

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

### **REGULAR MEETING - NOVEMBER 5, 2019**

The St. Martin Parish Council met in Regular Session convened at 5:01 P.M., Tuesday, November 5, 2019, Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana.

The meeting was called to order by Chairwoman Lisa Nelson.

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, Director of Administration Calder Hebert, Director of Finance Sean Hundley and Parish Attorney Allan Durand.

A motion was made by Chris Tauzin and seconded by Byron Fuselier to approve the minutes of the St. Martin Parish Council Regular Meeting of October 1, 2019.

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 November, 2019.

Clerk of the Council Laci Laperouse read aloud the placement on the agenda of December 3, 2019, the determination to approve or disapprove the application of Louisiana Sugar Cane Cooperative (#20170492-ITE) for an Industrial Tax Exemption. Parish President Chester Cedars stated due to time constraints, this matter will be placed on the December 3, 2019 agenda and further information will be provided to the Council prior to said meeting.

A motion was made by Chris Tauzin and seconded by Jill Hebert 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 November, 2019.

Chairwoman Lisa Nelson asked for public comments regarding Ordinances being considered for final adoption.

Clerk of the Council Laci Laperouse read each ordinance summary.

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

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

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

YEAS: 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 November, 2019.

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

**ORDINANCE NO. 19-11-1277-OR**

**AN ORDINANCE TO AMEND THE ROAD NAME OF “DEAN LEBLANC ROAD” TO “CIRCLE T FARMS ROAD.”**

BE IT ORDAINED by the St. Martin Parish Council that the name of that certain parish road located in District 5, off of Louisiana Highway 3039, Section 2, Township 9 South, Range 6 East, St. Martin Parish, Louisiana, more fully known as “Dean LeBlanc Road” is hereby changed to “Circle T Farms Road.”

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 November, 2019.

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

### **ORDINANCE NO. 19-11-1278-OR**

An Ordinance to amend Chapter 38 of the Code of Ordinances of the St. Martin Parish Government by the enactment of Article IV thereof entitled, "Cross Connection Control" consisting of Sections 38-150 through 38-164, all relative to the backflow prevention and providing for penalties for violations thereof.

BE IT ORDAINED by the St. Martin Parish Council, duly convened in regular session on the 5th day of November, 2019, that:

Chapter 38 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended and/or revised by the enactment of Article IV thereof entitled, "Cross Connection Control" consisting of Sections 38-150 through 38-164 as follows:

#### **CROSS CONNECTION CONTROL**

##### **Section 38-150. Cross-Connection Control Device or Method Required.**

Each existing or new structure in St. Martin Parish is required to implement and maintain an adequate cross-connection control device or method for backflow prevention as mandated under state law and state regulations.

##### **Section 38-151. Definitions.**

The following definitions shall apply only to this Article. For those terms not defined in this Article, the definitions contained in the Louisiana Amended 2012 International Plumbing Code (2012 IPC LA amended), shall apply.

1. "Administrative authority" means the St. Martin Parish Government, or any agent, employee, officer, department, or board of the Parish designated to enforce this Article.
2. "Approved" means accepted or acceptable under an applicable specification or standard stated or cited in the code, or accepted as suitable for the proposed use under procedures and authority of the administrative authority.
3. "Approved backflow prevention assembly for containment" means an air gap meeting ASME Standard A 112.1.2 - 1991 (R 1998) "Air Gaps in Plumbing Systems" or a backflow prevention assembly which is listed by the University of Southern California-Foundation for Cross Connection Control and Hydraulic

Research (USCFCCCHR) as having met the requirements of ANSI/AWWA Standard C510-97 or ASSE Standard 1015-1993, "Double Check Valve Backflow-Prevention Assemblies", or ANSI/AWWA Standard C511-97 or ASSE Standard 1013-1993, "Reduced- Pressure Principle Backflow Assemblies" for containment. The listing shall include the limitations of use based on the degree of hazard. This term shall additionally include those backflow prevention assemblies meeting ANSI/ASSE Standard 1047-1995, "Backflow Preventer, Reduced Pressure Detector Assembly", or ANSI/ASSE Standard 1048-1995, "Backflow Preventer, Double Check Detector Assembly". (These detector assembly devices are often times used on fire protection/fire sprinkler systems to detect and monitor unauthorized water usage.)

4. "Approved backflow prevention assembly for containment in fire protection system" means a backflow prevention assembly to be used in a fire protection system which also meets the requirements of Factory Mutual Research Corporation (FM) and Underwriters Laboratory (UL) and the requirement of the standard Codes adopted by the St. Martin Parish Government. Devices sized smaller than 2½ inches which have not been listed by Underwriters Laboratory (UL) and tested by Factory Mutual Research Corporation (FM) may be allowed if approved by the State Fire Marshal. Any such device under this definition shall minimally meet the definition of an "approved backflow prevention assembly for containment". In addition, the particular type of assembly to be used for a particular application/degree of hazard shall be selected and installed in accord with the requirements of Table 608.18.1 of 2012 IPC (LA amended).
5. "Approved testing agency" means an organization primarily established for purposes of testing to approved standards and approved by the administrative authority (e.g., American Society of Mechanical Engineers (ASME), American Society of Sanitary Engineers (ASSE), American Water Works Association (AWWA), American National Standards Institute (ANSI), Factory Mutual Research Corporation (FM), Underwriters Laboratory (UL), University of Southern California-Foundation for Cross Connection Control and Hydraulic Research (USC-FCCCHR), etc.).
6. "Auxiliary water supply" means any water supply on or available to the premises other than the water purveyor's approved public water supply such as, but not limited to, a private well, pond or river.
7. "Backflow" means the flow of water or other liquids, mixtures, or substance into the distribution pipes of a potable supply of water from any sources other than its intended source.
8. "Backflow connection" means any arrangement whereby backflow can occur.
9. "Backpressure backflow" means backflow due to an increase in the customer's pressure above the supply pressure. This may be due to pumps, boilers, gravity or other sources of pressure.

