

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

REGULAR MEETING - MARCH 6, 2018

The St. Martin Parish Council met in Regular Session convened at 5:03 p.m., Tuesday, March 6, 2018, 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 Daniel Richard, Jr.

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

A motion was made by Albert Menard and seconded by Jill Hebert to approve the minutes of the St. Martin Parish Council Regular Meeting of February 6, 2018.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused) and Lisa Nelson (excused).

And the motion was declared adopted this 6th day of March, 2018.

Confirmation to the appointment and Oath of Office of Chester R. Cedars as interim Parish President for St. Martin Parish was addressed.

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

RESOLUTION NO. 18-020-RS

A Resolution and proclamation acknowledging the actual vacancy in the Office of Parish President by virtue of the resignation of Guy Cormier as Parish President and confirming the appointment of Chester R. Cedars as interim Parish President for St. Martin Parish, Louisiana, until the office is filled by the vote of the qualified electors of St. Martin Parish, and otherwise providing with respect thereto.

WHEREAS, Guy Cormier, Parish President for St. Martin Parish, Louisiana, has resigned his elected position as of March 2, 2018; and

WHEREAS, acting pursuant to La. R.S. 18:652, Parish President Guy Cormier has formally advised, in writing, the Louisiana Secretary of State of his resignation; and

WHEREAS, the aforesaid notice of resignation was received by the Office of Secretary of State on January 19, 2018; and

WHEREAS, the resignation of the said Guy Cormier created a vacancy in the Office of Parish President and the St. Martin Parish Council deemed the office to have been actually vacated on the date it became irrevocable, all in accordance with La. R.S. 18:583(C) and (D); and

WHEREAS, the St. Martin Parish Government has determined that the unexpired term of office of the said Guy Cormier is approximately twenty-two (22) months; and

WHEREAS, Section 3-05(B) of the Home Rule Charter of St. Martin Parish, Louisiana, provides that a vacancy in the office of Parish President shall be filled by appointment by a majority vote of the authorized membership of the Council within fifteen (15) days after the vacancy occurs; and

WHEREAS, Section 3-05(D) of the Home Rule Charter for St. Martin Parish, Louisiana, provides that if more than one (1) year remains in the unexpired term of a vacant Parish President position, the appointee shall serve until the office is filled by the vote of the qualified electors in an election called by the St. Martin Parish Council; and

WHEREAS, by virtue of Resolution Number 18-009-RS, the St. Martin Parish Council appointed Chester R. Cedars to serve as Parish President until a special election is held to fill the unexpired term of the said Guy Cormier; and

WHEREAS, questions have arisen as to whether the appointment of the said Chester R. Cedars was premature since the term “actually vacated” as used in La. R.S. 18:583(D) may be interpreted to mean the physical vacation of the office; and

WHEREAS, the St. Martin Parish Council, out of an abundance of caution, wishes to avoid any issues with the appointment of the said Chester R. Cedars:

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby affirm and ratify the entirety of Resolution Number 18-009-RS and does hereby appoint Chester R. Cedars as Parish President to serve in that position until a special election is held and a qualified candidate duly elected and sworn into office.

BE IT FURTHER RESOLVED that, as mandated by La. R.S. 18:602(E)(2)(b) and (c), the Clerk of the St. Martin Parish Council shall: (1) immediately effect the publication of this proclamation in the official journal for St. Martin Parish; (2) within twenty-four (24) hours transmit by registered or certified mail a replica of this proclamation to the Honorable Becky Patin, Clerk of Court for St. Martin Parish; and (3) by registered or certified mail send a copy of this resolution/proclamation to the Secretary of State for the State of Louisiana.

BE IT FURTHER RESOLVED that the Office of Secretary of State for the State of Louisiana issue forthwith to the said Chester R. Cedars the necessary commission and other documents required by law so that the appointee may assume the position of Parish President of St. Martin Parish, Louisiana, without undue delay.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

Mr. Stan Gauthier administered the Oath of Office. Immediately following the oath, Parish President Chester Cedars requested a moment of silence for long-time Breaux Bridge City Councilman Gary “Bimmie” Champagne.

Josh Guillory was not present and will attend a future meeting to announce his candidacy for Congress in the 3rd District of Louisiana.

Larry Radar announced his candidacy (*push-card on file*) for Congress in the 3rd District of Louisiana.

Benny Menard, along with other representatives of Community First Bank introduced themselves. Mr. Menard informed everyone of the new branch opening soon in St. Martinville.

A motion was made by Dean LeBlanc 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: Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused) and Lisa Nelson (excused).

And the motion was declared adopted this 6th day of March, 2018.

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

Clerk of the Council Laci Laperouse read each ordinance summary.

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

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

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused) and Lisa Nelson (excused).

And the motion was declared adopted this 6th day of March, 2018.

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

ORDINANCE NO. 18-03-1213-OR

AN ORDINANCE REDUCING THE SPEED LIMIT FOR MOTOR VEHICLES ON **INTERNATIONAL DRIVE**, LOCATED IN DISTRICT 7, SECTIONS 46 AND 72, TOWNSHIP 9 SOUTH, RANGE 5 EAST, ST. MARTIN PARISH, LOUISIANA, TO PROVIDE FOR THE PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED by the St. Martin Parish Council that it shall be unlawful for any person to drive any motor vehicle on **INTERNATIONAL DRIVE** in St. Martin Parish, Louisiana, at a speed in excess of 15 miles per hour;

BE IT FURTHER ORDAINED that any person violating the provisions of this Ordinance shall be guilty of a misdemeanor, and, upon conviction shall suffer a fine of not less than \$10.00 nor more than \$50.00 at the discretion of the Court;

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

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

And the Ordinance was declared adopted this 6th day of March, 2018.

