

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

REGULAR MEETING - NOVEMBER 1, 2022

The St. Martin Parish Council met in Regular Session convened at 5:00 P.M., Tuesday, November 1, 2022, 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 Chris Tauzin.

The Invocation was read by Brooke Thibodeaux, and the Pledge of Allegiance was led by Dean LeBlanc.

The following members were present: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr. Members absent: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused). Also present: Parish President Chester Cedars, Director of Administration Calder Hebert, Director of Finance Sean Hundley, Director of Public Works Kasey Courville, Deputy Clerk of the Council Chantelle Dever and Parish Attorney Allan Durand.

A motion was made by Dean LeBlanc and seconded by Brook Champagne to approve the minutes of the St. Martin Parish Council Regular Meeting of October 4, 2022.

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the motion was declared adopted this 1st day of November, 2022.

Dan Moyer discussed and gave a presentation (*on-file*) on his opposition to the installation of in-lane rumble strips on Declouet Highway (Louisiana Highway 341), Breaux Bridge.

Clerk of the Council Brooke Thibodeaux read the Special Business Item: RULE TO SHOW CAUSE to address nuisance property at 1130 Lady of the Lake Road, St. Martinville (District 1). Property owned by Creig Broussard.

Property owner Creig Broussard is deceased, and the property is currently being occupied by

Mr. Broussard's son, Zachary Broussard. Zachary Broussard was not present to discuss the condition of 1130 Lady of the Lake Road, St. Martinville. Compliance Officer Ronald Solarie provided information on the property. After hearing testimony from Compliance Officer Ronald Solarie and upon reviewing the photographs taken by Mr. Solarie (*on-file*), the Council found that under Section 24-105 of the St. Martin Parish Code of Ordinances, the condition of the property renders it a "Nuisance" as a result of the overgrown grass on the premises.

Therefore, a motion was made by Dean LeBlanc and seconded by Daniel Richard, Jr. authorizing Parish President Chester Cedars to proceed with an Order of Condemnation and Abatement.

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the motion was declared adopted this 1st day of November, 2022.

A motion was made by David Poirier and seconded by Brook Champagne to open the Public Hearing to obtain public comments regarding the ordinance being considered for final adoption.

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the motion was declared adopted this 1st day of November, 2022.

Chairman Chris Tauzin asked for public comment regarding the proposed ordinance being considered for final adoption.

Clerk of the Council Brooke Thibodeaux read the Ordinance Summary.

Business owner of Seismic Blends (1251 Bordelon Road, Breaux Bridge), Justin Sartin, stated he was present for the vote of his zoning amendment.

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

A motion was made by David Poirier and seconded by Daniel Richard, Jr. that the Public Hearing be closed.

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the motion was declared adopted this 1st day of November, 2022.

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

ORDINANCE NO. 22-11-1376-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: AMENDING ZONING CLASSIFICATION DISTRICT ON A PORTION OF A ROAD ZONED IN THE ORIGINAL ORDINANCE ADOPTED ON DECEMBER 18, 1995. {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>
Bordelon Road (1251)	R-2 (Mixed Residential)	C-2 (General Commercial)

This zoning classification change is being made to allow for the operation of a sales and consulting business (Seismic Blends) for cleaning products, operated by Lou Jay Properties, LLC at 1251 Bordelon Road, Breaux Bridge, Louisiana, Assessor's Parcel No. 0600204155. 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 Justin Sartin and/or Lauren Sartin, or the survivor in case of the untimely death of one of them. Once the business is closed or the property is sold, the zoning classification will automatically revert back to the old zoning classification of R-2 (Mixed Residential).

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: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Ordinance was declared adopted this 1st day of November, 2022.

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A motion was made by Brook Champagne and seconded by David Poirier that the following resolution be adopted:

RESOLUTION NO. 22-080-RS

WHEREAS, the St. Martin Parish Government has made an official Request for Proposals (RFP) for a Pre-Positioned Disaster Debris Removal Contract, St. Martin Parish, Louisiana; and

WHEREAS, in accordance with the advertisement, sealed proposals were opened September 28, 2022, and eight (8) proposals were received for said contract; and

WHEREAS, the proposals were taken under advisement and have been analyzed by Sellers & Associates, Inc.; and

WHEREAS, the proposals were scored by three (3) St. Martin Parish representatives, with respect to the following criteria: (1) references from past projects of similar size and scope, (2) qualifications and experience of key staff on similar projects, (3) resources and equipment available for performing the work, (4) knowledge of the owner and local emergency management needs, and (5) cost of services offered; and

WHEREAS, Sellers & Associates, Inc. has recommended, in writing, the highest scoring proposer, Ceres Environmental Services, Inc., with a score of 274.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby award the contract for the St. Martin Parish Pre-Positioned Disaster Debris Removal Contract, to the highest scoring proposer, Ceres Environmental Services, Inc., with a score of 274.