10. **“Backflow preventer”** means a device or method to prevent backflow into the potable water system.
11. **“Backflow prevention assembly general tester”** means those individuals holding a testing certificate from a nationally recognized backflow certification organization approved by the State Health Officer. Such individuals are not required to be a licensed plumber and are authorized to perform tests of backflow prevention devices and methods. When such devices or methods are located on private property, a backflow prevention assembly general tester is not authorized to install, repair, or maintain such devices or methods. A general tester may perform installation, maintenance or repairs, if the backflow prevention assembly or device is under complete control of the water purveyor or administrative authority and is located on public property, after having obtained approval from the water purveyor.
12. **“Backflow prevention assembly technician”** means a water supply protection specialist licensed by the State Plumbing Board of Louisiana pursuant to LA. R.S. 37:1361, et seq., and its implementing regulations (LAC 46:LV.101, et seq.). All water supply protection specialists are Louisiana licensed plumbers who hold such a special endorsement on their plumbing license. Such individuals are authorized to test, install, repair, and maintain backflow prevention devices and methods.
13. **“Backsiphonage”** means the flowing back of used, contaminated, or polluted water from a plumbing fixture or vessel into a water supply pipe due to a negative pressure in such pipe. (See “backflow”)
14. **“Code”** The word “code” or “this code”, when used alone, shall mean these regulations, subsequent amendments thereto or any emergency rule or regulation which the administrative authority having jurisdiction may lawfully adopt. It shall also mean the 2012 IPC (LA amended) and applicable rules and regulations as administered by the State Plumbing Board of Louisiana.
15. **“Containment”** means a method of backflow prevention which requires the installation of an air gap or a backflow prevention assembly immediately following the water meter or as close to that location as deemed practical by the administrative authority.
16. **“Contamination”** means an impairment of the quality of the potable water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids or waste. Also defined as “high hazard.”
17. **“Cross connection”** means any connection or arrangement, physical or otherwise, between a potable water supply system and any plumbing fixture or any tank, receptacle, equipment or device, through which it may be possible for non-potable, used, unclean, polluted or contaminated water, or other substances, to enter into any part of such potable water system under any condition.

18. “Customer” means the owner, operator, or occupant of a building or property which has a water service from a public water system, or the owner or operator of a private water system or water works service district which has a water service from a public water system. “Customer” shall not include any residential connection used for dwelling purposes, unless:
- i. the residence is also used as a business premises and the home-based business or occupation involves operation of a home-based business or occupation which the water purveyor or Parish Inspector deems a potentially significant and high hazard to the water supply under the care, custody, or control of the Parish;
  - ii. the domestic water service provided is also used for a landscape irrigation system; or,
  - iii. a separate water service has been installed for landscape irrigation and other non-domestic purposes.
19. “Degree of hazard” means the rating of a cross connection or water service which indicates if it has the potential to cause contamination or pollution.
20. “Domestic sewage” means the liquid and water-borne wastes derived from the ordinary living processes, free from industrial wastes, and of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private sewage disposal system.
21. “Double check valve backflow prevention assembly” means a backflow prevention assembly consisting of two independently acting internally loaded spring check valves, four properly located test cocks, and two isolation valves. Commonly referred to as a DC.
22. “Existing work” means a plumbing system, or any part thereof, which has been installed prior to the effective date of this Code.
23. “Fire protection system” means any system used for fire protection or suppression with a direct connection to the public water supply, including but not limited to sprinklers, standpipes, and Siamese connections.
24. “High hazard” see contamination.
25. “High hazard cross connection” means a cross-connection which may cause an impairment of the quality of the potable water by creating an actual hazard to the public health, through poisoning or through the spread of disease by sewage, industrial fluids, or waste.
26. “Industrial waste” means any and all liquid or water-borne waste from industrial or commercial processes, except domestic sewage.

27. "Isolation" means a method of backflow prevention in which a backflow prevention assembly is located at the cross-connection rather than at the water service entrance. Isolation is commonly referred to as "point of use" protection.
28. "Labeled" means equipment or materials bearing a label or listing agency.
29. "Liquid water" means the discharge from any fixture, appliance or appurtenance in connection with a plumbing system which does not receive fecal matter.
30. "Listed" means equipment or materials included in a list published by a listing agency that maintains periodic inspection or current production of listed equipment or materials and whose listing states either that the equipment or material complies with approved standards or has been tested and found suitable for use in a specified manner.
31. "Listing agency" means an agency accepted by the administrative authority which is in the business of listing or labeling and which maintains a periodic inspection program on current production of listed models, and which makes available a published report of such listing in which specific information is included that the product has been tested to approved standards and found safe for use in a specific manner. (e.g., USC-FCCCHR, ASSE, etc.)
32. "Low hazard" see pollution.
33. "Low hazard cross-connection" means a cross-connection which may cause an impairment of the quality of potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.
34. "Main" means the principal artery of any system of continuous piping to which branches may be connected.
35. "May" is a permissive term.
36. "Pharmaceutical-grade antifreeze" means a food-grade antifreeze such as an inhibited propylene glyco-based fluid.
37. "Point of entry" means the point of connection to the potable water system.
38. "Point of introduction" means the point at which any additive is introduced to the water supply system.
39. "Pollution" means an impairment of the quality of the potable water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use. Also defined as "low hazard."



40. "Potable water" means water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the state and/or Parish regulations.
41. "Reduced pressure principle backflow prevention assembly" means a backflow prevention assembly consisting of two independently acting internally loaded spring check valves, a differential pressure relief valve, four properly located test cocks, and two isolation valves. Commonly referred to as an RP or and RPZ.
42. "Sewage" means any liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.
43. "Shall" The word "shall" is a mandatory term.
44. "Table 608.18.1" refers to the table marked 608.18.1 in 2012 IPC LA amended. (Known as the containment table)
45. "Water service" Depending on the context, "water service" means the physical connection between a public water system and a customer's building, property, or private water system, or the act of providing potable water to a customer.
46. "Water supply system" means the water supply system of a building or premises consisting of the building supply pipe, the water distributing pipes and the necessary connecting pipes, fittings, control valves, and all appurtenances carrying or supplying potable water in or adjacent to the building or premises.
47. "Water Purveyor" means the St. Martin Parish Government or any waterworks district created by it.

#### **Section 38-152. Administrative Authority.**

- (a) The Water Purveyor shall have the right to enter, with the consent of the customer, or upon the basis of a suitable warrant issued by a court of appropriate jurisdiction, any property to inspect for cross connections.
- (b) The State of Louisiana will approve training programs for "backflow prevention assembly technicians" and register "backflow prevention assembly technicians" who successfully complete a training program approved by the State Plumbing Board of Louisiana as per LA. R.S. 37:1367(G) and LAC 46:LV.310, all of which applies to licensed plumbers.

In addition, the State Health Officer, through the Title 51, Part XII, does accept certain persons as "general testers" per Section 346 thereof. Such individuals are known and defined herein as "backflow prevention assembly general testers". The limitations of jurisdiction/authority of "backflow prevention assembly general testers" are described within said definition.

