

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

REGULAR MEETING - JUNE 5, 2018

The St. Martin Parish Council met in Regular Session convened at 5:04 P.M., Tuesday, June 5, 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 Albert Menard.

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

A motion was made by Albert Menard and seconded by Dean LeBlanc to approve the minutes of the St. Martin Parish Council Regular Meeting of May 1, 2018.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion was declared adopted this 5th day of June, 2018.

It was requested to move on to Special Business Item B. {Council to meet as a "Board of Adjustment" to consider a request for a permitted exception, as allowed by the rules and regulations of the St. Martin Parish Zoning Ordinance.} The waiver is to allow for a reduction of a side yard setback from ten feet (10') to three feet (3'), only on property located at 3688 Catahoula Highway, St. Martinville, Louisiana. Ms. Mary Nancy Castille, property owner was present. Planning and Zoning Coordinator Heath Babineaux explained the moving company incorrectly placed her mobile home on the property, too close to the neighboring property line. The neighboring property owner, Steve Bonin, has agreed, in writing (*on-file*), to allow Ms. Castille to deviate from the ten foot (10') setback.

A motion was made by Jill Hebert and seconded by Chris Tauzin that the waiver to allow for a side yard setback reduction be granted.

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

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

And the motion was declared adopted this 5th day of June, 2018.

Special Business Item A. {Parish President Chester Cedars and St. Martin Parish Council Members recognized the Honorable Thomas Nelson, Mayor of the City of St. Martinville.} Clerk of the Council Laci Laperouse read aloud the proposed Resolution, highlighting Mayor Nelson's accomplishments.

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

RESOLUTION NO. 18-052-RS

A Resolution honoring the years of public service of the Honorable Thomas Nelson, Mayor of the City of St. Martinville and former member of the governing authority of the Parish of St. Martin.

WHEREAS, Thomas Nelson will end his public service as Mayor of the City of St. Martinville, Louisiana, on June 30, 2018; and

WHEREAS, Mayor Nelson has served as Mayor of the City since July 1, 2006, having been elected for three (3) consecutive terms; and

WHEREAS, prior to his service as Mayor of the City of St. Martinville, Mayor Nelson served on the St. Martin Parish Council from the inception of the Parish's Home Rule Charter on January 1, 2000, until his election as Mayor on July 1, 2006; and

WHEREAS, the said Thomas Nelson also served on the St. Martin Parish Police Jury which was the predecessor of the St. Martin Parish Council; and

WHEREAS, the combined number of years Mayor Nelson served on the St. Martin Parish Police Jury and the St. Martin Parish Council is 26.5 years; and

WHEREAS, Thomas Nelson served a combined 38.5 consecutive years as Police Juror, Parish Council Member, and Mayor; and

WHEREAS, Thomas Nelson was an effective and dedicated public servant during his political career, devoting countless hours and expending enormous amounts of energy for the benefit of St. Martin Parish; and

WHEREAS, during his tenure as a member of the governing authority for St. Martin Parish, Thomas Nelson was particularly active in the affairs of the Louisiana Police Jury Association, providing exemplary leadership skills on both the state and local levels; and

WHEREAS, Thomas Nelson served as the President of the Police Jury Association of Louisiana; and

WHEREAS, Thomas Nelson enjoys the distinction of having been the first minority elected President of the St. Martin Parish Police Jury; and

WHEREAS, Thomas Nelson also served on the governing boards of the Acadiana Criminalistics Laboratory, Acadiana Works, Economic Development Committee, National Association of County Officials, Parochial Retirement Board, Council on Aging, and SMILE Community Action Agency; and

WHEREAS, the accomplishments of Mayor Thomas Nelson are too numerous to cite and a recitation thereof would be an arduous endeavor; and

WHEREAS, the greatest accomplishment of Mayor Thomas Nelson has been his unending and total devotion to his family which includes his wife of 60 years; and

WHEREAS, the St. Martin Parish Government, acting through its current and past Parish President and its Parish Council wishes, desires, and deems it an obligation to adopt measures to honor the years of dedicated public service of Thomas Nelson, the totality of which reflect true statesmanship:

BE IT, THEREFORE, RESOLVED that the St. Martin Parish Council does hereby formally recognize and honor THOMAS NELSON for his devoted service to the citizens of both the Parish of St. Martin and the City of St. Martinville, which public services spans a period of almost four (4) decades.

BE IT FURTHER RESOLVED that the Parish President shall adopt all steps necessary to effectuate the foregoing resolution including the award and presentation of an appropriate recognition memento to Mayor Thomas Nelson.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

After the Council Members unanimously adopted Resolution No. 18-052-RS, Parish President Chester Cedars presented Mr. Nelson with a plaque of recognition. Mayor Nelson reminisced on the years he served as a Police Juror/Council Member and mentioned his interest of returning to the District 2 Council Seat. Parish President Chester Cedars and Council Members thanked Mayor Nelson for his years of service.

A motion was made by Dean LeBlanc and seconded by Lisa Nelson to open the Public Hearing to obtain public comments regarding ordinances being considered for final adoption.

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

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

And the motion was declared adopted this 5th day of June, 2018.

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

Clerk of the Council Laci Laperouse read each Ordinance Summary.

Mr. Branan Bernis requested to speak on Ordinance Summary Nos. 1227-OR and 1228-OR (Summary No. 1227-OR – An Ordinance to amend Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, by the enactment of Article VII thereof consisting of Sections 24-170 through 24-178, all relative to establishing an administrative procedure for nuisance properties; and Summary No. 1228-OR – An Ordinance to amend and/or revise Article V of Chapter 24 of the St. Martin Parish Code of Ordinances by the repeal, revision, enactment, and/or re-enactment of Section 24-105 and Section 24-129(a) of the said Chapter 24, all relative to the regulation of nuisances.).

Mr. Bernis claims these ordinances infringe on property owners' rights and said ordinances are subjective. Chairman Jason Willis, along with Parish President Chester Cedars, explained to Mr. Bernis the need for this is to protect the integrity of our parish and assured Mr. Bernis that every situation is dealt with fairly and the property owner is always given ample time to resolve the problem. Mr. Bernis stated he would read through the nuisance ordinances in hopes to better understand. Parish President Chester Cedars urged Mr. Bernis to contact him should he have any questions.

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 Chris Tauzin 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, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Neil Thibodeaux (excused).

And the motion was declared adopted this 5th day of June, 2018.

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

ORDINANCE NO. 18-06-1225-OR

An Ordinance providing for the abolishment of Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana; authorizing the St. Martin Parish President to enter into a cooperative endeavor agreement with Henderson-Nina Water System, Inc. with respect to the transfer of the assets of the said District on the condition that potable, quality water services will be provided by it within the jurisdictional/geographical boundaries thereof; and providing for other matters in connection with the foregoing.

WHEREAS, by ordinance dated April 7, 1998, the Police Jury of the Parish of St. Martin, State of Louisiana, in accordance with Chapter 8 of Title 33 of the Louisiana Revised Statutes of 1950, established a waterworks district designated as "Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana" ("the District"); and

WHEREAS, the geographical boundaries of the District are set forth in Section 1 of the aforesaid ordinance adopted by the Police Jury of the Parish of St. Martin, State of Louisiana, on April 7, 1998; and

WHEREAS, the District has not provided any services pursuant to the edict by which it was created on April 7, 1998; and

WHEREAS, the District does not have any outstanding indebtedness and has never levied any taxes; and

WHEREAS, the obligation of the District to provide potable, quality water services within its geographical/territorial limits remains undischarged; and

WHEREAS, the Henderson-Nina Water System, Inc. has agreed that it is willing and capable of providing quality water services to the citizens who reside and/or own property within the geographical/territorial limits of the District; and

WHEREAS, Article VI, Section 15 of the Louisiana Constitution provides that the governing authority of a local governmental subdivision has general power over any agency heretofore or hereafter created by it, including without limitation the right to abolish the said agency; and

WHEREAS, the jurisprudence of the State of Louisiana in *Brasseaux v. Vermilion Parish Police Jury*, 361 So.2d 35 (La. App. 3 Cir. 1978) interpreted the term "agency" as set forth in Article VI, Section 15 of the Louisiana Constitution to embrace a political subdivision such as a waterworks district created by a parish governing authority; and

WHEREAS, La. R.S. 33:1415 provides in pertinent part that in any case where the governing authority of any parish shall have created or established any district having governmental functions, power, or authority, such governing authority is authorized to abolish same; and

WHEREAS, both the Parish President and the St. Martin Parish Council now desire to abolish the District in accordance with Article VI, Section 15 of the Louisiana Constitution and La. R.S. 33:1415 inasmuch as the District has no outstanding indebtedness, has not levied or enacted any taxes (including ad valorem property taxes, sales taxes, and/or assessments), and no longer provides any services whatsoever, including those for which it was specifically created; and

WHEREAS, the governing authority of St. Martin Parish further desires to enter into a cooperative endeavor agreement with Henderson-Nina Water System, Inc. transferring all of the assets formerly owned by the District to the said water system to aid it in providing water services to the property owners and residents of the geographical/territorial jurisdiction of the District:

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of St. Martin Parish, Louisiana, acting as the governing authority of St. Martin Parish, Louisiana, that:

Section 1. Abolishment of Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana

In accordance with the authority granted by Article VI, Section 15 of the Louisiana Constitution, La. R.S. 33:1415, and other constitutional and statutory authority, Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana, be and is hereby abolished.

