

## PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

### REGULAR MEETING - AUGUST 3, 2021

The St. Martin Parish Council met in Regular Session convened at 5:00 P.M., Tuesday, August 3, 2021, Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana.

The meeting was called to order by Chairman Chris Tauzin.

The Invocation was read by Morgan Allemond, and the Pledge of Allegiance was led by Brook Champagne.

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

A motion was made by Dean LeBlanc and seconded by Carla JeanBatiste to approve the minutes of the St. Martin Parish Council Regular Meeting of July 6, 2021.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused).

And the motion was declared adopted this 3rd day of August, 2021.

A motion was made by Tangie Narcisse and seconded by Carla JeanBatiste to approve the minutes of the St. Martin Parish Council Special Meeting of July 20, 2021.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused).

And the motion was declared adopted this 3rd day of August, 2021.

A motion was made by Tangie Narcisse and seconded by Brook Champagne to approve the following advertisement of NOTICE TO THE PUBLIC for upcoming public hearing to hear comments on values of property for assessment purposes fixed by the St. Martin Parish Assessor:

### NOTICE TO THE PUBLIC

Notice is hereby given that the St. Martin Parish Council will meet as a Board of Review on Tuesday, October 5, 2021, at 5:00 P.M. in the Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana, for the purpose of receiving protests and hearing complaints on values of property for assessment purposes in the Parish, fixed by the St. Martin Parish Assessor. The Board of Review will hear the written or oral complaint of any qualified person as provided by R.S. 47:1992, who has provided notice to the Board of Review on or before Tuesday, September 28, 2021 at 4:30 P.M. either through appearing in person at its office or by filing such appeal by means of certified mail.

ST. MARTIN PARISH COUNCIL  
CHRIS TAUZIN, CHAIRMAN

ADV: September 15, and 22, 2021

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused).

And the motion was declared adopted this 3rd day of August, 2021.

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

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Byron Fuselier (excused).

And the motion was declared adopted this 3rd day of August, 2021.

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

Planning and Zoning Coordinator read each Ordinance Summary.

St. Martin Parish resident Billy Broussard addressed the Council relative to Ordinance Summary No. 1329-OR {An Ordinance to amend Article I of Chapter 26 of the Code of Ordinances for St. Martin Parish, Louisiana, by the enactment of Section 26-10, all relative to the prohibition of dumping and/or burning of specified substances and providing for penalties for a violation thereof.}. Mr. Broussard began by questioning if anyone in the audience was in favor of the proposed ordinance. Two members of the audience from the Poche Bridge area were in favor. Mr. Broussard stated he purchased property on Duchamp Road, and he has increased property values in that area. Mr. Broussard mentioned that there is currently no place in St. Martin Parish to bring vegetative debris. Mr. Broussard believes that the timing of this ordinance is bad due to hurricane season. Mr. Broussard also questioned what would happen if he continues to do tomorrow exactly what he is doing today on his property.

Parish President Chester Cedars declared that the issue with Mr. Billy Broussard's property is two-fold. First, the property involves a potential violation of the ordinance, and second, the property is being used as part of business endeavors. This property is zoned residential, and the owner has been told that since the fall of 2020. President Cedars went through a lengthy timeline of events with Mr. Broussard. Parish President Chester Cedars mentioned that, since the proposal of this ordinance, several tree service companies have requested permits from the Louisiana Department of Environmental Quality (DEQ). Presently, only two (2) companies in St. Martin Parish are following the rules.

Mr. Billy Broussard interrupted by stating that he is not operating a business on his property because no money was exchanged. Chairman Chris Tauzin declared that this matter should be addressed with Planning and Zoning/Planning Commission, not the St. Martin Parish Council. Mr. Broussard also noted he is not burning on his property. Council Member Brook Champagne reminded Mr. Broussard that he is, in fact, still violating the zoning ordinance.

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

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

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

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

And the motion was declared adopted this 3rd day of August, 2021.