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

ORDINANCE NO. 18-03-1214-OR

An Ordinance to amend Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, by the enactment of Article VI thereof consisting of Sections 24-140 through 24-147, all relative to dilapidated structures and/or blighted properties.

BE IT ORDAINED by the Parish Council of St. Martin Parish, Louisiana, duly convened in regular session on the 6th day of March, 2018, that:

Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the enactment of Article VI thereof consisting of Sections 24-140 through 24-147, as follows:

ARTICLE VI. - UNSAFE STRUCTURES, BLIGHTED PROPERTIES.

Section 24-140. Condemnation of buildings authorized.

The St. Martin Parish Council may condemn and cause to be demolished or removed any building or structure within St. Martin Parish, Louisiana, when it is in a dilapidated and/or dangerous condition which endangers the public welfare. Such property shall be deemed “dilapidated and dangerous” if it is abandoned and:

- (A) Unreasonably causes or tends to cause substantial diminution in value of the property of others in the neighborhood or the vicinity in which such premises or building is located; or
- (B) Is unreasonably offensive to the senses of persons of an ordinary sensibility; or
- (C) Is in any way dangerous to the health and safety of others.

When used in this Article, the term “blighted” shall be afforded the identical meaning as property in a “dilapidated and/or dangerous condition”. Furthermore, property shall be deemed abandoned whenever it is vacant or not lawfully occupied. The terms “vacant” and “not lawfully occupied” shall include, but shall not be limited to, any premises which are not actually occupied by its owner, lessee, or other invitee or if occupied, without utilities, and which has been left unsecured or inadequately secured from unauthorized entry to the extent that the premises could be entered and utilized by vagrants or other uninvited persons as a place of harborage or any premises which by

reason of dilapidation, deterioration, state of disrepair, or other such status is otherwise detrimental to or endangers the public safety, health, or welfare. Furthermore, property, which because of its physical condition or use/ disuse is uninhabitable and for which *ad valorem* taxes are delinquent for three (3) years or more, shall be presumed to be abandoned; however, such presumption shall be rebuttable.

Section 24-141. Notice to owner; absent owner; hearing; notice filed with recorder of mortgages.

A. Before the St. Martin Parish Council may condemn any building or structure, there must be submitted to it a written report recommending the demolition or removal of the structure signed by a parish official or other person authorized by the Parish President to act in such matters on behalf of the Parish. The Parish President, or his designee, shall thereupon serve notice on the owner of the building or structure requiring him to show cause, at a meeting of the St. Martin Parish Council, regular or special, why the building or structure should not be condemned. The date, hour, and location of the meeting shall be stated in the notice which shall be served at least ten (10) days prior to the date of the hearing, except in cases of grave public emergency as hereinafter provided. The notice may be served by:

- (1) Mailing via the United States Postal Service by either registered or certified mail, return receipt requested, to the owner at his last known address. Service by registered or certified mail shall be considered personal service if the certified return receipt or the return form is signed by the addressee. Service by registered or certified mail shall be considered domiciliary service if the certified return receipt or the return form is signed by anyone other than the addressee. If the registered or certified mail is returned for failure to obtain a signature on the return receipt form or returned due to refusal of delivery, service may be accomplished by first class mail, with a certificate of mailing. Service by first class mail in accordance with this provision shall be considered personal service and is effected when mailed.
- (2) The notice may also be served by the city marshal of the Breaux Bridge City Court with regard to property situated in the unincorporated area of that

court's jurisdiction or by any Sheriff, deputy sheriff, or constable having jurisdiction and power to serve legal process when the owner of the building or structure is found in the State of Louisiana. The officer shall make a return of the service as in ordinary cases.

B. If the owner is absent from the state or unrepresented therein, then the notice shall be served upon the occupant of the condemned building or structure, if any, and also upon an attorney at law appointed by the Parish President to represent the absentee. Domiciliary service may be made as in ordinary cases.

C. In case of grave public emergency where the condition of the building is such that it causes possible immediate loss or damage to person or property, the St. Martin Parish Council may condemn the building after twenty-four (24) hours notice served upon the owner or his agent or the occupant and the attorney at law appointed to represent the absentee owner.

D. Any notice served pursuant to this Section shall be filed with the Recorder of Mortgages where the property is located. Once filed, the notice shall be deemed notice to all subsequent transferees. Any transferee of such property takes same subject to all recorded liens, mortgages, and notices thereunto pertaining.

Section 24-142. Decision of Parish Council; order to demolish or repair.

A. After the hearing, if in the opinion of the St. Martin Parish Council the facts justify it, an order shall be entered condemning the building and ordering that it be demolished or removed within a certain delay set by the Council. If repairs will correct the dilapidated, dangerous, or unsafe condition, the St. Martin Parish Council, at its discretion, may grant the owner the option of making such repairs, but in such a case the general nature or extent of the repairs to be made, the time thereof, and the defects to be corrected, shall be specified in the decision of the St. Martin Parish Council.

B. The decision and order of the St. Martin Parish Council shall be in writing and shall be final unless appealed within five (5) days as hereinafter provided.

Section 24-143. Appeal by owner.