Section 2. Cooperative Endeavor Agreement

The President of St. Martin Parish, Louisiana, is hereby empowered, directed, and authorized to enter into a cooperative endeavor agreement for, in the name of, and on behalf of St. Martin Parish Government with Henderson-Nina Water System, Inc. whereby the latter will obligate itself to provide potable, quality water services to the property owners and/or residents of the area within the jurisdictional/territorial/geographical limits of the former Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana. The cooperative endeavor agreement shall further provide that all assets of the former Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana, will be transferred to Henderson-Nina Water System, Inc., those assets consisting, exclusively, of all bank accounts with Farmers-Merchants Bank & Trust Company and the transfer of any and all servitudes, easements, and other property rights which may have been acquired for and/or on behalf of the former Waterworks District No. 5 of the Parish of St. Martin, State of Louisiana. Furthermore, the aforementioned cooperative endeavor agreement shall obligate St. Martin Parish Government to cooperate with and, if necessary, join with Henderson-Nina Water System, Inc. in any application(s) for grant or loan proceeds from any governmental entity or private enterprise providing grants, loans, or similar benefits to rural water systems.

Section 3. Miscellaneous

The Parish President is further authorized, directed, and empowered to incorporate in the cooperative endeavor agreement referenced in Section 2 above such other terms, conditions, and

provisions he may deem necessary and fit in his uncontrolled discretion to effectuate the terms and conditions of this edict.

Section 4. Severability

If any provision of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity will not affect the other provisions or applications thereof which can be given effect without the invalid provision or application, and to that end, the provisions of this ordinance are hereby declared to be severable.

Section 5. Effective Date

This ordinance shall become effective immediately upon its adoption and signature of the St. Martin Parish President, all as provided by Section 2-12 of the St. Martin Parish Home Rule Charter.

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

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

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

ORDINANCE NO. 18-06-1226-OR

An Ordinance to amend Article I of Chapter 26 of the St. Martin Parish Code of Ordinances by the repeal of Section 26-3 and the enactment and/or re-enactment of Section 26-3 through Section 26-3.4 of the said Chapter 26, all relative to the offenses of littering and granting certain jurisdictional rights to justices of the peace.

WHEREAS, the State of Louisiana has recognized the need for the control and reduction of litter in order to enhance the tourist, recreational, and economic development of the State of Louisiana; and

WHEREAS, the St. Martin Parish Council has embraced the recognition articulated by the State of Louisiana relative to the need to control and reduce litter in order to enhance the tourist, recreational, and economic development of Acadiana, in general, and St. Martin Parish, in particular; and

WHEREAS, littering has become an issue which is difficult to enforce and exacts a heavy burden upon enforcement agencies; and

WHEREAS, the St. Martin Parish Council has determined that littering is a growing concern which must be addressed; and

WHEREAS, the St. Martin Parish Council further acknowledges and recognizes that unregulated and unenforced littering offenses create public nuisances and are detrimental to property values and the overall health, welfare, and public safety of the citizens of this parish:

BE IT, THEREFORE, ORDAINED by the Parish Council of St. Martin Parish, Louisiana, duly convened in regular session on the 5th day of June, 2018, that:

Article I of Chapter 26 of the Codes of Ordinances for St. Martin Parish, Louisiana, be amended by the repeal, revision, enactment, and/or re-enactment of Sections 26-3 through 26-3.4 thereof, as follows:

Section 26-3. Littering Prohibited; Penalties; Disbursement of Costs.

A. The term(s) "litter" and/or "littering" shall mean all waste material abandoned on the property of another or on all public property or roads, streets, or highways, whether or not it is reusable, functional, or operable, and includes (but is not limited to) any portion of a tobacco product, disposable packages, containers, rubbish, cans, bottles, refuse, garbage, trash, debris, paper products, glass, metal, packing materials, plastic products, dunnage, dead animals, furniture, appliances, automotive parts, tires, batteries, engines, building materials, or any other items or discarded materials or property. The term(s) also include the accumulation of any such unused or discarded property which causes a nuisance or health concerns even if abandoned on one's own property. "Nuisance" shall be and is hereby accorded the meaning set forth in Section 24-105 of the Code of Ordinances for this Parish. Furthermore, for purposes of this Section, "motor vehicle" shall having the meaning ascribed to that term in La. R.S. 32:1. The term "person" shall be interpreted to include any natural person and/or corporation, limited liability company, partnership, or similar juridical entity.

B. No person shall dispose of or permit the disposal of litter upon any public property or private property located within St. Martin Parish, Louisiana, or in or on the waters of the Parish, whether from a motor vehicle or otherwise, including, but not limited to, any public rights-of-way, public park, campground, forest land, recreational area, trailer park, street, the premises of any public, local, state, or federal agency or political subdivision, or any alley, except when such property is designated by the Parish or by any of its agencies or subdivisions as a site for the disposal of litter and such person is authorized to use said property for the said purpose(s) of disposal.

C. No person shall operate a boat or motor vehicle on any public or private property in such a manner or condition that the contents can blow or fall out of the vehicle or boat.

D. No person shall dispose of litter in such a manner that it may be carried away or deposited by the elements upon parts of that property or any other private or public property.

E. If the litter disposed of is from a motor vehicle, except a bus or large passenger vehicle, or a school bus, all as defined by La. R.S. 32:1, there shall be an inference that the driver of the motor vehicle disposed of the litter unless that driver can prove that another person disposed of the litter in accordance with the following:

- (1) Except as provided in Subsection E(2) of this Section, when the identity of the driver of the motor vehicle is unknown, there shall be an inference that the owner of the motor vehicle was the driver of that vehicle, and the owner shall therefore be solely liable for the litter fines, fees, and costs for the disposal of litter from the motor vehicle, unless the owner can prove that the motor vehicle was operated by another person at the time of the violation or that another person disposed of the litter.
- (2) If the owner of a motor vehicle who is engaged in the business of renting or leasing motor vehicles under written rental or leasing agreement, the owner as a lessor shall not be liable for the litter fines, fees, or costs pursuant to Subsection E(1) hereof if, within thirty (30) days after receiving the citation, the owner/lessor provides, in affidavit form, the true name, address, and driver's license number with the state of issuance of the lessee at the time of the offense described in the citation, or provides a true copy of the lease or rental agreement to the law enforcement agency issuing the citation.
- (3) If the lessor complies with the provisions of Subsection E(2) of this Section, the lessee shall be cited for the litter violation.
- (4) A lessor who fails to comply with the provisions of Subsection E(2) of this Section shall be treated as any other owner and shall be liable for the litter fines, fees, and costs for the disposal of the litter from the motor vehicle.
- (5) If an owner of a motor vehicle receives a citation during the period where the motor vehicle was reported to the police department as having been stolen, any such citation shall not be subject to prosecution.
- (6) An owner or driver who pays litter fines, fees, and costs pursuant to Subsection E shall have the right to recover same from the person who committed the act of littering by filing a civil suit in separate proceedings.

F. When the litter disposed of in violation of this Section is discovered to contain any article or articles, including, but not limited to, letters, bills, publications, or other writings that display the name of a person or in any manner indicates that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

G. Whoever violates the provisions of this Section shall be cited by means of a citation, summons, or other means provided by law and shall be subject to the following fines, fees, and costs:

- (1) For a first violation, the offender shall be assessed a \$75.00 fine which shall not be subject to suspension. Furthermore, the offender shall be assessed a \$15.00 administrative fee if the offender chooses to mail the assessed fine to the prosecuting court. In the event the offender exercises the right to a hearing or appearance, upon conviction the offender shall be subject to the fine set forth herein and shall be responsible for court costs in the amount provided for under Subsection H(3) of this Section. Under no circumstances shall the costs be waived, suspended, or reduced.
- (2) For a second and/or each subsequent violation committed within one (1) year of the prior offense, the offender shall be assessed a fine of \$350.00. For such a second and/or each subsequent violation, it shall be mandatory that the alleged offender appear in the court exercising jurisdiction, and there shall be no option permitting the mailing of the fine.
- (3) For each violation in which a hearing is requested or required by virtue of this Section, the offender shall pay, in addition to any fine imposed, court costs in the amount of \$250.00. The said costs and fine shall be disbursed and payable as set forth in Section 26-3.4 herein.

H. A person may be found liable and fined under this Section, although the commission of the offense did not occur in the presence of a law enforcement officer, if the evidence presented to the court exercising jurisdiction establishes that the defendant, beyond a reasonable doubt, committed the offense.

I. For purposes of this Section, each occurrence involving a distinct and identifiable item of litter shall constitute a separate violation.

J. In addition to the penalties and costs otherwise provided, a person found guilty under this Section shall:

- (1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section; and

- (2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies as determined and fixed by the Court; and,
- (3) Pay for the cleanup of the litter unlawfully discarded by the offender.

K. Notwithstanding any provision to the contrary, this Section shall not apply to any activity by person(s) owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction, or demolition, or debris or wood waste, in the course of servicing scheduled pickup routes or in route to an authorized pickup station, transfer station, or disposal facility. To qualify for the exemption provided for in this Subsection, the commercial vehicle shall be covered at all times, except during loading and unloading, in a manner that prevents rain from reaching the waste/litter, prevents the waste/litter from falling or blowing out of the vehicle, and insures that leachate from the waste/litter is not discharged from the vehicle during transportation.

Section 26-3.1. Legal Enforcement; Penalties; Payment by Mail.

