

**PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL**  
**REGULAR MEETING - SEPTEMBER 5, 2017**

The St. Martin Parish Council met in Regular Session convened at 5:03 p.m., Tuesday, September 5, 2017, Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana.

The meeting was called to order by Chairman Jason Willis.

The Invocation was read by Laci Laperouse and the Pledge of Allegiance was led by Byron Fuselier. Immediately following the invocation, Parish President Guy Cormier requested a moment of silence for former Iberia Parish President Ernest Fryou that recently passed away.

The following members were present: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert, Albert Menard (arrived at 5:05 p.m.), Dean LeBlanc and Daniel Richard, Jr. Members absent: None. Also present: Parish President Guy Cormier and Parish Attorney Chester Cedars.

A motion was made by Lisa Nelson and seconded by Jill Hebert to approve the minutes of the St. Martin Parish Council Regular Meeting of August 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, Chris Tauzin,  
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

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

Shanese Lewis, Executive Director of St. Martin Council on Aging, Inc. gave a presentation (*on-file*) of the proposed millage, which will be on the ballot for the October 14, 2017 election. Ms. Lewis mentioned she is in the process of making several stops around the parish to educate voters of the proposed millage which will help the senior citizens of our parish, if this millage is successful.

LSU AgCenter County Agent Stuart Gauthier introduced his staff as follows: 4-H Youth Development Agents Hope Guidry and Hannah Devall and Family and Consumer Sciences & SNAP-Ed Agents Jessica Randazzo and Bobbie Mitchell. Agent Gauthier, along with Agents

Guidry and Devall, gave a PowerPoint presentation on programs offered through the LSU AgCenter, which includes Agriculture & Natural Resources, 4-H, Youth & Family, and Family, Nutrition & Health. Presented to each Council Member and Parish President Guy Cormier was a folder (*on file*) filled with important facts about St. Martin Parish Crop Acreage, as well as, the St. Martin 4-H 2016-2017 Update. County Agent Stuart Gauthier discussed the many services the AgCenter provides to the citizens and farmers of St. Martin Parish, such as soil testing, insect and disease diagnosing, etc. Council Members and Parish President Guy Cormier thanked them for their services.

District II Public Service Commissioner Damon Baldone gave an informative presentation of energy efficiency and grants that are offered through this program. A handout (*on-file*) was given to all Council Members with information of the grant process. Commissioner Baldone offered assistance to anyone should they need.

Ben Bienvenu, along with Mike Bienvenu and Shane Doucet urged the Council to support them in their efforts of making sure these pipeline companies that come to our parish, and other parishes, follow the laws, especially when in the Atchafalaya Basin. Mr. Mike Bienvenu further explained that when the pipeline companies receive permits and begin work, no one checks to make sure they are following rules. Many illegal spoil banks are popping up in the basin which, of course, effect the flow or lack thereof of the waterway. This effects many fishermen. (*Dean LeBlanc stepped out at 6:06 p.m.; returned at 6:07 p.m.*) After a lengthy discussion, it was recommended by the Council to have Parish Attorney Chester Cedars draft a resolution requesting regulatory agencies of the United States and the State of Louisiana to inspect all pipeline and/or related construction projects within the Atchafalaya Basin to insure that all associated permit requirements are being honored. Also present to speak on this matter was Jody Meche, President of LCPA West and Atchafayala Basin Keeper Dean Wilson. Finally, Tyron Glover, Communications Outreach, Field Representative for Congressman Clay Higgins' offered any support needed in this matter.

A motion was made by Albert Menard and seconded by Jill Hebert to approve the following Quietus for 2016 Tax Rolls for the Sheriff's Department:

**QUIETUS**

ST. MARTINVILLE, LOUISIANA  
SEPTEMBER 5, 2017

WHEREAS, RONALD J. THERIOT, TAX COLLECTOR, HAS EXHIBITED TO ME SATISFACTORY EVIDENCE THAT ALL TAXES DUE TO THE PARISH GOVERNING AUTHORITY SHOWN ON THE AD VALOREM TAX ROLLS OF ST. MARTIN PARISH FOR THE YEAR 2016 HAS BEEN PAID OR ACCOUNTED FOR.

