MUNICIPALITIES postulate that entering into accords of that nature will serve an extremely valuable public purpose and produce a significant public benefit; and

WHEREAS, such joint ventures would be cost effective and serve the best interests of each of the aforementioned public entities, in particular, and the overall public, in general.

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 cooperative endeavor agreements, intergovernmental agreements, and/or joint venture agreements with the CITY OF ST. MARTINVILLE, LOUISIANA, VILLAGE OF PARKS, LOUISIANA, CITY OF BREAUX BRIDGE, LOUISIANA, RECREATION DISTRICT NO. OF THE PARISH OF ST. MARTIN, STATE OF LOUISIANA, and the TOWN OF HENDERSON, LOUISIANA, whereby the ST. MARTIN PARISH GOVERNMENT will transfer to each municipality and to THE DISTRICT a portion of the proceeds from the sale of the bonds approved by the electorate on

December 10, 2016. The transfer shall be from those proceeds specifically dedicated for the acquiring, constructing, improving, and equipping of public parks, playgrounds, recreation centers, and other recreational facilities located in those municipalities/district. The portion which each municipality/district shall receive shall be as follows:

THE CITY OF BREAUX BRIDGE, LOUISIANA	\$975,000.00
THE CITY OF ST. MARTINVILLE, LOUISIANA	\$975,000.00
TOWN OF HENDERSON, LOUISIANA	\$425,000.00
VILLAGE OF PARKS, LOUISIANA	\$350,000.00
RECREATION DISTRICT NO. 1	\$325,000.00

BE IT FURTHER RESOLVED that Parish President, Guy Cormier, is hereby authorized, directed, and empowered to negotiate and incorporate within each 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. However, no term, condition, or provision shall conflict which the dictates of the bond proposition which were approved by the electorate of this Parish on December 10, 2016.

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

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-067-RS**

WHEREAS, under the provisions of Title 23, United States Code, "Highways," as amended, funds have been appropriated out of the Highway Trust Fund to finance improvement projects under the direct administration of Louisiana Department of Transportation and Development (DOTD); and

WHEREAS, the St. Martin Parish Government has requested an appropriation of funds to finance a portion of the Cypress Island Highway Pavement Preservation, State Project No. H.012863, Federal Aid Project No. H012863; and

WHEREAS, if applicable, the Project is part of a Transportation Improvements Program (TIP), serving to implement the area wide transportation plan held currently valid by appropriate local officials and the Metropolitan Planning Organization (MPO), and developed as required by Section 134 of Title 23, U.S.C.; and

WHEREAS, the Project is to complete a pavement preservation project on Cypress Island Highway from LA 353 to LA 31, in Lafayette, 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 authorized, directed and empowered to execute an Entity/State Agreement in behalf of St. Martin Parish Government with the Louisiana Department of Transportation and Development and the Lafayette Metropolitan Planning Organization for State Project No. H.012863, Federal Aid Project No. H012863 – Cypress Island Highway Pavement Preservation, Cypress Island Highway, St. Martin Parish.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Chris Tausin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-068-RS**

A RESOLUTION AUTHORIZING AND DIRECTING THE PARISH PRESIDENT TO EXECUTE FOR AND ON BEHALF OF THE ST. MARTIN PARISH GOVERNMENT, A CERTIFICATE OF PARTIAL SUBSTANTIAL COMPLETION, PERTAINING TO THE BEAU BAYOU SWAMP HYDROLOGIC RESTORATION PROJECT, ST. MARTIN PARISH, LOUISIANA.

WHEREAS, LeBlanc Marine, L.L.C., Post Office Box 9959, New Iberia, Louisiana 70562, has substantially completed the work pertaining to Elements 1-9 on the Beau Bayou Swamp Hydrologic Restoration 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 Partial Substantial Completion for and on behalf of the St. Martin Parish Government accepting the work on Elements 1-9 of 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 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, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 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 LeBlanc Marine, L.L.C., Post Office Box 9959, New Iberia, Louisiana 70562, under its contract with said Firm pertaining to the Beau Bayou Swamp Hydrologic Restoration 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 7<sup>th</sup> day of June, 2017.