- (c) The Administrative Authority may collect a fee of \$25.00 for each inspection done by the Water Purveyor. The inspection will only be for the water purveyor to make sure that the air gap or backflow prevention assembly is in place and is the proper cross connection control device or method used in accord with Table 608.18.1.
- (d) The Administrative Authority and the Water Purveyor shall maintain records of cross connection hazard surveys, and the installation, testing, and repair of all backflow prevention assemblies installed for containment purposes.
- (e) Notwithstanding anything herein to the contrary, the Administrative Authority and Water Purveyor are authorized to take additional actions which may not be specifically covered herein that are deemed necessary to protect the water supply of St. Martin Parish from potential or actual cross connections in accord with the requirements.

### **Section 38-153. Water Services.**

#### **A. New water services.**

- 1. Plans shall be submitted to the Water Purveyor for review on all new water services in order to determine the degree of hazard.
- 2. The water purveyor shall approve the type of backflow prevention assembly or method required for containment based on the requirement of Table 806.18.1 and degree of hazard. If a cross connection is not listed in Table 806.18.1, the Water Purveyor shall use Table B1 of the "Manual for the Selection, Installation, Maintenance, and Field Testing of Backflow Prevention Devices" (CAN/CSA Standard B64.10-1994) as a guide to determine the type of device to require.
- 3. The Water Purveyor shall require the installation of the appropriate backflow prevention assembly or method for containment before the initiation of water service.

#### **B. Existing water service.**

- 1. Any changes of, or additions to, existing water services shall be treated as new water services for the purpose of this ordinance.
- 2. Within six (6) months after adoption of this ordinance, the Administrative Authority shall publish and make available to each customer a copy of the standards used to determine the degree of hazard.
- 3. Each customer shall be surveyed and shall report to the Water Purveyor if cross connections exist and the degree of hazard. Upon a finding of hazard, the customer shall cause the appropriate backflow prevention assembly or method to be installed in a timely fashion.

4. For existing water services, the Water Purveyor may inspect the premises to determine the degree of hazard. When high hazard cross connections are found the Water Purveyor shall:
  - i. Develop a schedule of compliance which the customer shall follow, or
  - ii. Terminate the water service until a backflow prevention assembly or method for containment required by the Water Purveyor has been installed.
5. Failure of the Water Purveyor to notify a customer that the customer has a high hazard cross connection and should install backflow prevention assemblies or methods for containment in no way relieves the customer of the responsibility to comply with all requirements of this section.

#### **Section 38-154. Customer Duties.**

- (a) The customer shall be responsible for ensuring that no cross connections exist without approved backflow protection within the customer's premises starting at the point of service from the public potable water system.
- (b) The customer shall, at the customer's own expense, cause installation, operation, testing and maintenance of the backflow prevention assemblies required by the Administrative Authority. The customer shall advise the water purveyor in advance of when a device is to be tested to allow the water purveyor the opportunity to witness the test.
- (c) Within ten (10) days after testing and/or repairs are completed, the customer shall provide the Administrative Authority with copies of records of the installation and of all tests and repairs made to the backflow prevention assembly on a form provided by the Administrative Authority.
- (d) In the event of a backflow incident, the customer shall immediately notify the Water Purveyor of the incident and take steps to confine the contaminant or pollutant. Water service will not be restored until corrective action is taken and approved after inspection by the Water Purveyor.
- (e) In accordance with Section 312.10.3 of 2012 IPC LA amended, the customer shall maintain records of installations, tests, repairs, overhauls, or replacements of backflow prevention devices or methods for at least 5 years and, upon request, such records shall be made available to the Administrative Authority.

#### **Section 38-155. Requirements.**

- A. Water Purveyor requirements:

1. For premises existing prior to the start of this program, the Water Purveyor will perform evaluations and inspections of plans and/or premises and inform the customer by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, sixty (60) days will be allowed; however, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
2. The Water Purveyor will not allow any cross connection to remain unless it is protected by an approved backflow preventer or an air gap for which a permit has been issued and which will be regularly tested to insure satisfactory operation.
3. The Water Purveyor shall notify the Customer by letter of any failure to comply at the time of the first re-inspection or immediately following the first re-inspection. The Water Purveyor will allow an additional fifteen (15) days for the correction. In the event the Customer fails to comply with the necessary correction by the time of the second re-inspection, the Water Purveyor will notify the Customer by letter that the water service to the Customer's premises will be terminated within five (5) days from the customer's receipt of such letter. In the event that the Customer informs the Water Purveyor of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the Water Purveyor but in no case will exceed an additional thirty (30) days.
4. Notwithstanding anything to the contrary, if the Water Purveyor determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.
5. The Water Purveyor shall have on file a list of Private Contractors who are certified backflow device testers and/or repairers. All charges for these tests, repairs, etc., will be paid by the Customer of the building or property.
6. The Water Purveyor will begin initial premise inspections to determine the nature of existing or potential hazards, following the approval of this program by the St. Martin Parish Government, within 30 calendar days. Initial focus will be on high hazard industries and commercial premises.

**B. Customer requirements:**

1. The Customer shall be responsible for the elimination or protection of all cross connections on his premises.
2. The Customer, after having been informed by a letter from the Water Purveyor, shall at his expense, install, maintain, and test or have tested, any and all backflow prevention devices or methods on his premises.

3. The Customer shall correct, within 5 days, any malfunction of the backflow prevention assembly or method which is revealed by periodic testing.
4. The Customer shall inform the Water Purveyor of any proposed or modified cross connection and also any existing cross connection of which the Customer is aware but has not been found by the Water Purveyor.
5. The Customer shall not install a bypass around any backflow prevention assembly or method unless there is a backflow prevention assembly or method of the same type on the bypass. Customers who cannot shut down operation for testing of the assembly(s) or method(s) must supply additional assemblies or methods necessary to allow testing to take place. i.e., a parallel installation.
6. The Customer shall install backflow prevention assemblies or methods in a manner approved by the Water Purveyor and in conformance with the installation requirements of Section 608.13 of the 2012 IPC LA amended. In addition, devices having an atmospheric port or discharge shall be installed such that the port or discharge point is located at least 24 inches above the highest flood level which may have occurred in the previous 10 year period.
7. The Customer shall install only backflow prevention assemblies or methods approved by the Water Purveyor.
8. Any Customer having a private well, auxiliary water supply or other private water source, must have a permit if the well, auxiliary water supply or source is cross connected to the Water Purveyor's system. Permission to cross connect may be denied by the Water Purveyor. The customer may be required to install a backflow prevention assembly or method at the service entrance if a private water source is maintained, even if it is not cross connected to the Water Purveyor's system.
9. In the event the Customer installs plumbing to provide potable water for domestic purposes which is on the Water Purveyor's side of the backflow prevention assembly or method, such plumbing must have its own backflow preventer installed.
10. The Customer shall be responsible for the payment of all fees for permits, annual or semi-annual device or method testing, re-testing in the case that the assembly or method fails to operate correctly, and second re-inspections for noncompliance with the Water Purveyor's requirements.