The owner, occupant, agent, or other representative of the owner may appeal the decision of the St. Martin Parish Council to the district court having jurisdiction over the property. The appeal shall be made by filing, within sixty (60) days of the Council's decision, a suit against the Parish setting forth the reason(s) why the decision or order of the Parish Council is illegal or improper, and the issue shall be tried *de novo* and by preference in the district court. Where a grave public emergency has been declared by the St. Martin Parish Council, the owner of the premises who desires to prevent the demolition or removal thereof must file his petition within forty-eight (48) hours and must, at the time of the filing of the petition, furnish such bond as may be fixed by the district judge to recover any damage(s) that might be caused by the condition of the building. Either party may appeal the judgment of the district court as in ordinary cases.

Section 24-144. Compliance with decision by owner; demolition by Parish when owner fails to comply; notice.

A. The owner or his designated agent may proceed to demolish and remove the offending premises or have it repaired in accordance with the order of the St. Martin Parish Council provided the owner or his agent executes a contract in writing obligating to have the work done within the required time and files with the Office of Parish President a copy of the contract, together with a bond to guarantee performance.

B. If the owner or occupant of the premises fails or refuses to comply with the decision of the St. Martin Parish Council and fails to appeal therefrom within the legal delays provided herein, then, in that event, the Parish Government may proceed with the demolition or removal of the condemned building or structure, in which case neither the Parish President, anyone acting on his behalf, the Parish Council or any member thereof, nor the St. Martin Parish Government shall be liable in damages.

C. Prior to the demolition or removal of the offending structure, the proper official designated by the Parish President shall serve notice on the owner or his agent and on the occupant of the building, if there is any, or upon the attorney at law appointed to represent the absentee owner setting forth the time and date when demolition work will commence.

Section 24-145. Lien and privilege for cost of demolition; removal and maintenance; interest.

A. The Parish Government shall have a lien and privilege for the cost of demolishing and removing the building or structure, and for the cost of thereafter maintaining the property, against the lot and improvements upon which the building or structure was situated. Maintenance costs may include grass cutting, weed abatement, and trash/garbage removal. The privilege and lien shall be preserved and enforced only after the owner has been advised in writing by the Parish that it intends to enforce the lien and has afforded the owner an opportunity to be heard in connection therewith. In order to preserve the lien and privilege, it shall be the duty of the Parish President, or his designee, to prepare and sign a sworn statement of facts giving the description of the property and the approximate cost of demolishing and/or removing the building or structure and maintaining the property subsequent to demolition, which shall be filed and recorded in the mortgage office of the parish in which the property is situated.

B. The privilege and lien may be enforced by ordinary process in the 16th Judicial District Court, in and for St. Martin Parish, Louisiana, within three (3) years. Alternatively, the privilege and lien may be enforced by assessing the amount thereof against the property to be enforced and collected as any ordinary property tax lien in which case the said lien and privilege shall be subject to the same civil penalties and for delinquencies.

C. If the property which may be subject to a lien and privilege granted in favor of the Parish is owned in indivision, and the owners in indivision, with their proportionate share of the property, are listed separately by the tax assessor on the *ad valorem* tax roll for the parish, then the Parish Government shall notify each owner in indivision of his liability pursuant to this Section. Upon the failure of each owner in indivision to pay his proportionate share of the charges incurred hereunder, that part of the property for which the charges are not paid shall be subject to a lien and privilege in favor of St. Martin Parish Government as provided for herein.

D. Notice of the lien and privilege required hereunder shall be made upon all owners, including owners in indivision, at their actual address or the last known address listed on the tax rolls of the parish.

E. In any action to collect upon or enforce a privilege and lien provided for herein, the Parish may further recover interest on the amounts secured by the lien. The rate of interest may not exceed the legal rate established by law and shall be computed from the date of recordation of the said lien.

F. The rank of the privilege and lien provided for herein shall be determined pursuant to the dictates of La. R.S. 33:4766(E)(2).

Section 24-146. Attorney to represent absentee, minor, or interdict.

If a building or structure is unoccupied and its owner is absent from the state and unrepresented therein, or if the building is owned by a minor who has no tutor or an interdict who has no curator, the Parish President, or his designee, shall appoint an attorney at law to represent the absentee, minor, or interdict upon whom the notices and other proceedings provided for in this Article may be served. The attorney shall be paid a reasonable fee to be taxed as costs.

Section 24-147. Criminal penalties.

A. No unoccupied building or structure located in the unincorporated areas of St. Martin Parish, Louisiana, shall be maintained in a dilapidated and dangerous condition which endangers the public welfare.

B. For purposes of this Section, the term “dilapidated and dangerous condition which endangers the public welfare” shall mean, in addition to the ordinary meaning of the said term, any abandoned structure which is unfit for human occupancy, structurally unsound and unsafe, infested with rodents, and/or constitutes a fire hazard. Moreover, the term “owner” as used in this Section, shall mean any person who has any ownership interest whatsoever in the subject property irrespective of the percentage of that ownership interest.

C. No person shall be liable for the criminal penalties set forth in paragraph D below, nor shall any action be adopted to initiate criminal charges in connection with this Section, until and unless any owner, lessee, or tenant of any property is notified by the Parish President, or his designee, by personal hand delivered notice, or by registered or certified mail, return receipt requested, of the offending condition. If mailed, the notice shall be submitted to the owner, lessee, or tenant at the respective address(es) reflected by the utility records maintained by any entity servicing the said property and/or by the *ad valorem* tax rolls of the parish. Furthermore, any notice, whether personally hand delivered or mailed, shall advise the said owner, lessee, or tenant of the right to appear before the St. Martin Parish Council on a date and at a time and location specified in the said notice to refute or rebut any contention that the property is in a dilapidated and/or

dangerous condition which endangers the public welfare. At the said meeting, the St. Martin Parish Council shall decide whether the property should be declared by it to be in a dilapidated and/or dangerous condition which endangers the public welfare setting forth the specific factual basis/bases for that determination. Thereafter, formal criminal proceedings can be instituted in accordance with this Section.