NOW, THEREFORE, BE IT RESOLVED, THAT I ISSUE THIS QUIETUS ON THE PART OF THE GOVERNING AUTHORITY OF ST. MARTIN PARISH GOVERNMENT IN FAVOR OF SAID RONALD J. THERIOT, TAX COLLECTOR, AND AGAINST ANY CLAIM ON THE PART OF THE GOVERNING AUTHORITY OF THE ST. MARTIN PARISH GOVERNMENT FOR THE AD VALOREM TAXES OF THE YEAR STATED ABOVE.

/s/ Sean Hundley  
SEAN HUNDLEY  
DIRECTOR OF FINANCE  
ST. MARTIN PARISH GOVERNMENT

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: None.

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

It was requested that Item B. "Council to enter Executive Session to discuss developments, settlement proposal in the litigation entitled, "Breux Bridge Land Investment, LLC and Breux Bridge Gaming, LLC V. St. Martin Parish Government," Docket Number 84285-E, 16<sup>th</sup> Judicial District Court, St. Martin Parish." be postponed until prior to adjournment.

Council Clerk Laci Laperouse read aloud the following Notice of Public Meeting: Notice is hereby given that in the event the voters approve the levy of an ad valorem tax for the Parish of St. Martin, State of Louisiana, at the October 14, 2017 election, the St. Martin Parish Council plans to consider a resolution providing for the levy and collection of said ad valorem tax at its meeting on Tuesday, October 17, 2017 at 5:00 p.m. at the Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana.

A motion was made by Albert Menard and seconded by Byron Fuselier to open the Public Hearing to obtain public comments regarding the ordinances being considered for final adoption.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: None.

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

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

Clerk of the Council Laci Laperouse read each ordinance summary.

Parish President Guy Cormier commented on Ordinance Summary No. 1188-OR {An Ordinance to amend Ordinance No. 17-01-1167-OR, adopted by the St. Martin Parish Council on January 3, 2017, to change the position of Assistant Clerk of the Council from Regular Part-Time to Regular Full-Time.} reminding the Council Members of the terms of Brooke Gillespie's recent full-time position, which would allow her to serve 25% of her time to Administration and the other 75% would remain Council duties.

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 Dean LeBlanc that the Public Hearing be closed.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: None.

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

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

### **ORDINANCE NO. 17-09-1185-OR**

AN ORDINANCE SETTING THE SPEED LIMIT FOR MOTOR VEHICLES ON HAMMOCK LANE, LOCATED IN DISTRICT 5, SECTION 66, TOWNSHIP 8 SOUTH, RANGE 6 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 HAMMOCK LANE in St. Martin Parish, Louisiana, at a speed in excess of 25 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: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.  
NAYS: None.  
ABSTAIN: None.  
ABSENT: None.

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

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

**ORDINANCE NO. 17-09-1186-OR**

AN ORDINANCE SETTING THE SPEED LIMIT FOR MOTOR VEHICLES ON FLORENCE DRIVE, LOCATED IN DISTRICT 5, SECTION 66, TOWNSHIP 8 SOUTH, RANGE 6 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 FLORENCE DRIVE in St. Martin Parish, Louisiana, at a speed in excess of 25 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: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.  
NAYS: None.  
ABSTAIN: None.  
ABSENT: None.

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

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

**ORDINANCE NO. 17-09-1187-OR**

AN ORDINANCE SETTING THE SPEED LIMIT FOR MOTOR VEHICLES ON SEMERE ROAD, LOCATED IN DISTRICT 8, SECTIONS 63 AND 64, TOWNSHIP 8 SOUTH, RANGE 6 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 SEMERE ROAD in St. Martin Parish, Louisiana, at a speed in excess of 30 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: Byron Fuselier, Lisa Nelson, Jason Willis, Neil Thibodeaux, Chris Tauzin, Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
- NAYS: None.
- ABSTAIN: None.
- ABSENT: None.