**Section 38-156. Required backflow prevention assemblies or methods for containment.**

**A. Water Service Assemblies:**

An air gap or an approved reduced pressure principle backflow prevention assembly is required for water services having one or more potential cross connections which the Administrative Authority classifies as high hazard.

**B. Fire Protection System Assemblies:**

1. All proposed installations of fire suppression systems shall be reviewed by the Department of Inspections to determine the appropriate type of backflow prevention assembly or method required.
2. For all proposed fire suppression systems using antifreeze, a reduced pressure principle backflow prevention assembly shall be installed at the point of entry. The customer shall provide the Parish with the design and chemical usage of the fire suppression system.
3. All existing fire suppression systems shall meet the requirements of Sec. 13-9 above. An inspection by a fire suppression specialist shall be done to determine whether antifreeze has been utilized in the suppression system. The inspection shall be done at the expense of the customer. If it cannot be certified that antifreeze has been used, then a backflow prevention assembly shall be installed as prescribed by Table 608.18.1 and as approved by the Department of Inspections. Installation shall be at the expense of the customer. The required backflow prevention assemblies or methods shall be installed at the time the system is repaired or changed, or within twelve (12) months after adoption of this ordinance, whichever occurs first.
4. In the event cross connections, such as those found in using auxiliary water supply systems or in providing other water additives such as foaming agents, are necessary for the proper operation of the fire suppression system, then an air gap or a reduced pressure principle backflow prevention assembly shall be installed in an approved manner.
5. Unmetered, dedicated fire lines connected to the potable water supply line shall install a detector type assembly of the required type commiserate with the degree of hazard.

**Section 38-157. Registration.**

**A. Technician Registration:**

All backflow prevention assembly technicians licensed by the State of Louisiana must register with the local Administrative Authority before performing work within St. Martin Parish. Any licensed backflow prevention assembly technician shall include his or her state registration number on all correspondence and forms required by or associated with this ordinance.

**B. General Tester Registration:**

All backflow prevention assembly general testers recognized by the State of Louisiana shall present a copy of his/her testing certificate from a nationally recognized backflow certification organization and shall register with the Administrative Authority before performing work within the Parish of St. Martin.

**Section 38-158. Non-compliance by registered technicians or general testers.**

- (a) The local registration of a technician or general tester may be revoked or suspended for a period of up to two (2) years for non-compliance with this ordinance.
- (b) Any of the following conditions constitute non-compliance:
  - 1. Improper testing or repair of backflow prevention assemblies or methods;
  - 2. Improper reporting of the results of testing or of repairs made to backflow prevention assemblies or methods;
  - 3. Failure to meet registration requirements;
  - 4. Related unethical practices.

**Section 38-159. Installation of backflow prevention assemblies or methods.**

- (a) The required backflow prevention assemblies or methods for containment shall be installed in the manner recommended by the manufacturer and in accord with the requirements of Section 608.13 of the 2012 IPC LA amended, immediately following the meter or as close to that location as deemed practical by the Administrative Authority. In any case, it shall be located upstream from any branch piping. Installation at this point does not eliminate the responsibility of the customer to protect the water supply system from contamination or pollution between the backflow prevention assembly or methods and the water main.
- (b) Reduced pressure principle backflow prevention assemblies shall be installed, with the relief valve discharge pointing downward, so as to be protected from flooding. The port or discharge point shall be installed such that it is located at least 24 inches above the highest flood level which may have occurred in the previous 10 year period.
- (c) Reduced pressure principle backflow prevention assemblies or methods shall not be installed in underground vaults or pits.
- (d) All backflow prevention assemblies or methods shall be protected from freezing. Those devices used for seasonal services may be removed in lieu of being protected from freezing; however, the devices must be reinstalled and tested by a registered backflow prevention assembly technician prior to service being reactivated.

- (e) If hot water is stored within the water supply system, thermal expansion shall be provided for when installing a backflow prevention assembly or method for containment in accordance with Section 607.3 of the 2012 IPC LA amended.
- (f) Provisions shall be made to convey the discharge of water from reduced pressure principle backflow prevention assemblies or methods to a suitable drain through an air gap.
- (g) No backflow prevention assemblies or methods shall be installed in a place where they would create a safety hazard, such as, but not limited to, over an electrical panel, or above ceiling level.
- (h) If interruption of water service during testing and repair of backflow prevention assemblies or methods for containment is unacceptable to the customer, another backflow prevention assembly or method of equivalent protection, sized to handle the temporary water flow needed during the time of testing or repair, shall be installed in parallel piping.
- (i) All backflow prevention assemblies or methods shall be installed so that they are accessible for testing.
- (j) Modification of approved backflow prevention assemblies is strictly prohibited. Violation of this requirement by a technician or general tester shall constitute a condition of non-compliance and may be cause for prohibition of performing work within the water system of St. Martin Parish.

**Section 38-160. Testing of backflow prevention assemblies or methods.**

- (a) Testing of backflow prevention assemblies or methods shall be performed by a backflow prevention assembly technician or by a backflow prevention assembly general tester registered with the Administrative Authority. The costs of tests required in the following paragraphs shall be borne by the customer.
- (b) Backflow prevention assemblies or methods shall be tested upon installation; when cleaned, repaired, or overhauled; when relocated; and, shall be tested and inspected at least once annually. In accordance with Section 312.10.2 of 2012 IPC LA Amended, backflow prevention assemblies shall be tested in accordance with CAN/CSA Standard B64.10-1994, ASSE 5000 Series Standards, FCCCHR's "Manual of Cross Connection Control", or UFL's TREEO's "Backflow Prevention – Theory and Practice".
- (c) Backflow prevention assemblies or methods which are in place, but have been out of operation for more than three (3) months, shall be tested before being put back into operation. Backflow prevention assemblies or methods used in seasonal applications shall be tested before being put into operation each season.



- (d) Any backflow prevention assembly or method which fails a periodic test shall be repaired or replaced by a backflow prevention assembly technician when such assembly is located on private property. When such a device is located on public property, a backflow prevention assembly general tester may repair or replace the device if authorized by the Water Purveyor. When water service has been terminated for non-compliance, the backflow prevention assembly or method shall be repaired or replaced prior to the resumption of water service. Backflow prevention assemblies or methods shall be re-tested by a registered backflow prevention assembly technician or by a backflow prevention assembly general tester immediately after repair or replacement.
- (e) The Parish President may require backflow prevention assemblies or methods to be tested at any time in addition to the annual testing requirement.
- (f) The registered backflow prevention assembly technician or backflow prevention assembly general tester shall report the testing of the backflow prevention assembly or method to the customer and to the Administrative Authority within ten (10) days of the test.
- (g) The Administrative Authority may require, at its own cost, additional tests of individual backflow prevention assemblies or methods as it shall deem necessary to verify test procedures and results.