A motion was made by Carla JeanBatiste and seconded by Tangie Narcisse that the following ordinance be adopted:

**ORDINANCE NO. 21-08-1328-OR**

AN ORDINANCE REDUCING THE SPEED LIMIT FOR MOTOR VEHICLES ON **ULYSSES HEBERT ROAD**, LOCATED IN DISTRICT 1, SECTION 29, TOWNSHIP 10 SOUTH, RANGE 6 EAST & 7 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 **ULYSSES HEBERT ROAD** in St. Martin Parish, Louisiana, at a speed in excess of 15 miles per hour;

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

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

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

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

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

And the Ordinance was declared adopted this 3rd day of August, 2021.

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A motion was made by Carla JeanBatiste and seconded by Tangie Narcisse that the following ordinance be adopted, as amended:

**ORDINANCE NO. 21-08-1329-OR**

AN ORDINANCE TO AMEND ARTICLE I OF CHAPTER 26 OF THE CODE OF ORDINANCES FOR ST. MARTIN PARISH, LOUISIANA, BY THE ENACTMENT OF SECTION 26-10, ALL RELATIVE TO THE PROHIBITION OF DUMPING AND/OR BURNING OF SPECIFIED SUBSTANCES AND PROVIDING FOR PENALTIES FOR A VIOLATION THEREOF.

BE IT ORDAINED by the St. Martin Parish Council duly convened in regular session on the 3rd day of August, 2021, that:

Article I of Chapter 10 of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the enactment of Section 26-10 as follows:

**Section 26-10. Regulation of transportation, dumping, and/or Outdoor Burnings of Designated Items.**

**A. Statement of Policy and Applicability.**

The St. Martin Parish Council recognizes that it is charged with the responsibility of protecting the property owners within the unincorporated areas of the Parish and as such, the Council is acutely interested in promoting public safety and the general health and welfare of the citizens and property owners of St. Martin Parish, Louisiana. Therefore, in order to foster the interest of the general public relative to the transportation, dumping, or other deposit of the materials described in Subparagraph B and/or the subsequent burning thereof, the Parish Council does hereby adopt and enact this edict.

**B. Prohibition Against Dumping and Outdoor Burning.**

Except as otherwise provided in Paragraph C, no person, partnership, firm, association, corporation, limited liability company, or entity shall, within the unincorporated areas of St. Martin Parish, Louisiana, transport or have transported for the purpose of storage, dumping, or other deposit onto any property in the unincorporated area of St. Martin Parish, any building or construction materials, brush, limbs, trees, leaves, tires, trash, or any other refuse or abandoned items or materials whatsoever. Moreover, no such items or materials shall thereafter be burned or cause to be burned

by either the person, firm or entity transporting same or by the person, firm, or entity have custody or control of the premises to which the said items or materials have been transported. Further, the Parish of St. Martin hereby deems such activities to be a nuisance and unlawful.

The foregoing prohibition shall not apply to the transportation and storage, dumping, or other deposit and/or the subsequent burning thereof of any of the materials referenced herein at any location or site which is duly licensed and approved for such activities by the Louisiana Department of Environmental Quality or any other state or federal regulatory agency having jurisdiction and authority to regulate same.

**C. Exceptions.**

1. The transportation, dumping, storage, or other deposit, and/or the subsequent burning, of the items and/or materials described in this Section may be conducted in the situations specifically enumerated in this subparagraph. However, any such deposit, storage, and/or burning shall be in compliance with other applicable laws and shall comply with regulations and orders of any other governmental entity having jurisdiction, including air control regulations and orders. Furthermore, the authority to conduct such activities under this Section does not exempt or excuse the person, firm, or entity of any responsibility for the consequences or the damages or injuries resulting from such activities.