A. First time offenders may plead guilty and pay the applicable fine(s) and associated costs by mail; however, if the offender fails to pay the fine and associated fees/costs by mail in advance of adjudication and fails to appear at the time, date, and location indicated on the citation for the litter violation hearing, the court exercising jurisdiction shall impose in addition to the court costs and fine set forth in Section 26-3(G) an additional cost of \$150.00.

B. Whenever an alleged offender fails to pay the applicable fine and costs, or fails to appear before the judicial officer at the place, date, and time specified in a citation or summons, the judicial officer of the court exercising jurisdiction shall immediately notify the alleged offender by certified mail that:

- (1) The judicial officer has taken judicial notice of his failure to appear at the hearing on the date, place, and time listed on the citation or summons and has found him in contempt of court for his failure to appear so as to subject him to additional penalties, fines, or incarceration.
- (2) The failure to pay all outstanding fines and costs within fifteen (15) days of receipt of notice shall subject the offender to another finding of contempt of court and subject him to additional penalties, fines, or imprisonment.

Section 26-3.2. Citations; Unlawful Acts; Records; Failure to Pay or Appear; Procedures.

A. Whenever any person has violated any provision of Section 26-3 in the presence of a law enforcement officer, that officer shall take the person's name, address, and driver's license number, and if the violation occurs from a motor vehicle, the license number of the automobile, and if the violation occurs from a boat, the Louisiana Registered Boat Number, and shall issue a citation or summons or otherwise notify the offender in writing that he must appear in court at a time, date, and place to be specified in such citation or summons.

B. Whenever any person has violated any provision of Section 26-3 in the presence of any other individual, that individual shall take, if possible, the location of the incident, the type of litter, and if applicable, the vehicle license plate number, the vehicle color and body type, the vehicle year, make and model, and any other vehicle identifier and shall submit that information to a law enforcement officer, justice of the peace, or constable. If the law enforcement officer, justice of the peace, or constable has reasonable grounds to believe a person has committed an offense of littering under any provision of Article I of Chapter 26 hereof, the law enforcement officer, justice of the peace, or constable shall issue a citation or summons or otherwise notify the offender in writing that he must appear in court at a time, date, and place to be specified in such citation or summons.

C. If applicable, the citation or summons shall indicate that the alleged offender may admit liability and in lieu of appearing in court, remit payment of the applicable fines and costs to the appropriate court or agency by mail. The law enforcement officer shall provide, in writing, the date by which the payment must be received and the name and phone number of the court or agency having jurisdiction over the alleged offense. The citation or summons shall state the amount of the applicable fines and costs payable to the appropriate agency.

D. Each law enforcement officer, upon issuing a citation or summons to an alleged violator of any provision of Section 26-3 shall deposit the original citation or summons, or a copy of same, with a court and/or prosecuting agency having jurisdiction over the alleged offense.

E. Upon the deposit of the original citation or summons, or a copy of same, with a court and/or prosecuting agency having jurisdiction over the alleged offense, the original citation or summons, or a copy of it, shall be disposed of only by trial in a court of proper jurisdiction or any other official action by a judge of the court, including payment of the appropriate fines and costs to that court by the person to whom the citation or summons has been issued.

F. It shall be unlawful for any law enforcement officer or any other officer or public employee to dispose of a litter citation or summons or copies thereof or of the record of the issuance of the citation or summons in a manner other than as required herein. As such, it is expressly declared that any such litter citation or summons, or a copy thereof, shall be and is deemed a public record from the moment of its issuance.

G. The chief administrative officer of each law enforcement agency within St. Martin Parish, Louisiana, shall require all officers under his supervision to return to him a copy of every litter citation or summons which was issued by the officer for the violation of a litter law or ordinance, and in addition, shall require the return of all copies of each litter citation or summons which has been spoiled or upon which an entry has been made without having issued the citation or summons to the alleged violator.

H. The aforesaid chief administrative officer shall also maintain or cause to be maintained in connection with every litter citation or summons issued by an officer under his supervision a record of the disposition of the charge by the court in which the original or a copy of the litter citation or summons was deposited.

I. Nothing herein shall be construed as prohibiting or interfering with the authority of a prosecuting agency to formally dismiss a litter citation or summons by entry of the appropriate dismissal.

Section 26-3.3. Jurisdiction of Justice of the Peace; Constable.

A. A litter violation may be brought in any justice of the peace court of St. Martin Parish, Louisiana. In addition, a constable may issue a summons and serve a subpoena anywhere within St. Martin Parish, Louisiana, all in accordance with La. R.S. 13:2586. Whenever a justice of the peace exercises jurisdiction to adjudicate litter violations, prosecution of such offenses shall be in accordance with the dictates of La. R.S. 13:2587.1, where applicable.

B. A justice of the peace who hears a matter involving a litter violation shall be compensated for handling such matter in the amount of \$50.00 for each court session held for the purpose of hearing violations of this Article. For each fine and administrative fee paid by mail, the Justice of the Peace shall receive the sum of \$15.00. Moreover, the constable of the Justice of the Peace court shall be paid \$15.00 from each fine and administrative fee imposed and paid whether the fine or fee is paid by mail or as a consequence of a litter proceeding before the Justice of the Peace.

Section 26-3.4. Distribution of Court Costs.

All fines, administrative fees, and court costs assessed shall be collected and distributed as follows:

- A. 25% shall be payable to the law enforcement agency issuing the citation, if such agency issues the citation; otherwise, 25% shall be payable to the ST. MARTIN PARISH GOVERNMENT, Office of Planning and Zoning.
- B. 25% shall be payable to the Parish governing authority, if the case is prosecuted in district court, or to the municipality, if prosecuted in a city court and provided the offense occurred within the municipal limits. However, when the law is enforced by a justice of the peace court, this 25% shall be payable to the Parish governing authority to defray the expenses incurred by the justice of the peace court and for payment of time expended by such justice of the peace for handling such matter in accordance with Section 26-3.3.
- C. 25% shall be payable to the Office of the District Attorney or if prosecuted in a justice of the peace court, then 25% to the Parish governing authority for reimbursement of expenses incurred by the constable and for payment of the time expended by such constable for handling such matter in accordance with Section 26-3.3.
- D. 25% shall be payable to the Public Works Department of ST. MARTIN PARISH GOVERNMENT to, preferably, defray expenses for litter cleanup, collection, enforcement, prosecution, education, prevention, and the purchase of equipment in connection therewith.

BE IT FURTHER ORDAINED that no provisions of this ordinance or the sections revised and enacted in Section 26-3, *et seq*, shall supplant any provisions of the Code of Ordinances of St. Martin Parish, Louisiana, including, but not limited to, Chapter 26 thereof.

BE IT FURTHER ORDAINED that no provision of this ordinance shall preclude the enforcement of any provisions of La. R.S. 30:2531, *et seq*.

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 which can be afforded efficacy without the invalid provision or application.

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

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

ORDINANCE NO. 18-06-1227-OR

An Ordinance to amend Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, by the enactment of Article VII thereof consisting of Sections 24-170 through 24-178, all relative to establishing an administrative procedure for nuisance properties.

BE IT ORDAINED by the Parish Council of St. Martin Parish, Louisiana, duly convened in regular session on the 5th day of June, 2018, that:

Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the enactment of Article VII thereof consisting of Sections 24-170 through 24-178, as follows:

ARTICLE VII. - ADMINISTRATIVE PROCEDURES RELATED TO NUISANCE PROPERTIES, UNSAFE STRUCTURES, AND BLIGHTED PROPERTIES.

Section 24-170. Establishment of administrative hearing officer.

The position of a St. Martin Parish administrative hearing officer is hereby established pursuant to the provisions of La. R.S. 13:2575, *et seq.* The power, duties, responsibilities, and authorization of an administrative hearing officer established hereunder shall be as provided by law, including La. R.S. 13:2575, *et seq.*, except as specifically limited herein.

Section 171. Appointment and qualifications.

A. Hearing officer(s) appointed herein shall be by the Parish President, with confirmation by a majority vote of the Parish Council.

B. Before assuming office, each hearing officer shall be sworn before the Parish attorney to uphold the Constitution of the United States, the laws and Constitution of the State of Louisiana, and the Charter and ordinances of St. Martin Parish, Louisiana, as well as to abide by the provisions of the Louisiana Code of Governmental Ethics.

C. A hearing officer shall have the following specific qualifications:

- (1) A hearing officer shall be an attorney licensed to practice law in the State of Louisiana;
- (2) A hearing officer shall be an attorney in good standing with any and all state courts in the State of Louisiana;
- (3) A hearing officer must have been licensed to practice law in the State of Louisiana for three (3) consecutive years prior to appointment and shall not be under or subject to any disciplinary proceedings;
- (4) A hearing officer cannot have been employed by, nor been the legal representative of, nor transacted any business with St. Martin Parish Government or any of its departments or agencies within two (2) years of appointment as a hearing officer; and
- (5) A hearing officer cannot have practiced before the Parish Council within three (3) years of employment as a hearing officer.

Prohibitions as to a hearing officer shall also include that person's law firm or association of attorneys.

Each hearing officer appointed shall be deemed to be an independent contractor of St. Martin Parish Government and shall receive only the compensation set by the Parish President and approved by an affirmative vote of the majority of the Parish Council. As an independent contractor, therefore, the appointment shall not be construed to create an employer-employee or master-servant relationship. A hearing officer appointed shall be solely responsible for any employment, labor, industry, business, property, or income tax obligations arising from the appointment, and St. Martin Parish Government shall not withhold or pay any taxes on a hearing officer's behalf or in connection therewith. Furthermore, it shall be a hearing officer's obligation to maintain legal malpractice insurance in an amount of not less than \$500,000.00.