**Section 38-161. Repair of backflow prevention assemblies or methods.**

- (a) All repairs to backflow prevention assemblies or methods on private property shall be performed by a licensed plumber holding a special “water supply protection specialist” endorsement on his plumbing license, herein defined as “backflow prevention assembly technician”.
- (b) After obtaining approval from the Water Purveyor, a “backflow prevention assembly general tester” may perform repairs to backflow prevention assemblies or methods located on public property that are under complete control of the Administrative Authority or Water Purveyor.
- (c) The registered backflow prevention assembly technician or backflow prevention assembly general tester shall not change the design, material, or operational characteristics of a backflow prevention assembly or method during repair or maintenance, and shall use only original manufacturer replacement parts, if available; if not available, shall use replacement parts approved by the Parish.
- (d) The registered backflow prevention assembly technician or backflow prevention assembly general tester shall report the repair, overhaul, or replacement of any backflow prevention assembly or method to the customer and to the Parish Government on the form provided by the Parish within ten (10) days of the repair.

#### **Section 38-162. Customer non-compliance.**

- (a) The water service may be discontinued in the case of non-compliance with this ordinance. Non-compliance includes, but is not limited to, the following:
1. Refusal to allow the Administrative Authority or Water Purveyor access to the property to inspect for cross connections.
  2. Removal of a backflow prevention assembly or method which has been required by the Administrative Authority.
  3. Bypassing of a backflow prevention assembly or method which has been required by the Administrative Authority.
  4. Providing inadequate backflow prevention when potential or actual cross connections exist.
  5. Failure to install a backflow prevention assembly or method which has been required by the Administrative Authority.
  6. Failure to test and/or properly repair a backflow prevention assembly or method as required by the Administrative Authority.
  7. Failure to comply with the requirements of this ordinance.

#### **Section 38-163. Penalty for violation.**

In addition to any other penalties, sanctions and/or remedial action imposed by local or state laws, any person found guilty of violating any provision of this Section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not less than Three Hundred and No/100 (\$300.00) Dollars and not more than Five Hundred and No/100 (\$500.00) Dollars, imprisonment for not more than thirty days, or both. Each day that a violation is allowed to continue shall constitute a separate and distinct violation.

#### **Section 38-164. Enforcement**

In addition to the fines and penalties set forth in Section 38-163, St. Martin Parish Government shall have the right to enforce the terms, conditions, and provisions of this Article by litigation instituted in a court of proper jurisdiction seeking all remedies allowed by law including, but not limited to, actions for injunctive relief and/or damages.

BE IT FURTHER ORDAINED that the provisions of this Ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause thereof, 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 IF 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 November, 2019.

\* \* \* \* \*

*Insert Resolution No. 19-095-RS*

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

**RESOLUTION NO. 19-095-RS**

**PROCÈS VERBAL AND PROCLAMATION OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN SUB-ROAD DISTRICT NO. 1 OF ROAD DISTRICT NO. 1 OF THE PARISH OF ST. MARTIN, STATE OF LOUISIANA, ON SATURDAY, OCTOBER 12, 2019.**

BE IT KNOWN AND REMEMBERED that on Tuesday, November 5, 2019, at five o'clock (5:00) p.m., at its regular meeting place, the Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana, the St. Martin Parish Council, State of Louisiana (the "Governing Authority"), acting as the governing authority of Sub-Road District No. 1 of Road District No. 1 of the Parish of St. Martin, State of Louisiana (the "District"), and being the authority ordering the special election held therein on Saturday, October 12, 2019, with a quorum being present, did examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of said election, there having been submitted at said election the following proposition to wit:

**PROPOSITION  
(MILLAGE RENEWAL)**

Shall Sub-Road District No. 1 of Road District No. 1 of the Parish of St. Martin, State of Louisiana (the "District"), levy a six and forty-six hundredths (6.46) mills tax on all the property subject to taxation within the District (an estimated \$160,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2020 and ending with the year 2029, for the purpose of improving and maintaining Parish roads in said District?

The canvass of the results of the election showed that there was a total of 197 votes cast **IN FAVOR** OF the Proposition and a total of 233 votes cast **AGAINST** the Proposition, and it was further found and determined that there was a majority of 36 votes cast **AGAINST** the Proposition as hereinabove set forth.

Therefore, the Governing Authority did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition as hereinabove set forth was duly **DEFEATED** by a majority of the votes cast by the qualified electors voting at the said special election.

THUS DONE AND SIGNED at St. Martinville, Louisiana, on this, the 5<sup>th</sup> day of November, 2019.

ATTEST:

\_\_\_\_\_  
/s/ Lisa Nelson  
Chairwoman

\_\_\_\_\_  
/s/ Laci Laperouse  
Clerk of the Council

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 November, 2019.

\*\*\*\*\*

STATE OF LOUISIANA  
PARISH OF ST. MARTIN

I, the undersigned Clerk of the Council of the St. Martin Parish Council, State of Louisiana (the "Governing Authority"), the governing authority of Sub-Road District No. 1 of Road District No. 1 of the Parish of St. Martin, State of Louisiana (the "District"), do hereby certify that the foregoing page constitutes a true and correct copy of the proceedings and *Procès Verbal* made by said Governing Authority on November 5, 2019, providing for canvassing the returns and declaring the result of the special election held in the District on Saturday, October 12, 2019, to authorize the renewal of a special tax therein.

IN FAITH WHEREOF, witness my official signature at St. Martinville, Louisiana, on this, the 5<sup>th</sup> day of November, 2019.