OWNER: ST. MARTIN PARISH GOVERNMENT

BY: /s/ Guy Cormier  
Parish President Guy Cormier

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

**RESOLUTION NO. 17-069-RS**

WHEREAS, a contract for the Beau Bayou Swamp Hydrologic Restoration Project, was awarded to low bidder, LeBlanc Marine, L.L.C., with a total bid in the amount of \$1,662,128.00; and

WHEREAS, Sellers & Associates, Inc. has recommended Contract Change Order No. 4 in the amount of \$6,645.64 (decrease); and

WHEREAS, the contract time will also be increased by thirty (30) days for a completion date of June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize the Parish President to execute Contract Change Order No. 4 in the amount of \$6,645.64 (decrease) and an increase in contract time of 30 days for the Beau Bayou Swamp Hydrologic Restoration Project, by LeBlanc Marine, 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, Jill Hebert,  
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.  
NAYS: None.  
ABSTAIN: None.  
ABSENT: Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

**RESOLUTION NO. 17-070-RS**

A Resolution authorizing the Parish President to purchase, from a sole source provider and/or pursuant to a declared public emergency, equipment necessary to effect the preparation of flood control materials such as, but not limited to, sand bagging paraphernalia.

WHEREAS, recent severe weather conditions have resulted in the flooding and the imminent threat of continued flooding in St. Martin Parish along the Mississippi River, Atchafalaya River, and related bodies of water; and

WHEREAS, weather forecasts dictate additional rain and water accumulation in the aforementioned regions; and

WHEREAS, the subject flooding conditions have posed and will continue to pose significant threat to property and lives throughout St. Martin Parish; and

WHEREAS, time is of the essence relative to adequately adopting all steps to protect the areas affected by the flooding conditions referenced herein; and

WHEREAS, it is unknown for what length of time the dire flooding dangers and risks will exist; and

WHEREAS, in order to provide proper, reasonable, and adequate protection to St. Martin Parish residents and property, it is necessary that the ST. MARTIN PARISH GOVERNMENT have the ability to quickly adopt flood control measures such as, but not limited to, the preparation of sand bags; and

WHEREAS, the ST. MARTIN PARISH GOVERNMENT does not have the necessary equipment that will permit its public works personnel to prepare the necessary sand bagging paraphernalia at a moment's notice; and

WHEREAS, the inability to have the capacity to adopt such measures introduces and enhances the likelihood of destruction or injury to life and/or property; and

WHEREAS, the immediate need for ST. MARTIN PARISH GOVERNMENT to acquire the necessary equipment for the aforementioned purposes has been recognized and embraced by both the Parish President and the public works personnel of the Parish; and

WHEREAS, the Parish President has determined that the necessary equipment can be purchased from Covington Sales & Services, Inc. for the price of \$104,885.00; and

WHEREAS, the Parish President has further determined that the aforesaid vendor is a “sole source” relative to such equipment, as defined and recognized by the law of the State of Louisiana, including La. R.S. 39:1597; and

WHEREAS, the Parish President has further secured the necessary documentation to support the sole source determination; and

WHEREAS, the Parish President has ascertained that the City of Hammond, Louisiana, has an existing contract with Covington Sales & Service, Inc. for the acquisition of such equipment, and that the said contract was competitively bid; and

WHEREAS, the said contract was awarded on March 9, 2017, and both the vendor and the City of Hammond consent to allowing the ST. MARTIN PARISH GOVERNMENT acquiring the identical sand bagging equipment through their contract, all as authorized by La. R.S. 38:321.1, as amended by Act Number 510 of the 2016 Louisiana Legislature; and

WHEREAS, compliance with the formal bidding procedures mandated by the Louisiana Public Bid Law will prevent a timely response to the emergency needs of the areas of St. Martin Parish which are at significant risk; and

WHEREAS, on June 1, 2017, Parish President, GUY CORMIER, declared that an extreme public emergency exists with regard to the aforescribed flooding conditions , all in accordance with La. R.S. 29:727, La. R.S. 38:2212 (P), and La. R.S. 38:2212.1(K); and