Section 172. Exclusive responsibility and authority.

The exclusive authority of a hearing officer shall be to administer those matters assigned by the St. Martin Parish Government which arise under the nuisance ordinances of St. Martin Parish Government as set forth in Chapter 24 of the Parish's Code of Ordinances, as well as to assess and collect all fines and penalties set forth therein. In connection therewith, in such matters, a hearing officer shall have such power and authority as granted by Louisiana law (La. R.S. 13:2575, *et seq*) including, but not limited to:

- A. Administering oaths and affirmations;
- B. Issuing orders compelling the attendance of witnesses and defendants and the production of documents;
- C. Levying fines, fees, penalties, and hearing costs, the maximums of which are set forth herein.
- D. Ordering violators to correct violations within a stipulated time;
- E. Adopting necessary and reasonable measures to effect correction of any violation if the violator fails to do so within the time allocated by the hearing officer;
- F. Recording orders, judgments, notice of judgments, or liens in the mortgage records of the parish in which the immovable property is situated, or on which the violation occurs, all such liens having the ranking as provided by La. R.S. 9:4821(1); and

- G. Declaring immovable property in the unincorporated areas of St. Martin Parish to be blighted and to constitute a nuisance, all for the purposes of La. R.S. 14:107.3.

The enforcement of all liens and provisions of Chapter 24 of the Code of Ordinances shall be viewed solely as an alternative enforcement mechanism to be used by St. Martin Parish Government at its discretion. The St. Martin Parish Government, therefore, reserves the right to pursue any other remedies afforded by law or ordinance.

Section 173. Administrative adjudication/appeals.

A. Prior to holding an administrative hearing for a violation of any section of Chapter 24 of the Parish's Code of Ordinances, the Parish Government shall notify the affected property owner at least fifteen (15) days in advance of the date that such a hearing is scheduled. This notification shall describe the time, date, and location of the hearing, the alleged violation(s), and shall be sent by certified or registered United States mail to the violator or personally served upon the violator at the address listed in the Assessor's Office of the parish. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the United States Post Office shall be considered as having fulfilled the notification requirement. The failure of any person charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation, although no remediation action may be taken without proof of a violation. Any order compelling the attendance of a witness or for the production of documents may be enforced by a court of proper jurisdiction, including a justice of the peace tribunal, if applicable.

Prior to holding an administrative hearing for the determination of blight or abandonment of property, the Parish shall notify the property owner and each mortgagee of record in the parish mortgage records at least thirty (30) days in advance of the date of the administrative hearing. The notification shall state the time, date, and location of the hearing, the location of the subject property, and an explanation that the hearing is for the purpose of making a determination whether the subject property is blighted or abandoned. The notice shall be sent by certified or registered United States mail or personally served upon the property owner at the address listed in the Assessor's Office for St. Martin Parish and on each mortgagee of record at the address(es) provided in the recorded mortgage.

B. An administrative adjudication hearing held under the provisions of this Chapter shall be conducted in accordance with the rules of evidence of the Administrative Procedure Act. Testimony by any person shall be taken under oath administered by the hearing officer. The person charged with the ordinance violation may present any relevant evidence in the testimony of such hearing and may be represented by an attorney at law. However, his physical presence shall not be required at the hearing if documentary evidence, duly verified by such person, is submitted to the hearing officer prior to the date of the hearing.

C. The hearing officer shall issue an order within thirty (30) days, excluding legal holidays, of the hearing stating whether or not the person charged is liable for the violation charged, the amount of any fine, penalty, cost, or fee assessed against him, and a date by which the violation shall be corrected. In addition to the enforcement procedure and authority set forth in this Article, any order assessing a fine, penalty, cost, or fee stipulating a correction date may be enforced by a court of competent jurisdiction, including a justice of the peace court.

D. Within thirty (30) days after the hearing to determine whether the property is blighted or abandoned, the hearing officer shall send written post-hearing notice to the property owner and each mortgagee of record explaining whether the hearing officer determined the subject property to be blighted or abandoned and state whether any fine, penalty, cost, or fees are assessed. The post-hearing notice shall be sent to the property owner and each mortgagee of record in the manner provided for in Subsection A above.

E. Any property owner or mortgagee of record of property determined to be blighted or abandoned property, or any person determined by the hearing officer to be in violation of any provision of Chapter 24 of the Code of Ordinances of St. Martin Parish, Louisiana, may appeal the determination of the hearing officer to the appropriate district court. Such an appeal shall be perfected by filing, within thirty (30) calendar days of the hearing officer's order, a petition with the Office of Clerk of Court for St. Martin Parish, Louisiana, along with the payment of such reasonable costs as may be required by the Clerk of Court. After filing a petition for appeal, the Clerk of Court shall schedule a hearing and notify all parties of the date, time, and place of such hearing. Service of notice of appeal under this Section shall not stay the enforcement and collection of the judgment of the hearing officer unless the party who seeks the appeal furnishes security at the time or prior to filing the notice of the appeal in an amount to be fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine, penalty, fee, costs of the hearing,

and other costs, if any, of correcting the violation. The bond shall be furnished in favor of St. Martin Parish Government.

Section 174. Lien.

A. St. Martin Parish Government shall have a lien and privilege against the immovable property in or on which the violation occurred. The lien and privilege shall secure all fines, fees, costs, and penalties which are assessed by the Parish in accordance with this Section and described in the order, judgment, notice of judgment, or lien. For the lien and privilege to arise and exist, the order, judgment, notice of judgment, or lien assessing any fines, fees, costs, and penalties shall be recorded in the mortgage records of St. Martin Parish, Louisiana. The recordation shall have the effect of a judicial mortgage against the immovable property described therein and may be enforced against the immovable property upon application of the Parish for a writ in accordance with Article 2253 of the Louisiana Code of Civil Procedure. The remedies established herein are nonexclusive and may be pursued independently of each other and in addition to other remedies provided by law or ordinance. In order for the lien and privilege to arise, the order, judgment, notice of judgment, or lien shall be final and not subject to appeal when recorded in the mortgage office. The lien and privilege shall have ranking as provided by La. R.S. 9:4821(1).

B. Any lien perfected against immovable property shall be included in the next annual *ad valorem* tax bill and shall be paid along with such taxes subject, however, to any valid homestead exemption. Failure to pay the lien shall cause the immovable property in or on which the violation occurred to be subject to the same provisions of law as those which govern tax sales of immovable property when the said property has been declared blighted or a public nuisance by the administrative hearing officer acting in accordance with the provisions of this Article. In such instance, the property owners and other parties having an interest therein shall not enjoy a right of redemption. However, if the immovable property has been sold for nonpayment of taxes to a tax sale purchaser other than the Parish, and if the right of redemption from the tax sale has not elapsed at least one (1) year prior to the sale pursuant to this Section, the tax sale purchaser shall have a right of redemption from the sale pursuant to this Section until one (1) year after the right of redemption from the tax sale elapses. In addition, failure to pay the lien(s) shall also cause such liens and privileges to be subject to enforcement in accordance with the provisions of La. R.S. 13:2576. Any liens placed against immovable property that has a legal homestead exemption from taxes shall

become payable ninety (90) days after the death of the owner thereof or immediately upon recordation of any conventional mortgage on the immovable property or transfer of title to a new owner, whichever occurs first.

Section 175. Administrative costs, fines, and penalties.

A. The hearing officer shall have the exclusive authority to assess and levy the following fines, penalties, and administrative costs.

B. Such costs, fines, and penalties, as may be assessed, are separate and distinct from that which may be determined and assessed by any court of competent jurisdiction.

C. Costs:

- (1) The hearing officer shall assess costs of any proceedings when there is a finding of a violation of any provision of Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana.
- (2) Administrative costs are mandatory and may not be waived or reduced by the hearing officer when determined that the offender/respondent has violated any section of Chapter 24 of the Parish's Code of Ordinances.
- (3) Administrative costs shall not be less than \$250.00, but may include the additional tabulation of reasonable out-of-pocket expenses incurred by the Parish, including, but not limited to, posting, advertisement, postage, photographs, video, related office expense(s), subpoena service charges, expert fees, consultant fees, professional service expenses, attorney fees, and such other reasonably related expenses necessary to prosecute the matter.
- (4) Additional administrative costs may be assessed against the respondent/offender by the hearing officer to include reimbursement to the Parish for employee time expended to prosecute the matter.

D. Fines and penalties may be assessed up to \$500.00 per violation and up to \$500.00 per day for continuing violations. In no instance may any fines, fee, and penalties be less than the amounts provided for by the penal provisions of Chapter 24 of the Code of Ordinances.

Section 176. Multiple offenses.

A. If within one (1) year after a final determination by a hearing officer that an offender/respondent has violated an ordinance, he is cited for the same or a similar violation of a Parish ordinance, the officer shall be authorized to then assess and levy up to and including twice or double the fine and/or penalty in which case the said fine and/or penalty shall be considered a civil penalty only.

B. After the first year, and in the event of repeated violations thereafter, the officer may assess and levy triple or three times the fine and/or penalty.