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

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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

RESOLUTION NO. 22-081-RS

WHEREAS, the St. Martin Parish Government has made an official Request for Proposals (RFP) for a Pre-Positioned Disaster Debris Monitoring Contract, St. Martin Parish, Louisiana; and

WHEREAS, in accordance with the advertisement, sealed proposals were opened September 28, 2022, and five (5) proposals were received for said contract; and

WHEREAS, the proposals were taken under advisement and have been analyzed by Sellers & Associates, Inc.; and

WHEREAS, the proposals were scored by three (3) St. Martin Parish representatives, with respect to the following criteria: (1) firm qualifications, (2) qualifications on similar projects, (3) key staff project understanding and approach, and (4) cost proposal; and

WHEREAS, Sellers & Associates, Inc. has recommended, in writing, the highest scoring proposer, Thompson Consulting Services, LLC, with a score of 287.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby award the contract for the St. Martin Parish Pre-Positioned Disaster Debris Monitoring Contract, to the highest scoring proposer, Thompson Consulting Services, LLC, with a score of 287.

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

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

- YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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

RESOLUTION NO. 22-082-RS

A resolution approving the issuance, sale and delivery of not exceeding Six Hundred and Fifty Thousand Dollars (\$650,000) of Water Revenue Bonds of Waterworks District No. 3 of the Parish of St. Martin, State of Louisiana.

WHEREAS, the Board of Waterworks Commissioners of Waterworks District No. 3 of the Parish of St. Martin, State of Louisiana (the "Board"), acting as the governing authority of Waterworks District No. 3 of the Parish of St. Martin, State of Louisiana (the "District"), and pursuant to a resolution adopted by the Board on October 12, 2022, proposes to issue not exceeding Six Hundred Fifty Thousand Dollars (\$650,000) of Water Revenue Bonds of the District (the "Bonds"), to provide funds to pay costs of constructing and acquiring extensions, improvements and replacements to the water system of the District, including equipment and fixtures therefor, a work of public improvement (the "Project") and pay the costs of issuance of the Bonds, and providing for other matters in connection therewith (the "Resolution"); and

WHEREAS, the District has requested this Parish Council approve the issuance, sale and delivery of the Bonds; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the wish of this Parish Council to approve the issuance of the Bonds;

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

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Waterworks Commissioners of Waterworks District No. 3 of the Parish of St. Martin, State of Louisiana, this Governing Authority hereby approves the issuance, sale and delivery of not exceeding Six Hundred Fifty Thousand Dollars (\$650,000) of Water Revenue Bonds of the District in accordance with the parameters and provisions of the Resolution. The Bonds will be secured by and payable from the income and revenues derived or to be derived from the operation of the water system (the "System"),

after provision has been made for payment therefrom of the reasonable and necessary expenses of administration, operation and maintenance of the System, and if not issued on a parity with the District's Water Revenue Bonds, dated July 16, 2004 and Water Revenue Bond, Series A (the "Outstanding Bonds"), subject to the payment of principal and interest falling due on the Outstanding Bonds, all in accordance with the provisions of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and/or other applicable laws.

SECTION 2. Neither the Parish of St. Martin nor this Governing Authority shall be liable in any manner for the payment of principal and/or interest on the Bonds.

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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/s/ Brooke Thibodeaux
Clerk

/s/ Chris Tauzin
Chairman

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

RESOLUTION NO. 22-083-RS

WHEREAS, according to the St. Martin Parish Home Rule Charter, Section 2.09. Independent Audit, “The Council shall provide for an annual independent post fiscal year audit, and such additional audits as it deems necessary, of the accounts and other evidence of financial transactions of the Parish government, including those of all parish government departments, offices or agencies”; and

WHEREAS, the Parish of St. Martin has engaged the services of Maraist & Maraist Certified Public Accountants for the past several years to conduct their annual audit; and

WHEREAS, the Parish is satisfied with the quality of services rendered and the reasonableness of the fees charged for said audit.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session convened this 1st day of November, 2022, does hereby approve engaging the services of Maraist & Maraist Certified Public Accountants to conduct the annual audit for the year 2022 for St. Martin Parish.

BE IT FURTHER RESOLVED by the St. Martin Parish Council, that the Parish President be and he is hereby empowered, authorized, and directed to execute an “Engagement Agreement” with Maraist & Maraist CPAs for the year 2022 audit.

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

- YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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

RESOLUTION NO. 22-084-RS

WHEREAS, a contract for the 2020 Road Improvements Project No. 1, was awarded to low responsive bidder, Elliott Construction, L.L.C., with a Base Bid in the amount of \$2,038,853.45; and

WHEREAS, Duplantis Design Group, PC (DDG) has recommended an Administrative Plan Change in the amount of \$93,307.66 (decrease).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to execute the Administrative Plan Change in the amount of \$93,307.66 (decrease) for the 2020 Road Improvements Project No. 1, by Elliott Construction, L.L.C.