D. In addition to the civil penalties relative to the condemnation proceedings as set forth in Sections 24-140 through 24-145 herein, any person who violates this Section shall be fined not less than \$250.00 nor more than \$500.00, and any such fine imposed shall not be subject to suspension. Moreover, the conviction of any person for a second or subsequent violation of this Section occurring within twelve (12) calendar months of a prior violation thereof shall result in a fine of not less than \$400.00 nor more than \$500.00, imprisonment for not more than thirty (30) days, or both. Additionally, any such fine imposed shall not be subject to suspension.

E. For purposes of this Section, the term “person” shall be interpreted to include any natural person and/or corporation, limited liability company, partnership, or similar juridical entity.

BE IT FURTHER ORDAINED by the St. Martin Parish Council that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof which can be afforded efficacy without the invalid provision or application.

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

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

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

And the Ordinance was declared adopted this 6th day of March, 2018.

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

ORDINANCE NO. 18-03-1215-OR

An Ordinance to provide for the abandonment of a portion of West River Drive previously dedicated to the St. Martin Parish Government by virtue of an act recorded in Book 802, Page 153, under Entry Number 190626 of the Conveyance Records of St. Martin Parish, Louisiana.

BE IT ORDAINED by the St. Martin Parish Council that by virtue of this ordinance, and in accordance with Section 2-11 of the Home Rule Charter for St. Martin Parish, Louisiana, and the provisions of La. R.S. 48:701, that the portion of West River Drive which is outlined in red on the attached plat of survey and which was dedicated to the **ST. MARTIN PARISH GOVERNMENT** (formerly the St. Martin Parish Police Jury) by virtue of an act recorded in Book 802, Page 153, under Entry Number 190626, of the Conveyance Records of St. Martin Parish, Louisiana, be and is hereby formally abandoned.

BE IT FURTHER ORDAINED that the **ST. MARTIN PARISH GOVERNMENT** hereby acknowledges and declares that the aforesaid portion of West River Drive which is hereby abandoned has never been developed and/or used for any purpose by the general public or any property owner, and thus, serves no public purpose.

BE IT FURTHER ORDAINED that the **ST. MARTIN PARISH GOVERNMENT** has determined that the owners of the property which fronts on that portion of West River Drive which has never been developed, and which St. Martin Parish has never asserted any ownership or rights therein, have requested its abandonment.

BE IT FURTHER ORDAINED that the **ST. MARTIN PARISH GOVERNMENT** declares and reserves the right to revoke the abandonment, *ab initio*, in the event any sort of proceedings are instituted against it or any of its agents, employees, Parish Council members, Parish President, or any insurer of any of the foregoing, wherein such proceedings seek compensation and/or damages in accordance with Article I, §4 of the Louisiana Constitution and/or La. R.S. 13:5111. This right of revocation shall be applicable for a period of three (3) years from the effective date of this ordinance.

BE IT FURTHER ORDAINED that the Parish President be and is hereby authorized to execute any and all documents necessary to effect the terms and provisions of this decree.

BE IT FURTHER ORDAINED that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

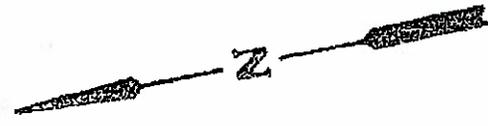
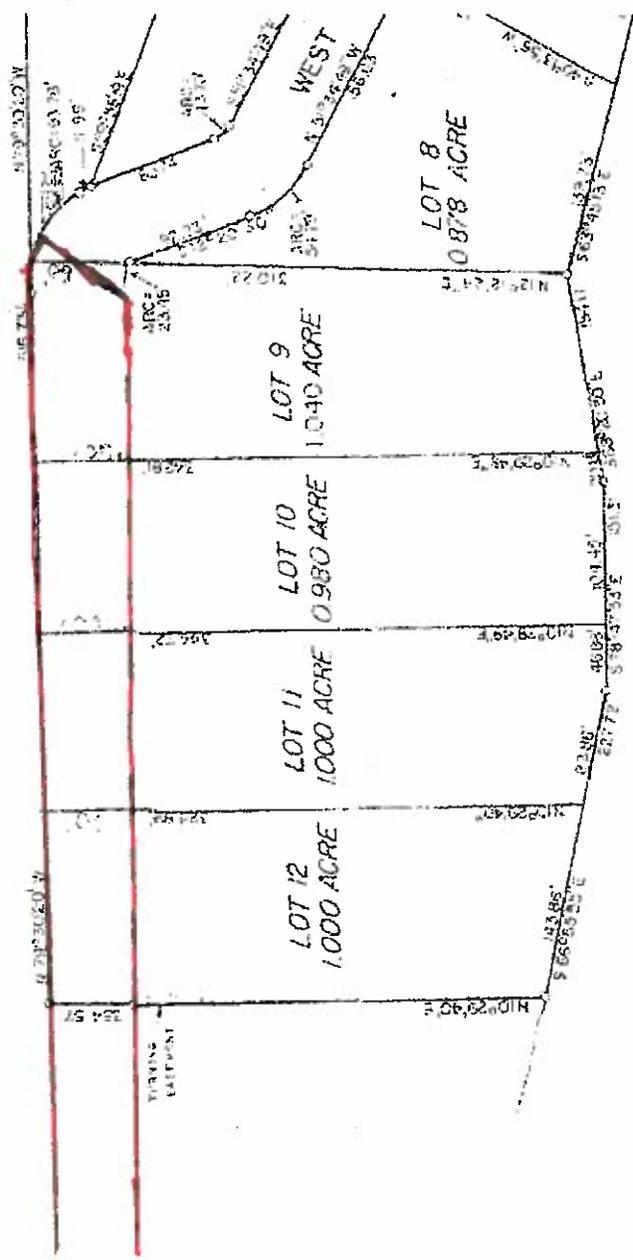
THIS ORDINANCE shall become effective as provided by Section 2-12 of the Home Rule Charter of St. Martin Parish, Louisiana.