C. In the event a respondent/offender violates any ordinance more than three (3) times within a three (3) year period, then the officer, in his discretion, may assess such fine and/or penalty as may be warranted under the circumstances and as allowed by law.

D. All such fines and offenses imposed hereunder are deemed civil penalties.

Section 177. Abatement by Parish Government.

A hearing officer, in any order and/or judgment rendered by him pursuant to this Article, shall provide that if no appeal is perfected after a finding against the respondent/offender, the St. Martin Parish Government shall have the right to enter upon the offending premises and remediate and/or abate the offending conditions of the property. In the case of a dilapidated structure, the Parish shall have the specific right to remove same, and the property owner shall be billed as described in Chapter 24 of the Code of Ordinances and the appropriate liens perfected in accordance therewith.

Section 178. Nonexclusivity.

The procedures and remedies established by this Chapter shall not be deemed exclusive and may be employed in the civil enforcement of an ordinance before, during, or after the employment of any other civil enforcement mechanism provided by law, or before, during, or after the commencement or conclusion of the enforcement action in a civil or criminal court, unless a civil court has exonerated the alleged violator of the violation charged.

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

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

ORDINANCE NO. 18-06-1228-OR

An Ordinance to amend and/or revise Article V of Chapter 24 of the St. Martin Parish Code of Ordinances by the repeal, revision, enactment, and/or re-enactment of Section 24-105 and Section 24-129(a) of the said Chapter 24, all relative to the regulation of nuisances.

BE IT ORDAINED by the Parish Council of St. Martin Parish, Louisiana, duly convened in regular session on the 5th day of June, 2018, that:

Article V of Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the repeal, revision, enactment, and/or re-enactment of Section 24-105, solely and exclusively, as regards the definition of "nuisance" as set forth therein:

Section 24-105. Definitions.

...

Nuisance means any condition of or the use of any premises or structure which:

- (1) causes diminution in the value of the property of others in the neighborhood or vicinity in which such premises or building is located; or
- (2) reflects the storage or abandonment of trash, debris, junk, wrecked, or used automobiles or motor vehicles, or any parts thereof, or any junk, discarded, or abandoned machinery, or other metal, tin, or discarded items; or
- (3) is in any way dangerous to the health and safety of others.

...

BE IT FURTHER ORDAINED by the St. Martin Parish Council that no other provision of Section 24-105 of Article V of Chapter 24 of the Code of Ordinances of the St. Martin Parish Government is hereby revised or amended.

BE IT FURTHER ORDAINED that Article V of Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the repeal, revision, enactment, and/or re-enactment of Section 24-129(a) thereof as follows:

Section 24-129. Order of Notice to Remove.

- (a) The Parish Council shall serve notice on the owner of the property declared as a nuisance as defined in Section 24-105. Notice shall be served via delivery by a law enforcement agent, by registered or certified mail (return receipt requested), or by publication in the official journal in accordance with the requirements of this Article. Property owners shall be allowed sixty (60) days from date of the said notice to either:

- (1) remove or abate the nuisance; or
- (2) at a public hearing of the Parish Council, show cause why there is no need to remove or abate the nuisance or request additional time for compliance.

...

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

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

ORDINANCE NO. 18-06-1229-OR

AN ORDINANCE SETTING THE SPEED LIMIT FOR MOTOR VEHICLES ON LUCETTE GUIDRY ROAD, LOCATED IN DISTRICT 8, SECTION 24, 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 LUCETTE GUIDRY ROAD 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, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

ORDINANCE NO. 18-06-1230-OR

AN ORDINANCE PROVIDING FOR THE ADOPTION OF MILLAGE RATE(S) FOR THE TAX YEAR 2018.

BE IT ORDAINED by the St. Martin Parish Council that the Assessor be and he is hereby authorized and instructed to assess the following millage on the assessment rolls for the year 2018.

	MILLAGE
GENERAL PARISH ALIMONY	2.27 mills
CORPORATE CRIMINAL	0.99 mills
ROAD MAINTENANCE	3.72 mills
HEALTH UNIT MAINTENANCE & OPERATION	2.68 mills
FIRE PROTECTION MAINTENANCE	4.88 mills
COURTHOUSE & LAW ENFORCEMENT CENTER	1.78 mills
DRAINAGE MAINTENANCE	5.27 mills
RECREATION MAINTENANCE & OPERATION	1.05 mills
INDUSTRIAL PARK	1.55 mills
SUB ROAD DISTRICT NO. 1 OF ROAD DISTRICT NO. 1	5.82 mills
ROAD DISTRICT NO. 2 MAINTENANCE	11.06 mills
PARISHWIDE BOND SINKING FUND	4.41 mills

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

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

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

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

ORDINANCE NO. 18-06-1231-OR

AN ORDINANCE TO REZONE AND ASSIGN THE APPROPRIATE ZONING CLASSIFICATION, WITH SPECIFIC CONDITIONS, AS REGARDS TO THAT CERTAIN TRACT OF LAND CONTAINING 0.76 ACRE, SITUATED AT 1007 BABINEAUX ROAD, AND LOCATED IN SECTION 43, TOWNSHIP 8 SOUTH, RANGE 6 EAST, 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 pursuant to the recommendations of the Planning Commission of St. Martin Parish, Louisiana, the following described property shall be rezoned from R-2 (Mixed Residential) to I-1 (Light Industrial):

That certain parcel of ground situated in Section 43, Township 8 South, Range 6 East, St. Martin Parish, Louisiana, being known and designated as TRACT 1B, containing 0.46 acre, more or less, and TRACT 1C, containing 0.30 acre, more less on that certain plat of survey prepared by André E. Montagnet, Professional Civil Engineer and Land Surveyor, dated September 18, 2014, and attached to that certain Cash Sale dated December 5, 2014, and recorded on December 8, 2014, in Conveyance Book 1695, Page 713, under Entry No. 483369, official records of St. Martin Parish, Louisiana.

BE IT FURTHER ORDAINED that this zoning classification change is being made to allow for the operation of an oil field service company, Global Intervention Services, L.L.C., at 1007 Babineaux Road, Assessor's Parcel No. 05902B1705. The zoning change will be solely and exclusive to the 0.76 acre (TRACT 1B and TRACT 1C), more or less, of land outlined in red on the attached plat of survey, prepared by André E. Montagnet, Professional Civil Engineer and Land Surveyor. 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. Once the oil field service company is closed or the subject property is no longer owned by Michael W. Boleyn, Jr. or Angela Richard Boleyn, the zoning classification will automatically revert back to the previous zoning classification of R-2 (Mixed Residential).

BE IT FURTHER ORDAINED that the use of the said property for the purposes defined by Appendix A of the St. Martin Parish Zoning Ordinances relative to the I-1 classification are hereby restricted as follows:

- A. The building is restricted to the current size (40' x 50'); no additions to the building are permitted.
- B. Only one industrial size mixer is to be used at the location.
- C. The owner and one employee are permitted to work at the location.
- D. Only two regular sized trucks are to be used at the location.
- E. No 18-wheelers are allowed at the location.
- F. Employees are to work regular business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.) and half a day on Saturdays (8:00 a.m. to 12:00 p.m.).
- G. Owner is to obtain an occupational license from the parish.

BE IT FURTHER ORDAINED that the St. Martin Parish Zoning Ordinances, including, but not limited to, Appendix A attached thereto, be and is hereby amended to reflect the entirety of this edict.

BE IT FURTHER ORDAINED that this ordinance shall not affect any other provisions of the St. Martin Parish Zoning Ordinances, and its applicability shall be and is limited to the property described herein.

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

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

(Insert Plat)

Paraphrased "NE VARIETUR" for identification
with that certain Cash Sale dated
December 5, 2014, passed before me,
NOTARY PUBLIC.

NEAL O. ANGELLE
ATTORNEY / NOTARY PUBLIC
STATE OF LOUISIANA
LSBA NO 27945
COMMISSIONED FOR LIFE

COMMISSIONED FOR LIFE
A MAP OF SURVEY SHOWING A PARTITION
OF TRACT 1, FRANCIS BROUSSARD, ET AL
CREATING

TRACT 1B & TRACT 1C
FRANCIS BROUSSARD, ET AL

ADDRESS: BABINEAUX ROAD
BREAUX BRIDGE, LA 70517
LOCATED IN SEC. 43, T-8 S, R-6-E
ST. MARTIN PARISH, LOUISIANA

PREPARED BY: H. E. McLaughlin

ANDRE' E. MONTAGNET
P. L. S. NO. 4484
C. E. NO. 18587

MONTAGNET AND DOMINGUE, INC.

1366 CLARA VON DRIVE

LAFAYETTE, LOUISIANA 70503

Phone: (337) 981-2130 Fax: (337) 981-3282
DATE: SEPTEMBER 18, 2014 SCALE: 1" = 60'

A circular professional seal for a land surveyor in the State of Louisiana. The seal features a central emblem of a pelican feeding its young in a nest. Surrounding the emblem is the text "STATE OF LOUISIANA" at the top and "LAND SURVEYOR" at the bottom. In the center, the name "A. E. MONTAGNET" is printed above "License No. 4484" and "PROFESSIONAL".