WHEREAS, notice of the declaration was recorded in the records of the Office of Clerk of Court for St. Martin Parish under Entry Number 508726, and the declaration will be published within ten (10) days of the edict in the Parish’s official journal.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the dictates of La. R.S. 29: 727, La. R.S. 38:2212(P), and La. R.S. 38:2212.1(K), the St. Martin Parish Council does likewise hereby formally and officially declare and certify that a public emergency exists relative to the necessity of adopting all steps necessary and reasonable so as to provide maximum protection to and on behalf of the St. Martin Parish residents and/or property owners affected by the flooding conditions referenced herein.

BE IT FURTHER RESOLVED that this certification and notice of such public emergency be published within ten (10) days hereof in the official journal of the St. Martin Parish Government.

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to adopt all steps appropriate for the purchase of the equipment necessary to quickly prepare flood control paraphernalia inclusive of equipment for the preparation of sand bags and related materials.

BE IT FURTHER RESOLVED specifically that the Parish President be authorized, directed, and empowered to purchase from Covington Sales & Service, Inc. for the sum of \$104,885.00 the equipment needed for the immediate preparation and dissemination of sand bags and related flood control paraphernalia, the said equipment being described as one Environmental Bagging System, Model EBS-E-S, manufactured by Express Scale.

BE IT FURTHER RESOLVED that the ST. MARTIN PARISH COUNCIL concurs that the acquisition of the said equipment, without a formal bid process, would be appropriate on three separate, distinct bases: 1) in view of the existing public emergency; 2) under the "sole source" edicts of the law of the State of Louisiana; and, 3) pursuant to the cooperative purchasing ("piggyback") provisions of La. R.S. 38:321.1, as amended by Act 510 of the 2016 Louisiana Legislature. Consequently, by virtue of this resolution, the ST MARTIN PARISH COUNCIL does hereby, for this sole, limited purpose and for this occasion only, adopt the sole source provisions of the Louisiana Procurement Code, La. R.S. 39:1597, and further acknowledges that all of the conditions set forth in La. R.S. 38:321.1 have been satisfied, thus permitting the acquisition of the aforementioned equipment through the existing contract between the City of Hammond and Covington Sales & Service, Inc.

BE IT FURTHER RESOLVED that the Parish President be and is hereby authorized, directed and empowered to confect all such contracts to acquire the above described equipment.

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to enter into any other agreements which he may deem necessary in order to effectuate the above and foregoing resolutions.

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

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

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

And the Resolution was declared adopted this 6th day of June, 2017.

\*\*\*\*\*

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

SUMMARY NO. 1181-OR (Introduced by Lisa Nelson, District 2)

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.

SUMMARY NO. 1182-OR (Introduced by Daniel Richard, Jr, District 9)

An Ordinance providing for the lease of one (1) Kobelco Model SK75SR-3E Mini Excavator.

SUMMARY NO. 1183-OR (Introduced by Jason Willis, District 3)

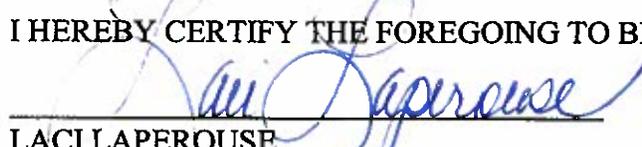
An Ordinance hereby recognizing the receipt of Fund No. 310, 2017 Drainage and Recreation Bond Projects, and accept placement of said fund into the 2017 Operating Budget.

Prior to adjournment Parish President Guy Cormier welcomed Mr. Chester Cedars as he is sitting in for Legal Counsel Andrew Shealy, but reminded everyone that Mr. Cedars will be returning as Legal Counsel. Parish President Guy Cormier stated, at the July Regular Meeting, the proper appointment will be made to confirm this change.

Council Member Lisa Nelson mentioned she just returned from a very informative conference, National Organization of Black County Officials (NOBCO) Economic Development Conference. Ms. Nelson was also recognized at said conference for being an active member amongst the national level.

A motion was made by Albert Menard and seconded by Byron Fuselier 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