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

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

And the Ordinance was declared adopted this 6th day of March, 2018.

(Insert Plat)



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

RESOLUTION NO. 18-021-RS

WHEREAS, a Resolution must be adopted with the names of officials and/or employees who are to be authorized as check signers on behalf of the St. Martin Parish Government for all accounts under the jurisdiction of St. Martin Parish Government with the following banks: St. Martin Bank & Trust Company, excluding St. Martin Parish Government, Public Funds Account No. 5768004; Pedestal Bank; Farmers-Merchants Bank & Trust Company; and Community First Bank.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, in Regular Session convened this 6th day of March, 2018, that the following authorized officials/employees are to be the only persons hereby authorized as check signers for all accounts under the jurisdiction of St. Martin Parish Government with St. Martin Bank & Trust Company, excluding St. Martin Parish Government, Public Funds Account No. 5768004; Pedestal Bank; Farmers-Merchants Bank & Trust Company; and Community First Bank:

Chester R. Cedars

Fabian D. Tucker

Sean Hundley

Sheila Delahoussaye

Toni Camille

BE IT FURTHER RESOLVED that checks signed for all St. Martin Parish Government accounts with St. Martin Bank & Trust Company, except for the payroll account, which requires only one signature, are required to have a combination of two of the above named officials/employees.

BE IT FURTHER RESOLVED that checks signed for all St. Martin Parish Government accounts with Pedestal Bank, Farmers-Merchants Bank & Trust Company, and Community First Bank, are required to have a combination of two of the above named officials/employees.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

* * * * *

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

RESOLUTION NO. 18-022-RS

WHEREAS, St. Martin Parish meets the requirements to participate in the Summer Nutrition Program as established by the United States Department of Agriculture in conjunction with the Louisiana Department of Education; and

WHEREAS, due to the success of last year's Summer Nutrition Program, St. Martin Parish Government is again interested in sponsoring such a program in St. Martin Parish.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby endorse the participation of the St. Martin Parish Government in the Summer Nutrition Program for the year 2018 and authorizes the St. Martin Parish President to sign all necessary documents for application into said program.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

* * * * *

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

RESOLUTION NO. 18-023-RS

WHEREAS, a contract for the Cade Park Upgrades (Splash Pad, Baseball Field, and Concession Stand) Project, was awarded to low bidder, Acadiane' Renovations LTD, in the amount of \$1,550,500.00; and

WHEREAS, Vermilion Architects, L.L.C. has recommended Change Order No. 1 in the amount of \$102,306.89; and

WHEREAS, Change Order Request #1 is in the amount of \$23,673.34 (increase), for materials and labor for the additional splash pad equipment; and

WHEREAS, Change Order Request #3 is in the amount of \$18,247.05 (increase), to add new paved area without deleting any other paving per drawing 16007 SP-3 Option 2; and

WHEREAS, Change Order Request #4-2 is in the amount of \$60,386.50 (increase) and an extension in Contract Time of one hundred (100) days, to furnish and install all drainage, muck out existing canal to hard bottom, install onsite compacted fill in 8" lifts for canal and extend pipe from lift station to new canal per drawing 16007 T1 - SP-1 Revised 3; and

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize, direct and empower Parish President Chester Cedars to execute Change Order No. 1 in the amount of \$102,302.89 (increase) and a one hundred (100) day Contract Time extension for the Cade Park Upgrades (Splash Pad, Baseball Field, and Concession Stand) Project, by Acadiane' Renovations LTD.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

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

RESOLUTION NO. 18-024-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the St. Martin Economic Development Authority (SMEDA) Board of Directors, whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Lee Venable to serve on the St. Martin Economic Development Authority (SMEDA) Board of Directors for a three (3) year term expiring on March 3, 2021.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

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

RESOLUTION NO. 18-025-RS

WHEREAS, the St. Martin Parish Government entered into a Water Tank Maintenance Agreement with Maguire Iron, Inc. of Sioux Falls, South Dakota, on November 16, 2016; and

WHEREAS, this agreement sets forth the full terms and conditions agreed to between the parties in reference to the Request for Proposal issued by St. Martin Parish Government to maintain its four (4) water tanks; and

WHEREAS, the Water Tower Maintenance Program includes 500,000 Gallon Ground Tank #1; 500,000 Gallon Ground Tank #2; 500,000 Gallon Ground Tank #3; and 500,000 Gallon Elevated Tank; and

WHEREAS, the term of this agreement shall be for ten (10) years; and

WHEREAS, an "Agreement Year" shall be defined as each consecutive 12-month period beginning with the date of the signed contract and ending one year later; and

WHEREAS, this agreement is subject to termination by the St. Martin Parish Government upon written notice of intent to terminate which must be received by Maguire Iron, Inc. ninety (90) days prior to the effective date of termination; and