REFERENCE PLATS:

PLAT FOR RICHARD J BROUSSARD &
NATHAN L BROUSSARD
BY: CLARENCE THIBODEAUX, P.L.S.
DATED: AUGUST 23, 1989

PLAT FOR FRANCIS BROUSSARD, ET AL
BY CLARENCE THIBODEAUX, PLS
DATED: APRIL 22, 1981

PLAT FOR RODNEY "BAG" BAENEUX, JR
BY ALFRED FUSILLER, P.L.S
DATED JUNE 29, 1974

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

ORDINANCE NO. 18-06-1232-OR

An Ordinance to authorize the St. Martin Parish Government to purchase from First Baptist Church of Cecilia all of its interests in that certain parcel of land, with all improvements, located in Section 60, Township 8 South, Range 6 East, in the community of Cecilia, Louisiana.

WHEREAS, the St. Martin Parish Government is committed to providing recreational opportunities and facilities for its citizens; and

WHEREAS, the St. Martin Parish Government assiduously avails itself of every opportunity to enhance the public parks which fall under its administration; and

WHEREAS, the Paul Angelle Park located in the community known as Cecilia, Louisiana, provides, and has provided over the years, countless recreational opportunities for the residents of that community, in particular, and St. Martin Parish, in general; and

WHEREAS, additional property located adjacent to the Paul Angelle Park is needed to accommodate the growth and enhancement of that recreational facility; and

WHEREAS, the First Baptist Church of Cecilia, Louisiana, the current owner of the property located adjacent to the Paul Angelle Park (2464 Cecilia High School Highway) is seeking to sell the premises, together with all improvements associated therewith; and

WHEREAS, the building situated on the premises contains 6,000 square feet and can easily be renovated to serve as a recreational center; and

WHEREAS, the St. Martin Parish Government has determined that the acquisition of the said property will inure to the benefit and serve the best interests of the public; and

WHEREAS, the Parish President has offered to purchase the said property for Three Hundred Twenty-Six Thousand and No/100 (\$326,000.00) Dollars; and

WHEREAS, the offer includes all appliances, furniture, and accessories in the building except for the cushioned chairs in the choir and sanctuary, foosball and air hockey devices, a piano, and church's baptismal. Also, excluded is the steeple of the church building; and

WHEREAS, the proposed purchase price of the said property is equal to or less than its market value; and

WHEREAS, the St. Martin Parish Government intends to use the subject property in connection with recreational activities and as an expansion of the Paul Angelle Park; and

WHEREAS, the St. Martin Parish Government further intends to renovate the church building to accommodate its use as a recreational center/multi-purpose facility; and

WHEREAS, the potential benefit to the St. Martin Parish Government has been determined by it to be substantial relative to the cost of the acquisition of the said property:

BE IT, THEREFORE, ORDAINED that Parish President, Chester R. Cedars, or his successor, be authorized to purchase, on behalf of the St. Martin Parish Government, for a price not to exceed Three Hundred Twenty-Six Thousand and No/100 (\$326,000.00) Dollars all of the rights, title, and interest of the First Baptist Church of Cecilia, in and to the following described property:

That certain tract of land, together with all buildings and improvements thereon, and all rights, ways, privileges, and servitudes thereto appertaining, and all appurtenances thereof, together with all accretion and alluvion pertaining thereto, located in Section 60, Township 8 South, Range 6 East, situated within the community known as Cecilia, Louisiana, the said property containing 2.53 acres, more or less, and having the municipal address of 2464 Cecilia High School Highway.

BE IT FURTHER ORDAINED that the proposed contract of sale shall be maintained on file for public review at the Office of the St. Martin Parish Government located at 301 West Port Street, St. Martinville, Louisiana, 70582.

BE IT FURTHER ORDAINED that the sale document, buy-sell agreement, or agreement to purchase executed as a precursor thereto, shall contain such terms, conditions, and provisions normally included in such documents executed in the State of Louisiana, all at the discretion of the Parish President.

BE IT FURTHER ORDAINED that the Parish President is hereby authorized, ordained, and empowered to execute any and all documents necessary to effect this edict including, but not limited to, all sale instruments, and any agreement to purchase, disclosure statements, or any other documents necessary to consummate the acquisition of the property.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon approval by 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, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of June, 2018.

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

ORDINANCE NO. 18-06-1233-OR

An Ordinance to authorize the St. Martin Parish Government to purchase from West Vermillion Properties, LLC all of its interests in that certain parcel of land, together with all improvements, located in Section 1, Township 11 South, Range 6 East of St. Martin Parish, Louisiana.

WHEREAS, the St. Martin Parish Government is committed to providing proper working facilities for its employees; and

WHEREAS, the St. Martin Parish Government assiduously avails itself of every opportunity to acquire and enhance facilities to accommodate those departments of Parish Government obligated and committed to provide proper services to the citizens of this Parish; and

WHEREAS, the Planning and Zoning, Permits, and Section 8 Housing Departments of Parish Government is in dire need of additional, spacious facilities; and

WHEREAS, additional property located in St. Martinville, Louisiana, is needed to accommodate the growth of the aforesaid divisions/departments; and

WHEREAS, West Vermillion Properties, LLC, the current owner of the property located at 420 East Bridge Street, has offered to sell to the St. Martin Parish Government a tract of land, together with all improvements associated therewith; and

WHEREAS, the Parish President has commissioned the inspection and the said premises and has been advised that the subject property will provide secure, spacious, and acceptable quarters for the personnel associated with Planning and Zoning, Permits, and Section 8 Housing, as well as offer adequate room for growth; and

WHEREAS, the St. Martin Parish Government has determined that the acquisition of the said property will inure to the benefit and serve the best interests of the public; and

WHEREAS, the purchase price of the said property is equal to or less than its market value; and

WHEREAS, the purchase price offered by the current owner of the said property is One Hundred Twenty-Five Thousand and No/100 (\$125,000.00) Dollars; and

WHEREAS, the St. Martin Parish Government intends to use the subject property in connection with the expansion of the departments identified herein; and

WHEREAS, the potential benefit to the St. Martin Parish Government has been determined by it to be substantial relative to the acquisition costs of the said property:

BE IT, THEREFORE, ORDAINED that Parish President, Chester R. Cedars, or his successor, be authorized to purchase, on behalf of the St. Martin Parish Government, for a price not to exceed One Hundred Twenty-Five Thousand and No/100 (\$125,000.00) Dollars all of the rights, title, and interest of West Vermillion Properties, LLC, in and to the following described property:

That certain tract of land, together with all buildings and improvements thereon, and all rights, ways, privileges, and servitudes thereto appertaining, and all appurtenances thereof, together with all accretion and alluvion pertaining thereto, located in Section 1, Township 11 South, Range 6 East, situated in St. Martinville, Louisiana, the said property measuring 48.01 feet on its northern line (East Bridge Street), 123.5 feet on its eastern line (S. Pinaud Street), 185.5 feet on its western line, and 46.3 feet on its southern line; the subject property being located within the municipal limits of St. Martinville, Louisiana.

The municipal address of the said property is 420 East Bridge Street, St. Martinville, 70582.

BE IT FURTHER ORDAINED that the transfer of the aforesaid property shall be for the cash sum of One Hundred Twenty-Five Thousand and No/100 (\$125,000.00) Dollars.

BE IT FURTHER ORDAINED that the proposed contract of sale shall be maintained on file for public review at the Office of the St. Martin Parish Government located at 301 West Port Street, St. Martinville, Louisiana, 70582.

BE IT FURTHER ORDAINED that the sale document, or buy-sell agreement, or agreement to purchase executed as a precursor thereto, shall contain such terms, conditions, and provisions normally included in such documents executed in the State of Louisiana, all at the discretion of the Parish President.

BE IT FURTHER ORDAINED that the Parish President in hereby authorized, ordained, and empowered to execute any and all documents necessary to effect this edict including, but not limited to, all sale instruments, and any agreement to purchase, disclosure statements, or any other documents necessary to consummate the acquisition of the said property.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon approval by 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, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the Ordinance was declared adopted this 5th day of June, 2018.

* * * * *

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

RESOLUTION NO. 18-053-RS

WHEREAS, it is the desire of the St. Martin Parish Council to relocate the June 2018 Public Works and Administrative/Finance Committee Meetings to another location in St. Martin Parish; and

WHEREAS, it is a desire of the Council to change the times that the Committee Meetings will be held; and

WHEREAS, the Public Works Committee Meeting will begin at 5:00 p.m., and the Administrative/Finance Committee Meeting will being at 5:30 p.m. or immediately following the Public Works Committee Meeting; and

WHEREAS, the St. Martin Parish Clerk of the Council will advertise in the official journal, the *Teche News*, the week prior to said meeting, and also post to the St. Martin Parish Government website, announcing the place of the meeting and times.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby relocate and set the times for the Tuesday, June 19, 2018 Public Works and Administrative/Finance Committee Meetings to the Clayton Boudreaux Memorial Park Multipurpose Building (located in the Community of Catahoula), 1028 Catahoula Highway, St. Martinville, Louisiana, beginning at 5:00 p.m.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-054-RS

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reschedule the July 2018 Regular Meeting from Tuesday, July 3, 2018, to Tuesday, July 10, 2018, at the usually scheduled time of 5:00 p.m. in the Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana, due to the Independence Day holiday.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

* * * * *

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

RESOLUTION NO. 18-055-RS

WHEREAS, the Louisiana Revised Statutes – Title 29: Section 251-262, as amended and reenacted, specifically provides enabling legislation for the Louisiana Department of Veterans Affairs (LDVA), to estimate and recover part of the operations cost of parish veterans service offices; and

WHEREAS, La. R.S. 29:260 specifically authorizes parish governing authorities to appropriate funds for the purpose of providing for the maintenance and operation of service offices; and