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

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

**ORDINANCE NO. 17-09-1188-OR**

AN ORDINANCE TO AMEND ORDINANCE NO. 17-01-1167-OR, ADOPTED BY THE ST. MARTIN PARISH COUNCIL ON JANUARY 3, 2017, TO CHANGE THE POSITION OF ASSISTANT CLERK OF THE COUNCIL FROM REGULAR PART-TIME TO REGULAR FULL-TIME.

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

SECTION I: That Ordinance No. 17-01-1167-OR is hereby amended as follows:

delete: WHEREAS, in view of the intricate and technical nature of the position of Clerk of the Council, the interests of St. Martin Parish Government in general, and the St. Martin Parish Council in particular, will be best served by affording a **Regular Part-Time** assistant to the Clerk of the Council any and all opportunities to work with and be trained by the current Clerk, Laci Laperouse.

add: WHEREAS, in view of the intricate and technical nature of the position of Clerk of the Council, the interests of St. Martin Parish Government in general, and the St. Martin Parish Council in particular, will be best served by affording a **Regular Full-Time** assistant to the Clerk of the Council any and all opportunities to work with and be trained by the current Clerk, Laci Laperouse.

This Ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: None.

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

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

**ORDINANCE NO. 17-09-1189-OR**

AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 28 OF THE ST. MARTIN PARISH CODE OF ORDINANCES BY THE ENACTMENT OF ARTICLE IV CONSISTING OF SECTIONS 28-100 – 28-105 TO PROVIDE FOR THE CREATION OF A STEERING COMMITTEE FOR THE SUPERVISION AND ADMINISTRATION OF PARISH PARKS AND RECREATIONAL FACILITIES AND TO PROVIDE FOR ALL OTHER MATTERS RELATED THERETO.

WHEREAS, La.R.S. 33:4553, *et seq.*, provides for the creation of a board to supervise, maintain, and govern public playgrounds, recreational centers, and other recreational facilities within a parish governing authority’s jurisdictional boundaries; and

WHEREAS, by ordinance adopted on March 16, 1966, the governing authority of St. Martin Parish, availing itself of the provisions of La.R.S. 33:4553, *et seq.*, created “The St. Martin Parish Recreation and Playground Board” to serve the function and purposes set forth in the foregoing law of the State of Louisiana; and

WHEREAS, the composition of the aforementioned Board has changed over the years by virtue of numerous ordinances, resolutions, and unrecorded acts of the governing authority of St. Martin Parish; and

WHEREAS, the identity of the St. Martin Parish Recreational and Playground Board has become known as the “St. Martin Parish Recreation Steering Committee”; and

WHEREAS, much confusion and misunderstanding have arisen as regards the Board’s composition, its function, and title; and

WHEREAS, both the qualifications for Board membership and the method of selection of the Board have never been established specifically by Parish edict; and

WHEREAS, the fact that the original establishment of the Recreation Board occurred when St. Martin Parish was governed pursuant to a “ward” system and by a Police Jury form of government; and

WHEREAS, since January 1, 2000, St. Martin Parish has been governed pursuant to a Home Rule Charter, and since 1966, numerous reapportionments have resulted in the governing body of the St. Martin Parish Council being selected on a district basis, as opposed to a ward system; and

WHEREAS, the St. Martin Parish Government does hereby desire to amalgamate, integrate, and harmonize all of the previous acts of St. Martin Parish relative to the establishment and operations of a Recreation District for the Parish:

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

Chapter 28 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the enactment of Article IV thereof, consisting of Sections 28-100 through 28-105, as follows:

**Section 28-100. Creation of Board and Composition.**

Pursuant to Section 8-05 of the Home Rule Charter of St. Martin Parish, Louisiana, and in accordance with La.R.S. 33:4553, *et seq.*, there is hereby created and established within the jurisdictional boundaries of St. Martin Parish, Louisiana, a recreation board hereby designated as the “St. Martin Parish Recreation Steering Committee”. The Committee shall consist of nine members who shall be nominated by the Parish President with approval of a majority of the Council members. A Council member from each District shall provide the identity of a candidate to the Parish President for nomination. However, District 3 shall be represented by two members until May 4, 2019, at which time the member from that District whose term expires shall not be replaced.