Clerk of the Council

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

**RESOLUTION NO. 19-096-RS**

WHEREAS, many of the energy resources enjoyed by the entire United States are dependent upon the health of Gulf Coast ecosystems which provide access to those resources and related infrastructure and protection for communities that house its workforce; and

WHEREAS, Louisiana is home to 30 percent of the nation's wetlands and 90 percent of its wetland loss, a crisis that impacts communities, ecosystems, and the very economic engines that contribute to the nation's energy security; and

WHEREAS, this impacted area is home to half the country's oil refineries and pipelines serving 90 percent of the nation's federal offshore energy production; and

WHEREAS, under the Mineral Lands Leasing Act of 1920, 50 percent of the mineral funds generated from federal lands onshore are shared with the host state to offset impacts of the federal mineral development - and there is no cap on the revenue shared with the host state; and

WHEREAS, only a small portion of Outer Continental Shelf (OCS) leases active since 2006 are eligible for GOMESA revenue sharing with the Gulf states, Gulf states and their coastal political subdivisions receive 37.5 percent, not 50%, of such federal revenue; and the four GOMESA states are capped at a total of \$ 375 million of revenue sharing annually; and

WHEREAS, in 2018, this resulted in only 4.97 percent of Gulf of Mexico offshore mineral revenues being shared with Louisiana, Texas, Mississippi, and Alabama combined; and

WHEREAS, Louisiana's ambitious coastal protection and restoration program needs more, not less, federal OCS mineral revenue sharing; and

WHEREAS, legislation directing federal mineral revenues to be allocated automatically and annually to federal programs, such as national parks maintenance or other causes, should not do so at the expense of Louisiana's coastal program nor should such allocations limit the increased revenue sharing that Louisiana should receive under GOMESA; and

WHEREAS, S. 2418, Conservation of America's Shoreline Terrain and Aquatic Life (COASTAL) Act, introduced by Senators Cassidy and Murkowski and cosponsored by Senators Kennedy, Wicker, Jones, and Sullivan, would increase the revenue share to GOMESA states from 37.5 percent of GOMESA revenue to 50 percent of GOMESA revenue; expand GOMESA to cover

additional Outer Continental Shelf leases; remove the \$375 million cap; provide new authorized uses of GOMESA revenue; and establish revenue sharing for Alaska; and

WHEREAS, H.R. 3814, Domestic Offshore Energy Reinvestment Act of 2019, introduced by Congressmen Richmond and Graves, would increase the revenue share to GOMESA states from 37.5 percent of GOMESA revenue to 50 percent of GOMESA revenue; remove the \$375 million cap; and provide new authorized uses of GOMESA revenue; and

WHEREFORE, for Louisiana coastal parishes, the GOMESA revenue stream is a critical recurring source of revenue that allows us to address our coastal protection and restoration needs. The State of Louisiana has been a great partner in addressing some of our needs, but the funds that are allocated directly to the parishes have allowed us to have a seat at the table when discussing future coastal protection and restoration projects.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby thank Senators Cassidy and Kennedy and Congressmen Richmond and Graves, for their leadership in the this critically important effort of achieving increased revenue sharing for Louisiana through GOMESA.

BE IT FURTHER RESOLVED that the St. Martin Parish Council does hereby object strenuously to the allocation of federal mineral revenue to federal programs unless the allocation also increases the GOMESA revenue that is shared with Gulf Coast states.

BE IT FURTHER RESOLVED that the St. Martin Parish Council does hereby fully support S. 2418 and H.R. 3814, which seek to increase GOMESA revenue sharing with Gulf Coast States to a level that is more on par with the revenue sharing with onshore mineral production states.

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 November, 2019.

\* \* \* \* \*



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

**RESOLUTION NO. 19-097-RS**  
**AUTHORIZING RESOLUTION**

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR A GRANT UNDER 49 CFR 5311, NON-URBANIZED AREA FORMULA PROGRAM AND/OR 49 CFR 5309, DISCRETIONARY CAPITAL PROGRAM.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs; and

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by ST. MARTIN PARISH COUNCIL:

1. That the PARISH PRESIDENT is authorized to execute and file an application on behalf of ST. MARTIN PARISH GOVERNMENT with the Louisiana Department of Transportation and Development, to aid in the financing of operating and/or capital assistance projects pursuant to the Rural Public Transit Program, 49 CFR 5311 and/or the Discretionary Capital Program, 49 CFR 5309.

2. That the PARISH PRESIDENT is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the PARISH PRESIDENT is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.
4. That the PARISH PRESIDENT is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the PARISH PRESIDENT is authorized to execute grant contract agreements on behalf of ST. MARTIN PARISH GOVERNMENT with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. This resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

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 November, 2019.

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

**RESOLUTION NO. 19-098-RS**

WHEREAS, Louisiana has approximately 326,000 veterans who have worn its nation's uniform in defense of freedom; and

WHEREAS, we can never repay our debt to our veterans for the privilege of liberty, for it is beyond any tangible price, but we can show our gratitude and appreciation for their exemplary deeds; and

WHEREAS, our Armed Forces have earned a special day, in which Louisiana's citizens – and more particularly the citizens of St. Martin Parish – may focus on their heroic accomplishments, and pay tribute with our hearts and minds to our living veterans and their deceased comrades, remembering to visit them in their places of rest, our hospitals and their homes; and

WHEREAS, in order that we pay meaningful tribute to those men and women who proudly served in our Armed Forces, Congress has provided that November 11th shall be set aside each year as a legal public holiday to honor America's veterans.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, in Regular Session convened this 5th day of November, 2019, that the Council does hereby proclaim Monday, November 11, 2019, as

**VETERANS DAY**

in St. Martin Parish and in recognition of their valor, the Council urges all citizens of St. Martin Parish to join in a fitting salute to our veterans by commemorating the day with proper observances, public tribute, ceremonial and private prayers for those who so served.

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 November, 2019.

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

**RESOLUTION NO. 19-099-RS**

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session convened this 5th day of November, 2019, does hereby approve engaging the services of Maraist & Maraist Certified Public Accountants to conduct the annual audit for the year 2019 for St. Martin Parish.

BE IT FURTHER RESOLVED by the St. Martin Parish Council, that the Parish President be and he is hereby empowered, authorized, and directed to execute an “Engagement Agreement” with Maraist & Maraist CPAs for the year 2019 audit.

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 November, 2019.

\* \* \* \* \*

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

**RESOLUTION NO. 19-100-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing members to the St. Martin Parish Industrial Development Board whose terms will soon expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Paul Harry Narcisse for a four (4) year term expiring on November 6, 2023, Mr. Benaber “Benny” Hulin for a two (2) year term expiring on November 6, 2021, and Mr. Russell Knott for a two (2) year term expiring on November 6, 2021, to serve as members of the St. Martin Parish Industrial Development Board.

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 November, 2019.

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

**RESOLUTION NO. 19-101-RS**

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

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

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

WHEREAS, the St. Martin Parish Council regretfully accepted the resignation of Mrs. Cheryl Shelvin Lewis as a member of the Children and Youth Planning Board in the 16<sup>th</sup> Judicial District; and

WHEREAS, Judge Lewis Pitman, Jr. has been recommended to fill the unexpired term of Mrs. Lewis.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby appoint Judge Lewis Pitman, Jr., whose term will expire on August 20, 2021, to serve as a board member on the 16<sup>th</sup> Judicial District Children and Youth Planning Board.

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

YEAS: Byron Fuselier, Lisa Nelson, Jason Willis, 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 November, 2019.