WHEREAS, St. Martin Parish Government desires to support local veterans and improve their access to benefits and services by providing for both the cost to maintain and operate veterans service offices and space to house such offices as provided by law; and

WHEREAS, LDVA received funds in Fiscal Year 2018-2019 to provide such services to veterans in St. Martin Parish; and

WHEREAS, both LDVA and St. Martin Parish Government desire to memorialize their respective fiscal, operational and obligations relative to the establishment of a veterans' service office in St. Martin Parish; and

WHEREAS, St. Martin Parish Government shall pay to the order of LDVA at the monthly rate of \$158.87 from January 1, 2019, to December 31, 2019, to support the cost to operate and maintain the veterans service office; and

WHEREAS, this Cooperative Endeavor Agreement shall be in effect from January 1, 2019, to December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council that Parish President Chester Cedars be and he is hereby authorized, directed and empowered to execute a Cooperative Endeavor Agreement in behalf of the St. Martin Parish Government with the Louisiana Department of Veterans Affairs.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-056-RS

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

WHEREAS, the appointment of the current official journal for St. Martin Parish expires on June 30, 2018.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby appoint the *Teche News* as the official journal for St. Martin Parish and that said appointment period will begin on July 1, 2018, and will expire on June 30, 2019.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-057-RS

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

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Ms. Toni Debosier and Mr. David Benoit to serve as members of the St. Martin Parish Tree Board & Commissioners for four (4) year terms, expiring on June 1, 2022.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

* * * * *

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

RESOLUTION NO. 18-058-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing members to the St. Martin Parish Board of Waterworks Commissioners District No. 4 (Catahoula) whose terms will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Ms. Stacey Boudreaux for a three (3) year term which will expire on June 6, 2021, and Mr. Gary Carter, Sr. for a two (2) year term which will expire on June 6, 2020, to serve as members of the St. Martin Parish Board of Waterworks Commissioners District No. 4 (Catahoula).

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

* * * * *

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

RESOLUTION NO. 18-059-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to the St. Martin Parish Planning Commission whose term will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Robby Frederick to serve as a member of the St. Martin Parish Planning Commission for a five (5) year term, expiring on June 14, 2023.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-060-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the St. Martin Parish Recreation Steering Committee whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Ms. Lacie Bourque to serve as a member of the St. Martin Parish Recreation Steering Committee for a five (5) year term, expiring on June 5, 2023.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-061-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the Teche-Vermilion Fresh Water District whose term will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Tommy Thibodeaux to serve on the Teche-Vermilion Fresh Water District for a two (2) year term, expiring on June 30, 2020.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-062-RS

WHEREAS, a contract for the Clayton Boudreaux Memorial Park Multipurpose Building Project, was awarded to low bidder, Bienvenu Construction Company, Inc., in the amount of \$636,000.00 with consideration in progress of acceptable deducts as valued savings; and

WHEREAS, A&E Consultants, Inc. has recommended Change Order No. 2 in the amount of \$5,694.00 (increase).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby ratify the signature of the Parish President on Change Order No. 2 in the amount of \$5,694.00 (increase) for the Clayton Boudreaux Memorial Park Multipurpose Building Project, by Bienvenu Construction Company, Inc.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-063-RS

ENDORSEMENT RESOLUTION

**RESOLUTION STATING THE ST. MARTIN PARISH COUNCIL'S
ENDORSEMENT OF LOUISIANA SUGAR CANE COOPERATIVE, INC. TO
PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE
ZONE PROGRAM.**

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, and Act 624 and Act 647 of 1997; and

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in St. Martin Parish; and

WHEREAS, the Louisiana Department of Economic Development designated **Census Tract 208, Block Group 1**, in St. Martin Parish as "Enterprise Zone or Economic Development Zone" eligible based on enabling legislation (R.S.51.21.1787-1791); and

WHEREAS, St. Martin Parish states this endorsement is in agreement with the Overall Economic Development Plan for the Parish; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements, St. Martin Parish agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, in regular and legal session convened this **5th** day of **June, 2017**, that **Louisiana Sugar Cane Cooperative, Inc.**, and their project, **Lasuca Legacy Project (expand/increase the processing capacity of the factory by approximately 45%)**, Enterprise Zone Program Advance Notification **#20170492** is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-064-RS

A Resolution urging officials of the State of Louisiana and United States to adopt any and all measures to assist Waterworks District No. 4 of the Parish of St. Martin, State of Louisiana, in securing funds necessary to repair, improve, and enhance the infrastructure of the District in order that it can provide quality water services.

WHEREAS, WATERWORKS DISTRICT NO. 4 OF THE PARISH OF ST. MARTIN (THE DISTRICT) is a body corporate under the provisions of La. R.S. 33:3815, having been duly created by ordinance adopted by the St. Martin Parish Government (formerly "St. Martin Parish Police Jury"); and

WHEREAS, THE DISTRICT has a legal obligation to provide quality water services to the citizens within its district boundaries; and

WHEREAS, THE DISTRICT has a need to improve and enhance its infrastructure in order to provide appropriate water services to consumers, residential and otherwise, within its district boundaries; and

WHEREAS, THE DISTRICT does not currently have the resources necessary to repair and upgrade its water system to meet the demands of its consumers; and

WHEREAS, the customer base of THE DISTRICT is rapidly growing, thus increasing the strain on an already overly burdened water system; and

WHEREAS, the outdated water system of THE DISTRICT has impeded its ability to provide potable water at sufficient pressure for the citizens utilizing the system; and

WHEREAS, there are several potential state and federal resources available for funding the improvements needed by THE DISTRICT including, but not limited to, the United States Department of Agriculture Water and Waste Loan & Grant Program, the United States Department of Agriculture Rural Development, Water, and Environmental Program, the Drinking Water State Revolving Fund (DWSRF) of the EPA, the Water Pollution Control Grants Program (Section 106 of the Clean Water Act), the Louisiana Community Block Development Grant Program, the Louisiana Community Water Enrichment Fund (CWEF), and the Louisiana Government Assistance Program (LGAP):

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL supports all efforts of WATERWORKS DISTRICT NO. 4 OF THE PARISH OF ST. MARTIN to secure loans, grants, or other funding mechanisms for the improvement and enhancement of its infrastructure so as to enable it to provide quality water services to the citizens of the district. Therefore, the Parish President is authorized, directed, and specifically empowered to adopt all reasonable measures deemed appropriate to assist THE DISTRICT in its attempt to secure funding to enable it to repair, improve, and enhance its infrastructure.

BE IT FURTHER RESOLVED that the St. Martin Parish Council finds that Waterworks District No. 4 of the Parish of St. Martin, State of Louisiana, is in dire need of securing funds to enable it to repair, improve, and enhance its waterlines and related infrastructure so that quality water services can be provided to the consumers in its district.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Executive Director of the Police Jury Association of Louisiana, Governor John Bel Edwards, and the members of the Louisiana state and federal Congressional Delegation.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

RESOLUTION NO. 18-065-RS

WHEREAS, St. Martin Parish Government wishes to hire Mr. Avery Gedward (an independent contractor) for the duties related to the opening and closing for events scheduled at the Cade Community Center at 1688 Smede Highway, St. Martinville, Louisiana, and that he will work on an as needed basis; and

WHEREAS, Mr. Avery Gedward's annual contract is effective June 5, 2018, and will expire on June 4, 2019.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby approve and authorize Parish President Chester Cedars to execute a contract in behalf of the St. Martin Parish Government with Mr. Avery Gedward.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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

SUMMARY NO. 1234-OR (Introduced by Dean LeBlanc, District 8)

An Ordinance establishing a "No Thru Truck Traffic" on Guidry Road, located in District 8.

SUMMARY NO. 1235-OR (Introduced by Dean LeBlanc, District 8)

An Ordinance prohibiting the parking of motor vehicles on the west side of Widow Lane, located in District 8.

Prior to adjournment, Parish President Chester Cedars briefed the Council Members on the following projects and other pertinent happenings in the Parish:

Vehicle Policy and Use - Parish President Chester Cedars stated the St. Martin Parish Government Vehicle Use Policy is in dire need of updating and revising. A revised policy has been prepared and will be implemented in the next week or so. Parish President Chester Cedars stated he has delayed its enactment pending research of equipping all Parish vehicles with a Global Positioning System (GPS). Parish President Chester Cedars stated he has received quotes and discussed services with several firms engaged in such matters. Parish President Chester Cedars stated he has selected Acadian Total Security for the acquisition and installation. Parish President Chester Cedars also mentioned the public work's equipment will have GPS devices as well. Parish President Chester Cedars stressed to the Council Members that St. Martin Parish Government is the only parish in Acadiana that does not have GPS for vehicles.

Parish President Chester Cedars requested an agenda extension to add Resolution Summary No. 066-RS {A Resolution authorizing Parish President Chester Cedars to execute a contract on behalf of St. Martin Parish Government with Acadian Total Security for the acquisition and installation of GPS devices in all St. Martin Parish Government vehicles}.

A motion was made by Lisa Nelson and seconded by Byron Fuselier that the St. Martin Parish Council does hereby extend the agenda for Resolution Summary No. 066-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, Chris Tauzin, Jill Hebert,
Albert Menard, Dean LeBlanc and Daniel Richard, Jr.
NAYS: None.
ABSTAIN: None.
ABSENT: Neil Thibodeaux (excused).

And the motion to extend the agenda was declared carried by unanimous vote this 5th day of June, 2018.