A member of the Steering Committee need not reside in the District of the Parish Council member who submits his/her name to the Parish President for nomination. However, all members of the St. Martin Parish Recreation Steering Committee shall reside in St. Martin Parish, Louisiana.

**Section 28-101. Term.**

All members shall serve a term of five years without compensation. The initial term, however, of each member shall coincide with the term of the current Recreation Board.

**Section 28-102. Duties.**

The St. Martin Parish Recreation Steering Committee shall have the authority to manage, supervise, and control all of the public parks and recreational facilities situated within and belonging to the parish governing authority of St. Martin Parish. Furthermore, it shall have the power and duty

to establish reasonable rules and regulations governing the use of all public parks and places of public recreational facilities belonging to the Parish of St. Martin. Additionally, the St. Martin Parish Recreation Steering Committee shall provide for such charges or fees for the use of all public recreational parks and facilities as shall be deemed reasonable and necessary in order to defray or help defray the expenses of maintaining the equipment and grounds thereof.

The Board shall further enjoy the authority to designate, maintain, and equip playgrounds and recreation centers, as well as employ such recreation officers and employees, as it may deem reasonable and fit in its discretion. However, the Board shall not have the authority to make any additions or improvements to any park, playground, or recreation center without advanced approval from the St. Martin Parish Council. Moreover, no playground equipment shall be purchased or installed on any playground, park, or recreation center without the said equipment being approved by the Parish President, or his designee, to insure that same satisfies all required safety guidelines.

Notwithstanding any of the foregoing, however, and in addition thereto, all such actions of the St. Martin Parish Recreation Steering Committee shall be subject to the approval of the St. Martin Parish Council. Moreover, the St. Martin Parish Recreation Steering Committee shall be answerable directly to the Parish President who shall have the authority to adopt all steps to insure that the St. Martin Parish Recreation Steering Committee operates in accordance with the power and duties conferred upon it by this ordinance and/or by the inherent authority of the St. Martin Parish Government.

**Section 28-103. Donations.**

On behalf of, and in the name of, the St. Martin Parish Government, the St. Martin Parish Recreation Steering Committee may accept any donation of movable or immovable property for either temporary or permanent use for playgrounds or other recreational purposes. Funds received for such purposes, unless otherwise provided for by the terms of the donation, shall be deposited with the Treasurer of the St. Martin Parish Government for the account of the St. Martin Parish Recreation Steering Committee or any other body having charge of the respective facilities.

**Section 28-104. Contracts or Obligations.**

The St. Martin Parish Government shall not be responsible for any contracts or obligations made or incurred by the St. Martin Parish Recreation Steering Committee until and unless such

contracts or obligations are approved by the St. Martin Parish Council. All purchases of materials or services for an amount in excess of Five Hundred and No/100 (\$500.00) Dollars shall be approved by the St. Martin Parish Recreation Steering Committee and then submitted to the St. Martin Parish Government for final approval prior to the confection of any purchase.

**Section 28-105. Funds Collected.**

All funds collected or generated by operation(s) under the jurisdiction and authority of the St. Martin Parish Recreation Steering Committee shall be submitted to the Finance Department of the St. Martin Parish Government to be deposited in the appropriate recreational funds account.

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

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

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

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

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

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

**ORDINANCE NO. 17-09-1190-OR**

AN ORDINANCE TO PROVIDE FOR THE AUTHORIZATION OF AN ACT OF DEDICATION FOR A PUBLIC ROAD **GRAND LOOP (GRAND POINT ESTATES – PHASE II A & B)** TO BE ADDED TO THE ST. MARTIN PARISH PUBLIC ROAD SYSTEM.