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Prior to adoption of Resolution Summary No. 102-RS, Town of Henderson Mayor Sherbin Collette, along with Council Member Jody Meche, gave a detailed explanation of the priorities for the Atchafalaya Basin Program currently under the jurisdiction and responsibility of the Coastal Protection and Restoration Authority ("CPRA").

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

### **RESOLUTION NO. 19-102-RS**

A Resolution supporting proposals for the leveling of the Dixie Pipeline Spoil Banks and extending the Grimmer Canal east and west to provide enhanced dispersion of freshwater flows therefrom, all in conjunction with the Atchafalaya Basin Program currently under the jurisdiction and responsibility of the Coastal Protection and Restoration Authority ("CPRA").

WHEREAS, the Atchafalaya Basin ("Basin") offers vast opportunities for recreational and commercial ventures; and

WHEREAS, the Basin is a natural habitat for wildlife and fisheries; and

WHEREAS, the Basin is a unique tourist attraction and has the ability to accommodate numerous visitors throughout the year; and

WHEREAS, significant areas within the Basin offer navigable waterways which, by virtue of the law of the State of Louisiana, are subject to unobstructed use by the public; and

WHEREAS, the Basin is a natural resource of national significance encompassing approximately 830,000 acres of forests, bayous, swamps, and lakes; and

WHEREAS, activities of the private concerns and governmental entities have adversely impacted the natural hydrology and habitat of the Basin; and

WHEREAS, the Atchafalaya Basin Program ("ABP") was established in order to develop, implement, and manage a comprehensive state master plan for the Atchafalaya Basin Floodway System, Louisiana Project; and

WHEREAS, although the ABP initially focused on the components of the state master plan first approved in 1999, activities have now expanded to embrace the needs of both the resources and resource users of the Basin; and

WHEREAS, by virtue of La. R.S. 49:214.8.1, et seq, as amended by Act 570 of the 2018 Legislative Session, the ABP and associated authorities were transferred to the Louisiana Coastal Protection and Restoration Authority ("CPRA"); and

WHEREAS, new projects within the ABP can be proposed by any source including, but not limited to, academia, parishes, elected officials, NGO's business and industry, and the general public; and

WHEREAS, it has been proposed to CPRA by a combination of governmental officials and NGO's who have interests in the Basin that the water quality of the Basin be enhanced north of Henderson Lake by removing spoil bank restrictions of the Dixie Pipeline Spoil Banks, the said proposal being known as "Recommendation and Concept for Water Quality and Flood Water Management for the Atchafalaya Basin Project Phase 1 Henderson Lake Project, Leveling of Dixie Pipeline Spoil Banks, Priority 1"; and

WHEREAS, it has been proposed to CPRA by a combination of governmental officials and NGO's who have interests in the Basin that the water quality of the Basin be enhanced north of Henderson Lake by extending the Grimmert Canal easterly and westerly so as to provide better dispersion of freshwater flows therefrom, the said proposal being known as "Recommendation and Concept for Water Quality and Flood Water Management for the Atchafalaya Basin Project Phase 1 Henderson Lake Project, Grimmert Canal Extensions, Priority 2":

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL supports all efforts to make the following proposals a part of the plans of the Atchafalaya Basin Program currently under the auspices of the Louisiana Coastal Protection and Restoration Authority:

The water quality of the Atchafalaya Basin be enhanced north of Henderson Lake by removing spoil bank restrictions of the Dixie Pipeline Spoil Banks, the said proposal being known as "Recommendation and Concept for Water Quality and Flood Water Management for the Atchafalaya Basin Project Phase 1 Henderson Lake Project, Leveling of Dixie Pipeline Spoil Banks, Priority 1"; and,

The water quality of the Basin be enhanced north of Henderson Lake by extending the Grimmert Canal easterly and westerly so as to provide better dispersion of freshwater flows therefrom, the said proposal being known as "Recommendation and Concept for Water Quality and Flood Water Management for the Atchafalaya Basin Project Phase 1 Henderson Lake Project, Grimmert Canal Extensions, Priority 2".

BE IT FURTHER RESOLVED that the St. Martin Parish Council reserves the right to comment upon other proposals submitted to CPRA and affecting the Atchafalaya Basin when deemed appropriate.



BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Executive Director of the Police Jury Association, Governor John Bel Edwards, CPRA, and any other persons, firms, or entities as deemed fit and proper.

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 November, 2019.

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

### **RESOLUTION NO. 19-103-RS**

A Resolution authorizing the confection of an agreement with the Acadiana Planning Commission for the purpose of applying for grant funding and acting in support of Watershed Region No. 5 management activities, all in conjunction with the Louisiana Watershed Initiative.

WHEREAS, the Louisiana Watershed Initiative was formed in order to coordinate statewide floodplain management efforts through a watershed management approach in response to the floods of 2016 and in preparation for future storm events; and

WHEREAS, the foregoing coordination embraces outreach with local communities to build support for watershed region management approaches that can more effectively address mounting water risks statewide; and

WHEREAS, coordination among St. Martin Parish and its regional partners within Watershed Region No. 5 is critical to reducing flood risks and preserving the health, safety, and welfare of the residents and property owners of St. Martin Parish; and

WHEREAS, the Louisiana Watershed Initiative has requested applications for participation in a Regional Capacity Building Grant Program which enables the provision of technical assistance to St. Martin Parish and its regional partners upon of a program grant, thereby furthering immediate watershed management and flood risk reduction goals:

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL does hereby authorize the Parish President of St. Martin Parish to execute a cooperative endeavor agreement with the Acadiana Planning Commission for the sole purpose of applying for grant funding and acting in support of Watershed Region No. 5 management activities in conjunction with the Louisiana Watershed Initiative. The said agreement may contain such terms, conditions, and provisions as deemed necessary and fit by the said Parish President.

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 November, 2019.

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

**RESOLUTION NO. 19-104-RS**

A Resolution authorizing the confection of an agreement with the South Central Planning and Development Commission for the purpose of applying for grant funding and acting in support of Watershed Region No. 6 management activities, all in conjunction with the Louisiana Watershed Initiative.