2. The prohibition enunciated in this Section shall not apply to the following:

- a. Outdoor burning in connection with the preparation of food.
- b. Campfires and fires used solely for recreational purposes or for ceremonial occasions.
- c. Fires purposely set to agricultural and forestry lands for specific management or harvesting purposes in accordance with practices acceptable to the Louisiana Department of Agriculture.
- d. Small fires by tradesmen and contractors in onsite activities such as building construction, street repairs, installation, or repairs of sewer, water, electric, telephone mains, and services.
- e. The operation of contrivances using open flames such as welding torches, blowtorches, portable heaters, and other flame emitting devices.

- f. Fires purposely set as a part of an organized program of drills for the training of firefighting personnel or for testing firefighting materials or equipment if the following conditions are satisfied:
  - 1. The duration of the burning is held to the minimum required for such purposes; **and**
  - 2. The fire is controlled so that no traffic hazard is created.
- g. Outdoor burning of waste hydrocarbon products from petroleum exploration, development, or production companies, natural gas processing such as, but not limited to, basic sediments, oil produced in testing an oil well, and transport of waste products for sale or reclamation or to dispose of them lawfully in some other manner. In addition, hydrocarbons spilled or lost from pipeline breaks or other transport failures which cannot practically be recovered or be disposed of lawfully in some other manner, may be outdoor burned at the site where the spill occurred or at another place due the safety considerations. Except when the immediate or continuous burning of hydrocarbon spills is reasonably necessary to abate or eliminate an existing or imminent threat of injury to human life or significant damage to property, the outdoor burning shall be conducted under the following conditions:
  - 1. The location of the burning must be 100 feet from any residence;
  - 2. The burning shall be conducted only between the hours of legal sunrise and legal sunset; **and**
  - 3. The burning is controlled so that no traffic hazard is created.
- h. Fires from which the products of combustion are emitted directly into the open air after passing through a stack or chimney such as a residential fireplace; and
- i. The by-product of any manufacturing or milling process such as, but not limited to, bagasse.



**D. Burning on one's own property.**

Notwithstanding any provision of this section to the contrary, this ordinance shall not prohibit any person, firm, or entity from the onsite burning of any leaves, brush, tree limbs, or similar vegetative materials generated on any property owned, leased, or lawfully occupied by the said person, firm, or entity. Furthermore, this section does not prohibit the transportation and subsequent burning of such vegetative materials generated on property owned, leased, or lawfully occupied by a person, firm, or entity to another site owned, leased, or lawfully occupied by that person, firm, or entity.

This subsection does not relieve any person, firm, or entity from compliance with any federal, state, or other local regulatory edict which govern such activities.

**E. Penalties.**

Whoever violates any term or provision of this Chapter shall be fined not less than Three Hundred and No/100 (\$300.00) Dollars, nor more than Five Hundred and No/100 (\$500.00) Dollars, imprisoned for not more than thirty days, or both. Any fine imposed shall not be subject to suspension.

The penalties provided for herein shall be in addition to any other remedy provided by law or ordinance.

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.

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

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

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

And the Ordinance was declared adopted this 3rd day of August, 2021.

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

**ORDINANCE NO. 21-08-1330-OR**

AN ORDINANCE TO AUTHORIZE THE ST. MARTIN PARISH GOVERNMENT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH ST. LANDRY PARISH FIRE PROTECTION DISTRICT #5 WHEREBY ORDINANCE NO. 20-06-1290-OR, ADOPTED ON THE 2ND DAY OF JUNE, 2020, BE REVISED TO AUTHORIZE THE CONFECTION OF AN AMENDED INTERGOVERNMENTAL AGREEMENT PROVIDING THAT FOR THE SUM OF \$650,000.00, THE ST. MARTIN PARISH GOVERNMENT WILL HAVE THE RIGHT TO OCCUPY PREMISES LOCATED IN THE TOWN OF ARNAUVILLE, LOUISIANA, FOR THE PURPOSES OF FIRE PROTECTION SERVICES RENDERED BY THE FIRE SERVICE DISTRICT OF ST. MARTIN PARISH AND/OR THE ARNAUVILLE FIRE DEPARTMENT.