BE IT ORDAINED by the St. Martin Parish Council that **Grand Loop (Grand Point Estates – Phase II A & B)** meets the minimum requirements to qualify for the acceptance of a public road in the St. Martin Parish Road System, as per attached plat, dated January 18, 2017, by Mohammad S. Borazjani, Professional Civil Engineer & Land Surveyor.

BE IT ORDAINED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to sign the necessary Act of Dedication for and on behalf of the St. Martin Parish Government.

This Ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President.

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

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

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

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

**ORDINANCE NO. 17-09-1191-OR**

**AN ORDINANCE TO PROVIDE FOR THE AUTHORIZATION OF AN ACT OF DEDICATION FOR A PUBLIC ROAD **BERNADETTE DRIVE (GRAND POINT ESTATES – PHASE II A & B)** TO BE ADDED TO THE ST. MARTIN PARISH PUBLIC ROAD SYSTEM.**

BE IT ORDAINED by the St. Martin Parish Council that **Bernadette Drive (Grand Point Estates – Phase II A & B)** meets the minimum requirements to qualify for the acceptance of a public road in the St. Martin Parish Road System, as per attached plat, dated January 18, 2017, by Mohammad S. Borazjani, Professional Civil Engineer & Land Surveyor.

BE IT ORDAINED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to sign the necessary Act of Dedication for and on behalf of the St. Martin Parish Government.

This Ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President.

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

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

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

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

**ORDINANCE NO. 17-09-1192-OR**

AN ORDINANCE TO PROVIDE FOR THE AUTHORIZATION OF AN ACT OF DEDICATION FOR A PUBLIC ROAD **ELIZABETH LANE (GRAND POINT ESTATES – PHASE II A & B)** TO BE ADDED TO THE ST. MARTIN PARISH PUBLIC ROAD SYSTEM.

BE IT ORDAINED by the St. Martin Parish Council that **Elizabeth Lane (Grand Point Estates – Phase II A & B)** meets the minimum requirements to qualify for the acceptance of a public road in the St. Martin Parish Road System, as per attached plat, dated January 18, 2017, by Mohammad S. Borazjani, Professional Civil Engineer & Land Surveyor.

BE IT ORDAINED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to sign the necessary Act of Dedication for and on behalf of the St. Martin Parish Government.

This Ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President.

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

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

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

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

**RESOLUTION NO. 17-095-RS**

WHEREAS, the St. Martin Parish Council adopted a resolution establishing a Children and Youth Planning Board in the 16<sup>th</sup> Judicial District; and

WHEREAS, the 16<sup>th</sup> Judicial District Children and Youth Planning Board consist of thirteen members, and four members who will be appointed by the St. Martin Parish Council; and

WHEREAS, the members appointed by the parish council shall serve a term of office of two years and may be reappointed in accordance with the charters and law of the parish.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Michael Seider, Mr. Ed Boyd and Mrs. Cheryl Lewis for two (2) year terms expiring on August 2, 2019, to serve as members of the 16<sup>th</sup> Judicial District Children and Youth Planning Board.

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

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

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

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

**RESOLUTION NO. 17-102-RS**

WHEREAS, born in 1937, Mr. Gregory “Greg” Guirard moved, with his extended family, to the western edge of the Atchafalaya Basin in St. Martin Parish; and

WHEREAS, Mr. Greg Guirard found his passion was for the wilderness he called home and the people who made their living there; and

WHEREAS, Mr. Greg Guirard spent most of his time crawfishing, salvaging ancient cypress logs from the swamp, fighting to save and restore the environment with Atchafalaya Basinkeeper, and writing and publishing books about the people, scenery and wildlife in and around the Atchafalaya Basin; and

WHEREAS, Mr. Greg Guirard recorded the land, its wildlife, and its people in beautiful photographs and writings, publishing seven books, four of which are still available; and

WHEREAS, St. Martin Parish Government acquired property from Mr. Greg Guirard to replace the bridge (Structure #P50 30144 91427 1 / Report #200658) which traverses Bayou Mercier in the Catahoula-Butte LaRose area of rural St. Martin Parish; and

WHEREAS, it is only fitting that a public landmark be named in his honor by the local government in St. Martin Parish.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby name the new bridge crossing, which traverses Bayou Mercier in the Catahoula-Butte LaRose area, the “Greg Guirard Memorial Bridge.”