WHEREAS, the cost of the program shall be \$186,520.00 per year for the first 5-year term; and

WHEREAS, the cost of the program will be \$56,816.00 for the second 5-year term.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Government does hereby ratify the signature of Parish President Guy Cormier in behalf of the St. Martin Parish Government on the Water Tank Maintenance Agreement with Maguire Iron, Inc.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

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

RESOLUTION NO. 18-026-RS

WHEREAS, the St. Martin Parish Government entered into a Water Tank Maintenance Agreement with Maguire Iron, Inc. of Sioux Falls, South Dakota, on November 16, 2016; and

WHEREAS, this agreement sets forth the full terms and conditions agreed to between the parties in reference to the Request for Proposal issued by St. Martin Parish Government to maintain its four (4) water tanks; and

WHEREAS, the Water Tower Maintenance Program includes 500,000 Gallon Ground Tank #1; 500,000 Gallon Ground Tank #2; 500,000 Gallon Ground Tank #3; and 500,000 Gallon Elevated Tank; and

WHEREAS, Maguire Iron, Inc. has recommended Addendum #1 to the Limited Maintenance Program / 500,000 Gallon Ground Tank #2; and

WHEREAS, Addendum #1 is in the amount of \$8,950.00 (increase) for overflow pipe replacement, additional exterior preparation, coating, and repair.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Government does hereby ratify the signature of Parish President Guy Cormier in behalf of the St. Martin Parish Government on Addendum #1 in the amount of \$8,950.00 for the Limited Maintenance Program/ 500,000 Gallon Ground Tank #2 with Maguire Iron, Inc.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

* * * * *

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

RESOLUTION NO. 18-027-RS

A Resolution authorizing the Parish President to enter into a limited power of attorney authorizing Archon Information Systems, LLC, d/b/a CivicSource to act as the agent for the St. Martin Parish Government for the sale of adjudicated properties as authorized by La.R.S. 47:2201-2208, including the execution of any and all documents necessary to effectuate the disposition of said adjudicated properties.

WHEREAS, numerous properties located in St. Martin Parish have been adjudicated to Parish under the dictates of La. R.S. 47:2196, *et seq*; and

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

WHEREAS, Louisiana law permits the sale of such adjudicated properties pursuant to specific procedures and under the circumstances set forth in La. R.S. 47:2201, *et seq*; and

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

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

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

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

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

WHEREAS, the expeditious disposition of adjudicated properties by the **ST. MARTIN PARISH GOVERNMENT** is important to satisfy the mandates of public health and safety; and

WHEREAS, the **ST. MARTIN PARISH GOVERNMENT** does not have the resources, financial or otherwise, to abate the offending conditions of all adjudicated properties or to maintain any adjudicated property which may not be blighted; and

WHEREAS, adjudicated properties are of no benefit to **ST. MARTIN PARISH GOVERNMENT**, and therefore do not advance any public purpose; and

WHEREAS, La. R.S. 33:4711 allows parish governments to sell property owned by it which serves no public purpose; and

WHEREAS, La. R.S. 47:2201, *et seq*, defines a procedure of which a political subdivision may avail itself in order to dispose of adjudicated properties; and

WHEREAS, the contract between the **ST. MARTIN PARISH GOVERNMENT** and Archon Information Systems, LLC, d/b/a CivicSource authorizes and obligates the latter to adopt all steps necessary, on behalf of the Parish, to dispose of properties adjudicated to it; and

WHEREAS, by virtue of Ordinance Number 1211-OR, adopted on January 2, 2018, the St. Martin Parish Council authorized the disposition of such adjudicated properties by Archon Information Systems, LLC, d/b/a CivicSource on behalf of **ST. MARTIN PARISH GOVERNMENT**; and

WHEREAS, Section 2-11 of the Home Rule Charter for St. Martin Parish mandates that any disposition of property owned by the Parish be pursuant to a duly enacted ordinance:

BE IT, THEREFORE, RESOLVED that, on behalf of the **ST. MARTIN PARISH GOVERNMENT**, the Parish President be authorized, empowered, and directed to enter into a limited power of attorney authorizing Archon Information Systems, LLC, d/b/a CivicSource to act as its agent and attorney-in-fact relative to the sale of all property adjudicated to it pursuant to La.

R.S. 47:2201-2208, including but not limited to a Non-Warranty Cash Sale Certificate, Affidavit of Compliance, and HUD-1 Settlement Statement. The said mandate shall be limited to the sale of property adjudicated to the **ST. MARTIN PARISH GOVERNMENT** and to those instances where the prospective agent, Archon Information Systems, LLC, d/b/a CivicSource, has directly facilitated such sale pursuant to that certain contract previously entered into for the foregoing purposes by and between the said Archon Information Systems, LLC, d/b/a CivicSource and **ST. MARTIN PARISH GOVERNMENT**.

BE IT FURTHER RESOLVED that the terms and conditions of the contract for the sale of adjudicated property previously executed by the **ST. MARTIN PARISH GOVERNMENT** and Archon Information Systems, LLC, d/b/a CivicSource are incorporated herein by reference.

BE IT FURTHER RESOLVED that the entirety of Ordinance Number 1211-OR adopted by the **ST. MARTIN PARISH GOVERNMENT** on January 2, 2018, is also incorporated herein by reference.

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to adopt any and all other steps necessary to effectuate the terms, provisions, and conditions of this resolution including incorporating in the said power of attorney such other terms, conditions, and provisions deemed necessary and fit in his discretion to the extent same is not prohibited by Ordinance Number 1211-OR or the laws of the State of Louisiana.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

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

RESOLUTION NO. 18-028-RS

A Resolution authorizing the Parish President to engage the services of one or more attorneys to represent the St. Martin Parish Government in litigation involving the sale and distribution of opioids.