WHEREAS, both St. Landry Parish Fire Protection District #5 (“St. Landry”) and St. Martin Parish Government (“St. Martin”), acting through its Fire Service District, jointly provide fire protection and related first responder services in the Town of Arnaudville, Louisiana (“Town”) and in the surrounding area; and

WHEREAS, the Town is located in both St. Landry Parish and St. Martin Parish; and

WHEREAS, both St. Martin and St. Landry maintain equipment and personnel for the suppression of fires and emergency incidents in or near their respective areas of responsibility; and

WHEREAS, to promote public health, safety, and welfare, St. Martin and St. Landry desire to augment their fire protection services within their respective response areas for the purposes of

structure fires, major fire events, other conflagrations, and/or related emergency events such as automobile accidents; and

WHEREAS, the response areas of both St. Martin and St. Landry are in such close proximity that mutual aid for fire and related emergencies is feasible; and

WHEREAS, Article VII, Section 14(B) of the Louisiana Constitution sanctions the joint use of public resources by political subdivisions for public service pursuits; and

WHEREAS, Article VII, Section 14(C) of the Constitution of the State of Louisiana further dictates that in order to accomplish such public purposes, political subdivisions may engage in cooperative endeavors; and

WHEREAS, both St. Martin and St. Landry are political subdivisions which have the authority and obligation to provide fire protection services; and

WHEREAS, St. Martin and St. Landry postulate that entering into an intergovernmental agreement pursuant to the terms referenced herein shall serve an extremely valuable public purpose and produce significant public benefits; and

WHEREAS, St. Martin has always enjoyed an amicable relationship with St. Landry, and both have traditionally provided assistance to each other relative to such public safety and protection endeavors; and

WHEREAS, both St. Martin and St. Landry are amenable to an association which, in their collective judgment, will advance the objectives herein expressed; and

WHEREAS, both St. Martin and St. Landry find and conclude that an agreement between them having as its object the sharing of facilities and providing mutual aid services, all for fire suppression and emergency incidents, will serve a public function and purpose and thus will inure to the benefit of the citizens of both political subdivisions; and

WHEREAS, St. Landry is the owner of the following described property:

That certain tract of land, together with all buildings and improvements thereon located, and all rights, ways, privileges, and servitudes thereto appertaining, situated in Section 45, Township 7 South, Range 5 East, of the Town of Arnaudville in St. Landry Parish, Louisiana, the said property being irregular in shape, containing .949 acres, and being depicted as Tract 1 on a plat of survey prepared by Jacob L. Jarrell dated January 27, 2020, a copy of which is appended hereto; the said property containing such boundaries and dimensions as depicted on the attached plat of survey (hereinafter referred to as "Property");

WHEREAS, St. Landry has agreed to construct a fire station on the Property which is located in the Town; and

WHEREAS, St. Martin previously agreed by virtue of an ordinance adopted on June 2, 2020, to provide the sum of Four Hundred Fifty Thousand and No/100 (\$450,000.00) Dollars towards the construction of the said facility (fire station), and in return, St. Martin shall have the right to:

1. Locate a minimum of five (5) fire units (trucks) at the said station;
2. Access the said facility on a twenty-four (24) hour, seven (7) days a week, basis;
3. Store reasonable and necessary fire fighting equipment, apparel, and related paraphernalia at the said station; and
4. Locate and utilize all reasonable and necessary communications equipment in the said station;

WHEREAS, bids were recently received for the construction of the aforementioned facility (fire station), and the lowest bid requires a contribution from St. Martin of Six Hundred Fifty Thousand and No/100 (\$650,000.00) Dollars, as opposed to the Four Hundred Fifty Thousand and No/100 (\$450,000.00) Dollars previously authorized; and