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

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

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

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

**RESOLUTION NO. 17-103-RS**

**A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE STATE OF LOUISIANA UNDER THE FISCAL YEAR 2018-2019 LOCAL GOVERNMENT ASSISTANCE PROGRAM AND COMMUNITY WATER ENRICHMENT FUND PROGRAM**

WHEREAS, the Louisiana Office of Community Development has announced that applications are being accepted for the Fiscal Year 2018-2019 Local Government Assistance Program (LGAP); and

WHEREAS, the Local Government Assistance Program offers grants to eligible municipalities and parishes for a wide range of projects to improve public health, public safety, living conditions and for economic development purposes; and

WHEREAS, in previous years the Louisiana Office of Community Development has also accepted applications for Community Water Enrichment Fund (CWEF) Program; and

WHEREAS, the Community Water Enrichment Fund Program offers grants to eligible municipalities and parishes for rehabilitation, improvements and new construction projects for community potable water systems; and

WHEREAS, it is deemed necessary and proper to submit an application to the Louisiana Office of Community Development under the Fiscal Year 2018-2019 Local Government Assistance Program and also should applications be accepted the Fiscal Year 2018-2019 Community Water Enrichment Fund Program.

NOW THEREFORE BE IT RESOLVED by the St. Martin Parish Council that Parish President Guy Cormier is hereby authorized to sign and submit an application to the State of Louisiana, Office of Community Development under the Fiscal Year 2018-2019 Local Government Assistance Program and also execute any and all documents should this grant be funded; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to sign and submit an application to the State of Louisiana, Office of Community Development under the Fiscal Year 2018-2019 Community Water Enrichment Fund Program if the State accepts such applications and also execute any and all documents should this grant be funded.

THEREUPON, the above resolution was declared adopted.

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

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

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

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

### **RESOLUTION NO. 17-104-RS**

WHEREAS, the St. Martin Parish Government has made an official call for bids for the Cade Park Upgrades (Splash Pad, Baseball Field, and Concession Stand) Project, St. Martin Parish, Louisiana; and

WHEREAS, in accordance with the advertisement, sealed bids were opened August 8, 2017, and four (4) complete bid packets were received for said project; and

WHEREAS, the bids were taken under advisement and have been analyzed by Vermilion Architects, L.L.C.; and

WHEREAS, Vermilion Architects, L.L.C. has recommended, in writing, the apparent low bidder, Acadiane' Renovations LTD, in the amount of \$1,550,500.00; and

WHEREAS, the Total bid includes a Base bid total of \$1,544,000.00 and the additional Alternate 1 total of \$6,500.00.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby award the contract for the Cade Park Upgrades (Splash Pad, Baseball Field, and Concession Stand) Project, St. Martin Parish, Louisiana, to the apparent low bidder, Acadiane' Renovations LTD, in the amount of \$1,550,500.00.

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

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

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

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

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

**RESOLUTION NO. 17-105-RS**

A RESOLUTION OF SUPPORT FOR WEST BATON ROUGE PARISH PRESIDENT RILEY BERTHELOT, JR. CURRENTLY SEEKING RE-ELECTION TO THE SEAT FOR REGION III REPRESENTATIVE ON THE POLICE JURY ASSOCIATION OF LOUISIANA EXECUTIVE BOARD.

WHEREAS, the Police Jury Association's Executive Board is in the process of appointing members to their Board; and

WHEREAS, Mr. Riley L. Berthelot, Jr. is currently serving as a member of the PJAL Executive Board for Region III and will seek re-election; and

WHEREAS, it is the intent of the St. Martin Parish Council to support Mr. Berthelot's interest in serving on this Board.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, convened in Regular Session on this 5th day of September, 2017, does hereby support West Baton Rouge Parish President Riley L. Berthelot Jr. in his efforts for re-election as Region III Executive Board Member of the Police Jury Association of Louisiana.