WHEREAS, the Louisiana Watershed Initiative was formed in order to coordinate statewide floodplain management efforts through a watershed management approach in response to the floods of 2016 and in preparation for future storm events; and

WHEREAS, the foregoing coordination embraces outreach with local communities to build support for watershed region management approaches that can more effectively address mounting water risks statewide; and

WHEREAS, coordination among St. Martin Parish and its regional partners within Watershed Region No. 6 is critical to reducing flood risks and preserving the health, safety, and welfare of the residents and property owners of St. Martin Parish; and

WHEREAS, the Louisiana Watershed Initiative has requested applications for participation in a Regional Capacity Building Grant Program which enables the provision of technical assistance to St. Martin Parish and its regional partners upon of a program grant, thereby furthering immediate watershed management and flood risk reduction goals:

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL does hereby authorize the Parish President of St. Martin Parish to execute a cooperative endeavor agreement with the South Central Planning and Development Commission for the sole purpose of applying for grant funding and acting in support of Watershed Region No. 6 management activities in conjunction with the Louisiana Watershed Initiative. The said agreement may contain such terms, conditions, and provisions as deemed necessary and fit by the said Parish President.

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 November, 2019.

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

**RESOLUTION NO. 19-105-RS**

WHEREAS, a contract for the Cecilia Civic Center Project, was awarded to low bidder, Acadiané Renovations, Ltd., with a Base Bid in the amount of \$930,000.00; and

WHEREAS, Lynn Guidry Architect has recommended Change Order No. 1 in the amount of \$3,705.97 (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. 1 in the amount of \$3,705.97 (increase) for the Cecilia Civic Center Project, by Acadiané Renovations, Ltd.

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 November, 2019.

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

**RESOLUTION NO. 19-106-RS**

WHEREAS, the St. Martin Parish Government has made an official call for bids for the Four Mile Bayou Bridge Replacements Project, St. Martin Parish, Louisiana; and

WHEREAS, in accordance with the advertisement, sealed bids were opened October 15, 2019, and two (2) complete bid packets were received for said project; and

WHEREAS, the bids were taken under advisement and have been analyzed by Huval and Associates; and

WHEREAS, Huval and Associates has recommended, in writing, the low bidder, M. Matt Durand, L.L.C., with a Base Bid in the amount of \$679,946.00.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby award the contract for the Four Mile Bayou Bridge Replacements Project, St. Martin Parish, Louisiana, to the low bidder, M. Matt Durand, L.L.C., in the amount of \$679,946.00.

BE IT FURTHER RESOLVED that the St. Martin Parish Council does hereby authorize Parish President Chester Cedars to sign all necessary contract documents to effect the award of this contract, contingent and effective upon concurrence of the Louisiana Office of Facility Planning and Control.

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 November, 2019.

\* \* \* \* \*

A motion was made by Byron Fuselier and seconded by Chris Tauzin that the St. Martin Parish Council does hereby extend the agenda for Resolution Summary No. 107-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 November, 2019.

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

### **RESOLUTION NO. 19-107-RS**

WHEREAS, a contract for the Cade Park Pavilion, Basketball Court, and Paving Project, was awarded to low bidder, JC Construction, in the amount of \$1,776,000.00 (Base Bid and Alternates 1 & 2); and

WHEREAS, Vermilion Architects, L.L.C. has recommended Change Order No. 1 in the amount of \$37,384.64 (increase); and

WHEREAS, Change Order No. 1 also includes a sixty-five (65) day extension in contract time for a completion date of February 29, 2020.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby authorize, direct and empower the Parish President to execute Change Order No. 1 in the amount of \$37,384.64 (increase) and a sixty-five (65) day Contract Time extension for the Cade Park Pavilion, Basketball Court, and Paving Project, by JC Construction.

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 November, 2019.

\* \* \* \* \*

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

SUMMARY NO. 1279-OR (Introduced by Jason Willis, District 3)

An Ordinance to adopt the Sinking Fund and Operating and Maintenance Budgets for the Year 2020.

SUMMARY NO. 1280-OR (Introduced by Dean LeBlanc, District 8)

An Ordinance to adopt the Parish Capital Outlay Budget for the Year 2020.

SUMMARY NO. 1281-OR (Introduced by Lisa Nelson, District 2)

An Ordinance to create prospective precincts by the split and/or merger of precinct geography in accordance with Louisiana Revised Statutes 18:532 and 18:532.1.

SUMMARY NO. 1282-OR (Introduced by Chris Tauzin, District 5)

An Ordinance to amend Chapter 14 of the Code of Ordinances of the St. Martin Parish Government by the repeal, revision, enactment and /or re-enactment of Articles I-IV thereof, all relative to establishing a flood plain management plan for St. Martin Parish, Louisiana.

SUMMARY NO. 1283-OR (Introduced by Daniel Richard, Jr., District 9)

An Ordinance to amend Article II of Chapter 42 of the St. Martin Parish Code of Ordinances by the enactment of Section 42-28 of the said Article II, Chapter 42, all relative to fees charged to residences serviced by the Sugarland Wastewater Sewer Plant.

Parish President Chester Cedars updated the Council Members on a few projects and other pertinent topics, as follows:

Home Elevation Program - Parish President Chester Cedars stated the bids have been received. Parish President Chester Cedars stated there are plans to go door to door with flyers to let the residents of flood prone areas know about program.



Parish President Chester Cedars stated the Restore Act projects have been approved by the State.

Bayou Estates Flood Wall Project - Parish President Chester Cedars mentioned out of approximately 12 contractors that expressed interest in this project, only 1 bidder was present. Said bid was 2 times the amount of the funds budgeted for this project. Parish President Chester Cedars hopes to rebid the project mid-December.

Director of Public Works - Parish President Chester Cedars stated there is currently a vacancy in said position as of Friday, November 1, 2019. Parish President Chester Cedars stated he has already interviewed an individual that meets all the criteria for this position.

Council Member Dean LeBlanc invited everyone to the Atchafalaya Basin Festival which will be held Saturday, November 9 in the Henderson park.

A motion was made by Jill Hebert and seconded by Chris Tauzin that the St. Martin Parish Council does hereby enter Executive Session to discuss "opt out" recommendation in the opioid litigation in the matter entitled, "In Re: National Prescription Opiate Litigation" pending in the United States District Court for the Northern District of Ohio, Eastern Division, bearing Case Number 1:17-md-2804 and Case Number 18-op-45090.

This motion to enter in Executive Session 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 enter in Executive Session was declared adopted on this 5th day of November, 2019.

*Regular Meeting recessed at 5:52 p.m.*

*Executive Session adjourned, and Regular Meeting reconvened at 5:58 p.m.*

A motion was made by Albert Menard and seconded by Byron Fuselier that the Regular Meeting reconvene.

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

YEAS: Byron Fuselier, 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 reconvene the Regular Meeting was declared adopted on this 5th day of November, 2019.

Parish President Chester Cedars stated St. Martin Parish shall remain in the negotiation class and not opt out.

A motion was made by Jill Hebert and seconded by Byron Fuselier to remain in the negotiation class and not opt out.

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 on this 5th day of November, 2019.

A motion was made by Dean LeBlanc seconded by Albert Menard 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