WHEREAS, the Fire Service District Steering Committee and the Parish President have determined that the low bid received for the construction of the fire station is consistent with the current costs of construction endeavors which have recently substantially increased as a consequence of the COVID-19 pandemic; and

WHEREAS, the expenditure of Six Hundred Fifty Thousand and No/100 (\$650,000.00) Dollars as consideration for the intergovernmental agreement previously referenced herein relative to the construction and use of the aforementioned fire station will inure to the benefit of St. Martin Parish, in general, and the Fire Service District, in particular; and

WHEREAS, any governmental accord reached in connection with the foregoing should continue to have a term of no less than fifty (50) years; and

WHEREAS, all obligations for the construction of the facility (fire station) shall be the sole responsibility of St. Landry; and

WHEREAS, the payment and securing of all property and casualty insurance for the premises, as well as all utility services consumed on the premises, shall be the sole obligation of St. Landry:

BE IT, THEREFORE, ORDAINED that Parish President Chester R. Cedars be authorized to enter into an intergovernmental agreement with St. Landry whereby the Fire Service District of St. Martin Parish, acting through its Arnaudville Fire Department, shall have the right to occupy and utilize the following described property:

That certain tract of land, together with all buildings and improvements thereon located, and all rights, ways, privileges, and servitudes thereto appertaining, situated in Section 45, Township 7 South, Range 5 East, of the Town of Arnaudville in St. Landry Parish, Louisiana, the said property being irregular in shape, containing .949 acres, and being depicted as Tract 1 on a plat of survey prepared by Jacob L. Jarrell dated January 27, 2020, a copy of which is appended hereto; the said property containing such boundaries and dimensions as depicted on the attached plat of survey;

BE IT FURTHER ORDAINED that the acquisition of the right to use the aforesaid property under the terms and conditions expressed herein shall be for a sum not to exceed Six Hundred Fifty Thousand and No/100 (\$650,000.00) Dollars and shall be for the sole and exclusive purpose of enabling and enhancing the ability of the St. Martin Parish Fire Service District, acting through the Arnaudville Fire Department, to provide fire and related emergency services.

BE IT FURTHER ORDAINED that, at a minimum, the St. Martin Parish Fire Service District shall have the following rights relative to the use of the aforesaid facility/property:

1. The right to locate a minimum of five (5) fire units (trucks) at the said station;
2. The right to access the said facility on a twenty-four (24) hour, seven (7) days a week, basis;
3. The right to store all reasonable and necessary fire fighting equipment, apparel, and related paraphernalia on the premises; and
4. The right to locate and utilize all necessary and reasonable communications equipment.

BE IT FURTHER ORDAINED that the term of any such intergovernmental agreement by which St. Martin, through its Fire Service District, will have the aforesaid rights shall not be less than fifty (50) years.

BE IT FURTHER ORDAINED that the acquisition of the property rights referenced herein shall be pursuant to an intergovernmental agreement between St. Martin and St. Landry, the said accord to be confected by the Parish President of St. Martin Parish pursuant to the terms and conditions set forth in this edict and under such further terms, conditions, and provisions as the said Parish President may deem necessary and fit in his uncontrolled discretion.

BE IT FURTHER ORDAINED that any provision of Ordinance No. 20-06-1290-OR, adopted on June 2, 2020, which is inconsistent with the terms, conditions, and provisions of this edict are hereby supplanted.

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.

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

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

And the Ordinance was declared adopted this 3rd day of August, 2021.

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

**RESOLUTION NO. 21-061-RS**

A RESOLUTION APPROVING AND AUTHORIZING THE PARISH PRESIDENT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF LOUISIANA, ACTING THROUGH THE DEPARTMENT OF WILDLIFE AND FISHERIES, ALL RELATIVE TO THE REPAIR AND MAINTENANCE OF THE BOAT LANDING, LAUNCH RAMP, AND ADJACENT PARKING AREA AT LAKE MARTIN.