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

- YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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

RESOLUTION NO. 22-085-RS

WHEREAS, a contract for the Cypress Island/Joe Daigre Drainage System Maintenance Project-Phase I, was awarded to low bidder, Rigid Constructors, LLC, with a Base Bid in the amount of \$1,979,705.00; and

WHEREAS, Duplantis Design Group, PC (DDG), has recommended Change Order No. 3 in the amount of \$55,078.73 (increase); and

WHEREAS, Change Order No. 3 also includes a twenty-four (24) day Contract Time extension.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to execute Change Order No. 3 in the amount of \$55,078.73 (increase) and a twenty-four (24) day Contract Time extension for the Cypress Island/Joe Daigre Drainage System Maintenance Project-Phase I, by Rigid Constructors, LLC.

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

YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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

RESOLUTION NO. 22-086-RS

A RESOLUTION REQUESTING THAT THE LOUISIANA STATE LEGISLATURE ENACT LEGISLATION INCREASING THE AMOUNT THE STATE CONTRIBUTES TO THE INCOME RECEIVED BY THE JUSTICES OF THE PEACE AND CONSTABLES OF THE STATE OF LOUISIANA, AND INCREASING THE FILING COSTS THE SAID OFFICIALS ARE AUTHORIZED TO CHARGE; AND ACKNOWLEDGING THE SUPPORT OF THE ST. MARTIN PARISH GOVERNMENT FOR SUCH LEGISLATION.

WHEREAS, there are currently five (5) Justices of the Peace and five (5) Constables who serve the rural communities of St. Martin Parish, and all of whom are duly elected; and

WHEREAS, it has been decades since the aforesaid Justices of the Peace and Constables have received any meaningful increase in the statutorily defined salaries/income set forth in La. R.S. 13:2591; and

WHEREAS, the fee structure for filing costs permitted to be charged by Justices of the Peace in La. R.S. 13:2590, all for the operations of the Justices of the Peace and Constables, has similarly remained unchanged for decades; and

WHEREAS, both the Justices of the Peace and Constables are state and Constitutional creatures of the State of Louisiana under Article V, §20 of the Louisiana Constitution and La. R.S. 13:2581, *et seq*; and

WHEREAS, the unfunded mandates imposed on local governing authorities by edicts of the State of Louisiana have caused significant fiscal burdens upon such local governments; and

WHEREAS, it is legally incongruent for the State of Louisiana to impose upon local governing authorities the mandated obligation to fund state established offices and officials of the State of Louisiana; and

WHEREAS, the State of Louisiana under La. R.S. 13:2591 is obligated to provide a maximum of \$120 monthly for the salary of the duly elected Justices of the Peace and Constables in the state, abdicating to local parish governing authorities to obligation to supplement the paltry state monthly contribution; and

WHEREAS, St. Martin Parish Government vigorously maintains that the monthly stipend due Justices of the Peace and Constables from the State of Louisiana should be substantially increased; and

WHEREAS, the St. Martin Parish Government further contends that the fee structure set forth in La. R.S. 13:2590 should similarly be revised:

NOW, THEREFORE, BE IT RESOLVED that St. Martin Parish Council recommends and requests on behalf of all Justices of the Peace and Constables in the State of Louisiana, that the Louisiana State Legislature enact the necessary legislation that will increase the monthly income which the State of Louisiana must pay in accordance with La. R.S. 13:2591, and that the fee/filing costs set forth in La. R.S. 13:2590 should likewise be increased in order to offset the operational expenses of the said Justices of the Peace and Constables.

BE IT FURTHER RESOLVED that the Clerk of the Council be and is hereby directed to furnish a certified copy of this Resolution to Office of the President of the Louisiana Senate, the Speaker of the Louisiana House of Representatives, and every state senator and representative elected from any portion of St. Martin Parish.

BE IT FURTHER RESOLVED that his Resolution shall take effect immediately upon its adoption.

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

- YEAS: David Poirier, Chris Tauzin, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: Byron Fuselier (excused), Carla JeanBatiste (excused) and Tangie Narcisse (excused).

And the Resolution was declared adopted this 1st day of November, 2022.

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Clerk of the Council Brooke Thibodeaux read the ordinances introduced for publication, as follows:

SUMMARY NO. 1377-OR (Introduced by Chris Tauzin, District 5)

An Ordinance to adopt the Sinking Fund and Operating and Maintenance Budgets for the Year 2023.

SUMMARY NO. 1378-OR (Introduced by David Poirier, District 4)

An Ordinance to adopt the Parish Capital Outlay Budget for the Year 2023.

SUMMARY NO. 1379-OR (Introduced by Vincent Alexander, District 7)

An Ordinance authorizing Parish President Chester Cedars to enter, on behalf of St. Martin Parish Government, a Cooperative Endeavor Agreement with The TECHE Project and Floyd Lee Poche for the installation of a floating dock in the Bayou Teche adjoining the property of Floyd Lee Poche and matters related thereto.

Prior to adjournment Parish President Chester Cedars updated the Council Members on several items not requiring Council action. President Cedars briefly discussed a new structure on how servitude agreements will be handled, FEMA Home Elevation program grants, employee ethics and sexual harassment training sessions, and the annual bridge inspections.

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

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



BROOKE THIBODEAUX
CLERK OF THE COUNCIL