WHEREAS, numerous studies and published reports reflect that the manufacturers and distributors of opioids have fraudulently misrepresented the medicinal and addictive qualities of such drugs; and

WHEREAS, it is common knowledge that a serious social problem now exists as a consequence of opioid addiction; and

WHEREAS, litigation has been instituted across the United States by State and local governmental entities for the fraudulent acts of the manufacturers and distributors of opioids, said litigation being prosecuted in both federal and state courts; and

WHEREAS, said litigation is extraordinarily complex and implicates esoteric principles of federal and state law; and

WHEREAS, the Parish President and the St. Martin Parish Council have been advised that the **ST. MARTIN PARISH GOVERNMENT** enjoys a cause of action for the aforesaid fraudulent acts of the opioid manufacturers and distributors; and

WHEREAS, both the Parish President and the St. Martin Parish Council have concluded that the **ST. MARTIN PARISH GOVERNMENT** has a legal and moral obligation to pursue justiciable claims against the said opioid manufacturers and/or distributors:

BE IT, THEREFORE, RESOLVED that, on behalf of the **ST. MARTIN PARISH GOVERNMENT**, the Parish President be authorized, empowered, and directed to select one or more attorneys to represent it in litigation against the manufacturers and/or distributors of opioids, availing itself of any and all causes of action which exist in its favor under federal and/or state law.

BE IT FURTHER RESOLVED that the employment of said attorney or attorneys shall be under such terms, conditions, and provisions as the Parish President may deem appropriate in his discretion. However, any fee associated therewith shall be negotiated on a contingency basis and

is not to exceed twenty-five percent of any recovery in favor of the **ST. MARTIN PARISH GOVERNMENT**. Moreover, said agreement shall provide that the **ST. MARTIN PARISH GOVERNMENT** will not be responsible for any costs or expenses (inclusive of expert fees) unless it recovers and/or receives actual monetary damages in excess of such costs and expenses, whether by settlement or judgment.

BE IT FURTHER RESOLVED that the Parish President be authorized, directed, and empowered to adopt any and all other steps necessary to effectuate the terms, provisions, and conditions of this resolution.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

Prior to adoption of Resolution Summary No. 029-RS, Parish President Chester Cedars mentioned the punch list items and recommended deferring action on the resolution authorizing the substantial completion until the punch list was complete. After a discussion amongst Council Members and Parish President Chester Cedars, it was determined to amend the resolution to include “contingent upon the completion of the punch list.”

A substitute motion was made by Dean LeBlanc and seconded by Jill Hebert to add the following language to Resolution Summary No. 029-RS, “contingent upon the completion of the punch list.”

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

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

And the substitute motion was declared adopted this 6th day of March, 2018.

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

RESOLUTION NO. 18-029-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 ST. MARTIN PARISH COURTHOUSE: NEW EMPLOYEE PARKING LOT PROJECT, ST. MARTIN PARISH, LOUISIANA.

WHEREAS, Slade Landry Construction, L.L.C., 216 Gleneagles Circle, Broussard, Louisiana 70518, has substantially completed the work on the St. Martin Parish Courthouse: New Employee Parking Lot Project, St. Martin Parish, Louisiana.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, that Parish President Chester Cedars be and he is hereby empowered, authorized, and directed to execute a Certificate of Substantial Completion, contingent upon the completion of the punch list, for and on behalf of the St. Martin Parish Government accepting the work on the St. Martin Parish Courthouse: New Employee Parking Lot 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: Jason Willis, Neil Thibodeaux, Chris Tausin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Byron Fuselier (excused) and Lisa Nelson (excused).

And the Resolution was declared adopted this 6th day of March, 2018.

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 Slade Landry Construction, L.L.C., 216 Gleneagles Circle, Broussard, Louisiana 70518, under its contract with said Firm pertaining to the St. Martin Parish Courthouse: New Employee Parking Lot 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 7th day of March, 2018.

OWNER: ST. MARTIN PARISH GOVERNMENT

BY: /s/Chester Cedars
Parish President Chester Cedars

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

RESOLUTION NO. 18-030-RS

WHEREAS, the American Red Cross fulfills a unique and vital role in our state, providing help and hope in the face of emergencies and disaster, and is a true reflection of the humanitarian and volunteer spirit of the American people; and

WHEREAS, for nearly 100 years, Presidents have called on the American people to support the Red Cross and its humanitarian mission. In World War I, President Woodrow Wilson ordered the Red Cross to raise funds to support emergency aid to the military, as mandated by the Red Cross Congressional Charter. At that time, the American Red Cross set a goal of \$125 million and in less than six weeks donation totaled \$146 million – a tribute to the overwhelming generosity of the American public; and

WHEREAS, in 1943, during World War II, President Franklin D. Roosevelt became the first president to proclaim March as Red Cross Month and called on Americans to “rededicate themselves to the splendid aims and activities of the Red Cross.” President Roosevelt’s call to action nearly 75 years ago started a tradition of designating March as Red Cross Month, a time to recognize and support the valuable work of the American Red Cross by making a financial contribution, donating blood, taking a life-saving class, or volunteering to help the Red Cross perform its mission; and