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

RESOLUTION NO. 18-066-RS

A Resolution authorizing the Parish President to enter into an agreement with Acadian Total Security for the installation of a Global Positioning System in all Parish vehicles and in all public works equipment, and to provide for the monthly monitoring of same with the agreement(s) to provide for such terms and conditions as deemed appropriate by the Parish President.

WHEREAS, Chester R. Cedars, Parish President, has determined that the installation of a Global Positioning System in all Parish vehicles and in all public works equipment will increase productivity and enhance safety; and

WHEREAS, the Parish President has further concluded that a real-time monitoring of Parish vehicles and equipment will aid supervisors in the assignment of duties and the dispatching of personnel; and

WHEREAS, Parish President Chester Cedars postulates that a functioning Global Positioning System ("GPS") will reduce maintenance and fuel costs associated with the use of Parish vehicles and public equipment; and

WHEREAS, the maintenance of vehicles owned by ST. MARTIN PARISH GOVERNMENT has similarly increased substantially; and

WHEREAS, the Parish President and his staff have researched the wisdom of the installation of a GPS system in all Parish vehicles and equipment; and

WHEREAS, St. Marin Parish is the only Parish in the Acadiana region whose vehicles and/or equipment does not have a GPS system; and

WHEREAS, the Parish President has determined that the acquisition and installation of a GPS system in Parish vehicles and equipment is financially advantageous and likely will result in lower insurance rates; and

WHEREAS, the Parish President is in the processing of negotiating an agreement with Acadian Total Security for the installation of a GPS system in all Parish vehicles and equipment, inclusive of the monitoring of same; and

WHEREAS, the ST. MARTIN PARISH COUNCIL endorses, supports, and concurs with the conclusions of the Parish President:

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL does hereby authorize and approve of the efforts of Parish President Chester R. Cedars in negotiating an agreement with Acadian Total Security for the acquisition, installation, and monitoring of a Global Positioning System in all Parish vehicles and equipment.

BE IT FURTHER RESOLVED that the ST. MARTIN PARISH COUNCIL does hereby authorize the Parish President to enter into agreements with Acadian Total Security for the acquisition, installation, and monitoring of a Global Positioning System in all Parish vehicles and equipment under such terms, conditions, and provisions as deemed appropriate by him in his capacity as the Parish President of St. Martin Parish.

BE IT FURTHER RESOLVED that the Parish President is further authorized to negotiate and execute such other agreements as deemed by him to be necessary and fit in confecting the accords referenced herein.

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

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

And the Resolution was declared adopted this 5th day of June, 2018.

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Fire Service District - Parish President Chester Cedars mentioned on May 18, 2018, Brian Castille resigned his position as Fire Service District Coordinator. Parish President Chester Cedars immediately appointed Brody Miller as the interim Coordinator. On the following Monday, Parish President Chester Cedars discussed the replacement procedures with the Louisiana Office of State Examiner since no classification criteria or civil service examinations have been prepared and approved relative to any of the three (3) positions which are subject to civil service. Fortunately, it was confirmed that in the appointment of Mr. Castille's replacement, it would not be necessary to adhere to any mandates of civil service regulations in view of the foregoing. Currently, advertisements for the position have been published, and Parish President Chester Cedars is awaiting receipt of applications. An interview committee will be formed to meet with those who are deemed to be qualified applicants.

Parish President Chester Cedars has met with the Fire Chiefs on May 21 (Monday) and assured all of them that the District would not miss a beat. Acting Coordinator Miller was instructed to confer with each department to be Property Insurance Association of Louisiana (PIAL) evaluated in October and take whatever measures necessary to insure that each department has everything to secure as favorable a rating as possible. The spirit of the District is high and the outlook extremely encouraging. Parish President Chester Cedars stated in the couple weeks he has been "on the job," Mr. Miller has done an excellent job and his leadership has been embraced by our Fire District departments.

The Regional Gauge Network Project - Parish President Chester Cedars reminded the Council Members one of the projects considered and ultimately approved by the Acadiana Planning Commission was the Regional Gauge Network project. The program calls for the development and implementation of a regional water gauge network to monitor water levels, flow, and rainfall, and to introduce a web-based interface structure. The network will be comprised of streamflow, rain and non-contact sensors and consist of approximately 230 electronic gauges strategically installed though out the watershed of the seven-parish service area of Acadiana Planning Commission and St. Mary Parish. The system will be incorporated into a pre-alert software platform for communication of real-time and/or near-time data and provide valuable information to parish emergency management officials, the Teche-Vermillion Fresh Water District, and other agencies about precipitation, storm water runoff, and weather conditions.

Road Safety Measures - Parish President Chester Cedars mentioned on Monday, May 14, 2018, he and Civil Engineer Thayer Jones met with Ashley Moran who works with the road safety division of the Acadiana Planning Commission. Parish President Chester Cedars reminded the Council Members that, several weeks ago, he informed them that some of our Parish roads were the site of accidents/fatalities in excess of the state averages. Ms. Moran and Parish President Chester Cedars had candid discussions about the most serious roads, namely Duchamp Road and Doyle Melancon Road. Ms. Moran assured Parish President Chester Cedars that the state, through the Louisiana Highway Safety Commission, would likely fund safety measures inclusive of signage, stripping, and bumper ridges (not speed bumps) on the shoulders. Several days later, Ms. Moran confirmed that the Louisiana Highway Safety Commission had indeed agreed to undertake these measures.

Parish President Chester Cedars also mentioned he will have Mr. Jones contact William Oliver, District Engineer Administrator, with the Louisiana Department of Transportation and Development. Parish President Chester Cedars stated the multiple fatality accident of May 18, 2018, on Louisiana Highway 96 is becoming a far too familiar occurrence on this State road. Parish President Chester Cedars is hopeful there may be some safety measures which Louisiana Department of Transportation and Development can adopt to ameliorate the high incidence of accidents on that section of Louisiana Highway 96.

Property Acquisitions - Parish President Chester Cedars stated two ordinances (Ordinances No. 1232-OR and 1233-OR) were considered under Item 8 of the agenda, both of which involve the approval/authorization of property purchases. The first is for the acquisition of the former church located adjacent to Paul Angelle Park and was discussed with the Council Members at previous meetings. The latter ordinance is for the purchase of property at 420 East Bridge Street in St. Martinville for \$125,000.00. It is a two-story structure. Mr. Rodney Richard and members of our staff have examined the structure and postulate that it is indeed a great purchase as is the prior facility. There is money budgeted and available for both. Parish President Chester Cedars reminded the Council Members of the original plan to renovate the current quarters of the Planning and Zoning and Permits departments within the St. Martinville Health Unit was not feasible. Parish President Chester Cedars stated the departments would still be somewhat small with no room for expansion. Parish President Chester Cedars stated the plan is to use the Bridge Street location to move some departments around and still allow for growth and storage.

Public Works and Management Tools - Parish President Chester Cedars stated this Friday he and a few employees will visit Iberville Parish this Friday and view a program which operates under a software system called “iworqs”. Parish President Chester Cedars mentioned he has been told that this program will allow for the electronic monitoring of work orders according to several fields including name, crew assigned, district, priority, etc. Noteworthy is that this program has components for human resources, fleet management, zoning, fixed assets, etc. Parish President Chester Cedars stated that such a program is long overdue, and if we can implement something similar, several facets of our operations will be positively affected.

CDL Classes- Parish President Chester Cedars stated most of our public works employees will soon have Class B CDL licenses.

Heath Unit Plans Objectives - On June 8, 2018, Parish President Chester Cedars will be attending a meeting with Dr. Rebekah Gee, Secretary of the Louisiana Department of Health, Senator Fred Mills, and representatives of St. Martin Hospital/Lafayette General Medical Center. The purpose of the meeting is to discuss the prospect of receiving funding for rural healthcare services. Parish President Chester Cedars is exploring using a portion of the defunct Hospital Service District No. 1 funds to leverage additional proceeds for the development/enhancement of health services in the old hospital district. St. Martin Parish Government may have the opportunity to renovate the old technology center for such endeavors and obtaining funds for possible renovations. Also, a partnership between our health unit(s) and St. Martin Hospital will potentially yield the benefit of collaborating physician(s), thus making our health units more effective, all at no cost to the Parish.

Jail Medical Costs - At our May committee meeting, Parish President Chester Cedars advised the Council Members of significant costs we are incurring in connection with mandated healthcare of inmates at the jail. There are prescriptions programs available that will significantly reduce the costs the Parish pays for medication for inmates. Parish President Chester Cedars stated these programs are being explored, and in fact, our Correctional Medical Services Coordinator was instructed to attend a conference where this issue was a discussed topic. Parish President Chester Cedars attended a meeting with St. Martin Hospital on May 25, 2018, and discussed the potential to have telemedicine services at the jail. This will yield significant savings and appears to be a real potential. The matter is currently being considered by Lafayette Health Systems.


Stephensville Bridge - Parish President Chester Cedars stated the Stephensville Bridge malfunction is being addressed.

Welcome Signs - Parish President Chester Cedars stated "Welcome to St. Martin Parish" signs have been ordered and will be placed at every entrance into the Parish.

Cade Community Center - Parish President Chester Cedars mentioned he will not allow the No Limit Posse to host an event at this facility due to over-crowding and many other violations they have committed at their past event(s) held at the Cade Community Center.

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

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



LACI LAPEROUSE
CLERK OF THE COUNCIL