WHEREAS, the Louisiana Department of Wildlife and Fisheries (“LDWF”) has traditionally owned and maintained the boat landing and launch ramp (“Boat Launch”) located at Lake Martin in St. Martin Parish, Louisiana; and

WHEREAS, the St. Martin Parish Government (“PARISH”) has traditionally enjoyed a right of way and maintained a certain roadway along Lake Martin known as “Rookery Road”; and

WHEREAS, the PARISH has also traditionally maintained the parking area (“Parking Lot”) adjacent to the Boat Launch and Rookery Road; and

WHEREAS, LDWF and/or PARISH have in the past expended funds for the maintenance of the Boat Launch and Parking Lot; and

WHEREAS, despite the efforts of LDWF and PARISH, the condition of the Boat Launch and Parking Lot have deteriorated; and

WHEREAS, on or about March 1, 2020, landowners of private property in the vicinity of the Boat Launch and Parking Lot physically blocked public access thereto; and

WHEREAS, the said landowners asserted full ownership and control of the Boat Launch and Parking Lot; and

WHEREAS, LDWF disputed the landowners’ claims and instituted litigation in the action entitled, “State of Louisiana, Through the Department of Wildlife and Fisheries v. Patrick R. Garritt, et al,” bearing number 89949-C of the docket of the 16<sup>th</sup> Judicial District Court, St. Martin Parish, Louisiana. In that action, LDWF sought a judicial declaration that the use of the Boat Launch and Parking Lot was burdened with certain servitude rights in favor of the public and injunctive relief prohibiting the landowners from preventing public access to the said Boat Launch and Parking Lot; and

WHEREAS, the litigation was resolved via a Consent Order signed by the Court on June 13, 2021, wherein the landowners granted the LDWF a perpetual servitude, unencumbered, which included any and all interests of the landowners in the Boat Launch, Parking Lot, and other areas identified and described in the decree; and

WHEREAS, the entirety of the said Consent Order is incorporated herein by reference and made a part hereof; and

WHEREAS, to promote public health, safety, and welfare, the LDWF and PARISH desire to adopt steps to repair, improve, and maintain those areas referenced in the said Consent Order; and

WHEREAS, Article VII, Section 14 (C) of the Constitution of the State of Louisiana further dictates that in order to accomplish a public purpose political subdivisions and the State of Louisiana may engage in cooperative endeavors; and

WHEREAS, the PARISH and LDWF postulate that entering into an intergovernmental agreement for the repair and maintenance of the Boat Launch and adjacent parking areas will serve an extremely valuable public purpose and produce a significant public benefit; and

WHEREAS, the PARISH has always enjoyed an amicable relationship with LDWF, and both have traditionally provided assistance to each other relative to such public endeavors:

BE IT THEREFORE RESOLVED that the Parish President is hereby authorized, empowered, and directed to confect a written intergovernmental agreement with the LDWF for the repair, improvement, and maintenance of the structures and adjacent areas over which a perpetual servitude of public use was granted in the Consent Order entered in the action entitled, "State of Louisiana, Through the Department of Wildlife and Fisheries v. Patrick R. Garritt, et al," bearing number 89949-C of the docket of the 16<sup>th</sup> Judicial District Court, St. Martin Parish, Louisiana.

BE IT FURTHER RESOLVED that the entirety of the Consent Order rendered in the action entitled, "State of Louisiana, Through the Department of Wildlife and Fisheries v. Patrick R. Garritt, et al," bearing number 89949-C of the docket of the 16<sup>th</sup> Judicial District Court, St. Martin Parish, Louisiana, be and is hereby incorporated herein by reference.

BE IT FURTHER RESOLVED that any accord confected by and between the PARISH and LDWF shall contain such other terms, conditions, and provisions as the Parish President, acting in his uncontrolled discretion, may deem appropriate.



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

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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Chairman Chris Tauzin asked if there was anyone present in the audience from Coastal Contractors, Inc. to contest to the disqualification of their bid. No one from Coastal Contractors, Inc. was present.