WHEREAS, every day, sometimes more than once a day, the volunteers of the South Louisiana Region of the American Red Cross are there to save the day when a neighbor’s house burns down. They are there when, as so often happens here in Louisiana, a weather-related disaster strikes. The Red Cross is there when someone needs life-saving blood, or the comfort of a helping hand. It connects military families with their loved ones in service, and provides training in CPR, aquatics safety, and first aid. It spreads humanitarian aid and goodwill to people around the world; and

WHEREAS, Louisiana depends on the American Red Cross more than many states, because of our location on the Gulf Coast. Because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially true in these challenging economic times.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session convened this 6th day of March, 2018, does hereby proclaim the month of March 2018 as

AMERICAN RED CROSS MONTH

in St. Martin Parish, Louisiana, and respectfully requests that each citizen of ST. MARTIN PARISH become partners in preparedness with their local Red Cross Chapters and to become active participants in advancing the noble mission of the Red Cross.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

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

RESOLUTION NO. 18-031-RS

WHEREAS, for the reasons of safety, growth, and progress, it is in the public's best interest to have a study conducted at the intersection of LA Highway 182 (Old Spanish Trail Highway) and Duchamp Road due to numerous accidents and near fatalities.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby respectfully request the Louisiana Department of Transportation and Development to conduct a study at the intersection of LA Highway 182 (Old Spanish Trail Highway) and Duchamp Road.

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

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

And the Resolution was declared adopted this 6th day of March, 2018.

* * * * *

Clerk Laci Laperouse read the ordinance introduced for publication, as follows:

SUMMARY NO. 1216-OR (Introduced by Daniel Richard, Jr., District 9)
An Ordinance setting the speed limit to 15 mph on LeBlanc Drive, located in District 9.

A motion was made by Albert Menard and seconded by Jill Hebert that the St. Martin Parish Council does hereby enter Executive Session to discuss and consider settlement proposal in the matter entitled, "Chris Hebert v. St. Martin Parish, et al", pending in the U.S. District Court for the Western District of Louisiana under the Docket Number 6:17-CV-00943-RGJ-PJH.

This motion to enter in Executive Session having been submitted to a vote, the vote thereon was as follows:

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

And the motion to enter in Executive Session was declared adopted on this 6th day of March, 2018.

Regular Meeting recessed at 5:41 p.m.

Executive Session adjourned, and Regular Meeting reconvened at 5:52 p.m.

A motion was made by Albert Menard and seconded by Jill Hebert 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: Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused) and Lisa Nelson (excused).

And the motion to reconvene the Regular Meeting was declared adopted on this 6th day of March, 2018.

Parish President Chester Cedars stated the litigation described under Item 12 is pending in the United States District Court for the Western District of Louisiana. The suit has been filed against St. Martin Parish and others associated with St. Martin Parish Government. A motion to dismiss that litigation under what is called Rule 12(b)(6) of the Federal Rules of Civil Procedure has been filed on behalf of the Parish and its officials. That motion states that, based upon the pleadings, there is no cause of action, there is no reason for the suit to have been filed and there is no cognizable claim under any sort of State or Federal law. The District Court agreed with that motion December 2017 but gave the plaintiff thirty (30) days to amend his pleading, his complaint, or his lawsuit to set forth facts that would establish a cause of action. The plaintiff in that case was unable to do. The plaintiff's attorney contacted the Parish's counsel, the firm NeunerPate, requesting that there be a compromise of the claim. In the parameters of that compromise is that the plaintiff would dismiss the case and pay all costs of the court, and in return, the defendants, the Parish, would not seek any sort of claim for attorney's fees that has been paid upon the counsel relative to the dismissal of the litigation. The dismissal will be accompanied by an Act of Compromise wherein the plaintiff will agree that he waives abandons and releases any and all claims he may enjoy under any federal or state law, administrative code, etc. Parish President Chester Cedars strongly recommends that the parish move quickly on this matter. Parish President Chester Cedars mentioned the judge indicated he would allow forty-five (45) days to make a decision.

A motion was made by Albert Menard and seconded by Dean LeBlanc to accept dismissal of case.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused) and Lisa Nelson (excused).

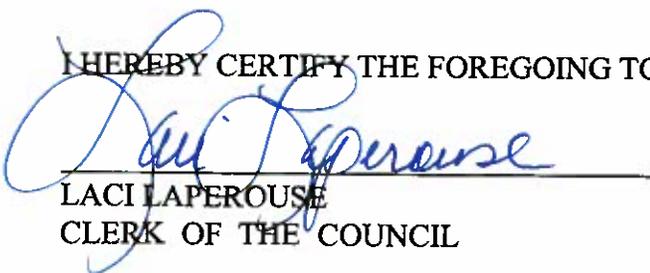
And the motion to accept dismissal of case was declared adopted on this 6th day of March, 2018.

Parish President Chester Cedars gave an update of the transition of him taking office as interim Parish President. Parish President Chester Cedars noted several over matters, such as flood stages for St. Martin Parish, Bayou Estates Flood Proofing Project, District visits, visits to the municipalities within the Parish and meeting with the engineers and contractors on several projects. Parish President Chester Cedars also mentioned adding much needed security during Council meetings. Finally, Parish President Chester Cedars mentioned the Council room upgrades which will begin early April.

Lt. Col. Terry Guidry, Director of Office of Homeland Security and Emergency Preparedness stated the Storm Spotting training will be held March 13, at the Fire District Training center beginning at 7:00 p.m.

A motion was made by Albert Menard and seconded by Daniel Richard, Jr. that the St. Martin Parish Council does hereby adjourn. Motion was unanimously approved.

HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:


LACI LAPEROUSE
CLERK OF THE COUNCIL