BE IT FURTHER RESOLVED that this resolution be sent to all Region III parishes humbly requesting that they support and endorse Mr. Riley L. Berthelot Jr. as a candidate for re-election to the Executive Board of the Police Jury Association of Louisiana for Region III.

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

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

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

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A motion was made by Neil Thibodeaux and seconded by Albert Menard that the St. Martin Parish Council does hereby extend the agenda for Resolution Summary No. 106-RS.

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

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

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

*(Jason Willis stepped out at 6:22 p.m.; returned at 6:24 p.m.)*

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

**RESOLUTION NO. 17-106-RS**

WHEREAS, a contract for the St. Martin Parish Industrial Park Drainage Improvements Project, was awarded to low bidder, Southern Constructors, L.L.C., in the amount of \$298,405.00; and

WHEREAS, Comeaux Engineering & Consulting has recommended Change Order No. 2 in the amount of \$8,800.00 (increase).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize the signature of Parish President to execute Change Order No. 2 in the amount of \$8,800.00 (increase) for the St. Martin Parish Industrial Park Drainage Improvements Project, by Southern Constructors, L.L.C.

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

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

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

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

SUMMARY NO. 1193-OR (Introduced by Chris Tauzin, District 5)  
An Ordinance to provide for the authorization of an Act of Dedication for a public road Hammock Lane (The Hammocks – Phase II) to be added to the St. Martin Parish Public Road System.

SUMMARY NO. 1194-OR (Introduced by Chris Tauzin, District 5)  
An Ordinance to provide for the authorization of an Act of Dedication for a public road Breeze Drive (The Hammocks – Phase II) to be added to the St. Martin Parish Public Road System.

SUMMARY NO. 1195-OR (Introduced by Chris Tauzin, District 5)  
An Ordinance to provide for the authorization of an Act of Dedication for a public road Bamboo Drive (The Hammocks – Phase II) to be added to the St. Martin Parish Public Road System.

Prior to adjournment, Parish President Guy Cormier reminded and urged Council Members to attend the Police Jury Association of Louisiana Region III meeting which will be held Thursday, September 28, 2017. This event is being hosted by Iberia Parish. Parish President Guy Cormier also extended an invite to all Council Members to attend the Bayou Vermilion Preservation Symposium in which he will be a guest speaker at. This event is scheduled for Friday, September 8, 2017.

Parish President Guy Cormier stated the results for the 2017 Property Insurance Association of Louisiana (PIAL) Ratings are in and as follows: Arnaudville Fire Protection Territory will continue receiving a Class 5 insurance rating, Butte LaRose Fire Protection Territory will continue receiving a Class 6 insurance rating and the Evangeline Fire Protection Territory will retrogress to a Class 6 insurance rating (previously a Class 5). Parish President Guy Cormier and Council Member Byron Fuselier commended and thanked all volunteer and part-time firefighters who continue to keep our parish safe.

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

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: None.

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

Parish Attorney Chester Cedars requested former Legal Counsel of the Parish of St. Martin Andrew Shealy be allowed to join them in Executive Session.

*Regular Meeting recessed at 6:32 p.m.*

*(Lisa Nelson stepped out at 7:01 p.m.)*

*Executive Session adjourned at 7:10 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: Byron Fuselier, Jason Willis, Neil Thibodeaux, Chris Tauzin,  
Jill Hebert, Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Lisa Nelson (excused).

And the motion to reconvene the Regular Meeting was declared carried this 5th day of September, 2017.

Parish Attorney Chester Cedars briefed the public of Executive Session, which was to discuss the matter of – “Breux Bridge Land Investment, LLC and Breux Bridge Gaming, LLC V. St. Martin Parish Government,” Docket Number 84285-E, 16<sup>th</sup> Judicial District Court, St. Martin Parish. This litigation involves Parish Ordinance No. 15-08-1105-OR, which has sparked three (3) separate litigations. The first litigation was resolved in August 2016 in a mandamus action. The second is the one identified in the agenda, which challenges the constitutionality or the validity of the ordinance. The third is a claim for inverse condemnation, which was presented unexpectedly to Parish Attorney Chester Cedars right before a Council Meeting, and then filed three (3) days later. Parish Attorney Chester Cedars believes very strongly that the parish ordinance is valid, and the basis of the challenge would not be sustained. However, the chance of taking this to trial and possibly not prevailing would be substantially costly. Parish Attorney Chester Cedars also mentioned one problem is the parish does not have insurance to protect any claims for inverse condemnation. On August 22, 2017, former Legal Counsel Andrew Shealy and Parish Attorney Chester Cedars received a confidential written correspondence suggesting a settlement. The parameters of this settlement would be that St. Martin Parish Government would issue the permit for the facility in question to operate with the max of fifty (50) machines, opposed to the three (3) that our current ordinance allows, and notify all state regulatory agencies accordingly. In return, all litigation would be dismissed. Parish Attorney Chester Cedars stated, he would request the following conditions be met by the plaintiffs in the event of a settlement: 1) A statement in the motion to dismiss the litigation that there have been no facts uncovered that would conclusively prove that St. Martin Parish Government did not act in any manner of which to impede commerce or to favor one business over

the other; St. Martin Parish Council acted in the enactment of this ordinance in what they thought was in the best interest of the public; 2) An agreement that all court costs for both litigations be paid by the plaintiffs, not by the public; 3) The owner or manager of the plaintiffs, or anyone associated with the plaintiffs, would not include the owner who had the facility before the current owners; and 4) The facility be constructed and operated in a manner of which was presented to the parish April 2016. Parish Attorney Chester Cedars mentioned the plaintiffs agreed the conditions requested were acceptable. Although Parish Attorney Chester Cedars does not like making this recommendation, as he feels there is a strong chance of defeating this litigation, he must recommend accepting the settlement with the recommendations noted above. Parish Attorney Chester Cedars feels the costs and financial exposure that would put this parish at stake is simply not a reasonable risk. Parish Attorney Chester Cedars stated a motion to either accept or reject his recommendation is necessary at this time.

Steve Oates, Oates and Marino, Attorneys at Law stated his message is simple, St. Martin Parish has a good, valid ordinance. Although Mr. Oates understands Parish Attorney Chester Cedars' recommendation, he strongly believes the litigation is weak and not valid, and the ordinance is strong. Mr. Oates stated it will not be expensive to beat, but understands the risk. Mr. Oates hopes that St. Martin Parish Government accepting this settlement doesn't open the door to future litigations. Mr. Oates urged the Council to substitute motion, rejecting the recommendation and give it some further thought, as he believes the parish can defeat this litigation.

A motion was made by Byron Fuselier and seconded by Jill Hebert to accept Parish Attorney Chester Cedars' recommendation to settle this matter.

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

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

NAYS: None.

ABSTAIN: Albert Menard.

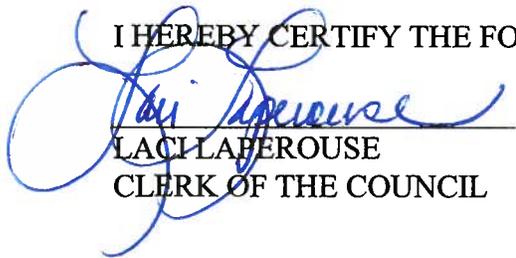
ABSENT: Lisa Nelson (excused).

And the motion was declared carried this 5th day of September, 2017.

Parish Attorney Chester Cedars stated he would contact all parties to notify of decision. He thanked former Legal Counsel Andrew Shealy with all the help provided in this matter.

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

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



LACLAPROUSE  
CLERK OF THE COUNCIL