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

**RESOLUTION NO. 21-062-RS**

WHEREAS, the St. Martin Parish Government has made an official call for bids for the Herman Dupuis Road Pontoon Bridge Replacement Project, St. Martin Parish, Louisiana; and

WHEREAS, in accordance with the advertisement, sealed bids were opened July 6, 2021, and four (4) complete bid packets were received for said project; and

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

WHEREAS, one bid submitted by Coastal Contractors, Inc. did not set forth on the uniform bid the necessary data as required by law including La. R.S. 38: 2212(B)(2); and

WHEREAS, a second bid which was submitted by Coastal Contractors, Inc. was received almost two (2) hours after the deadline for bid submissions; and

WHEREAS, Huval & Associates, Inc. has recommended, in writing, that the bids submitted by Coastal Contractors, Inc. be disqualified; and

WHEREAS, Huval & Associates, Inc. has further recommended, in writing, that the lowest responsive bidder for the project was Shavers and Whittle Construction, L.L.C., with a Unit Price Extension Total in the amount of \$7,230,518.15.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby disqualify the bids submitted by Coastal Contractors, Inc. and does hereby award the contract for the Herman Dupuis Road Pontoon Bridge Replacement Project, St. Martin Parish, Louisiana, to the responsive low bidder, Shavers and Whittle Construction, L.L.C., in the amount of \$7,230,518.15.

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

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

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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

**RESOLUTION NO. 21-063-RS**

WHEREAS, Section 2-02 of the St. Martin Parish Home Rule Charter states that within thirty (30) days after the publication of the federal census, the Council shall appoint a Citizen Reapportionment Committee; and

WHEREAS, the appointed members shall prepare a reapportionment plan for the Parish and within twelve (12) months submit it to the Council; and

WHEREAS, the membership of this Committee shall be made up of a total of ten members, one (1) appointed by each member of the Council, except that the Council member representing the district incorporating the lower part of St. Martin Parish shall appoint two (2) members of the Committee, one (1) from lower St. Martin Parish-these two (2) members shall each have a one half (1/2) vote and all other members shall have one (1) vote; and

WHEREAS, the St. Martin Parish Council Members appoint the following members to the Citizen Reapportionment Committee: District 1 – Kirk Sieber and Ricky Acosta; District 2 – Yvette Morris; District 3 – John Alexander; District 4 – Dale Boudreaux; District 5 – Terry Guidry; District 6 – Robert Hollier; District 7 – Linda Handy; District 8 – Michael Melancon; and District 9 – Randy Dore.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, convened in Regular Session this 3rd day of August, 2021, by the authority granted in Section 2-02 of the St. Martin Parish Home Rule Charter, does hereby appoint a Citizen Reapportionment Committee to prepare a reapportionment plan for St. Martin Parish, Louisiana.

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

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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

**RESOLUTION NO. 21-064-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 5339, 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 FTA Transit Programs.

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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

**RESOLUTION NO. 21-065-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing a member of the St. Martin Parish Fire Protection District Civil Service Board, whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Brody Miller for a three (3) year term expiring on August 1, 2024, to serve as a member of the St. Martin Parish Fire Protection District Civil Service Board.

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

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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

**RESOLUTION NO. 21-066-RS**

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Michael Seider, Mr. Ed Boyd and Judge Lewis Pitman, Jr. for two (2) year terms

expiring on August 2, 2023, to serve as members of the 16<sup>th</sup> Judicial District Children and Youth Planning Board.

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

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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

**RESOLUTION NO. 21-067-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River) whose term will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Jimmy Bailey to serve on the St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River) for a two (2) year term expiring on August 7, 2023.

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

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

And the Resolution was declared adopted this 3rd day of August, 2021.

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Planning and Zoning Coordinator Morgan Allemond read ordinances introduced for publication, as follows:

SUMMARY NO. 1332-OR (Introduced by Chris Tauzin, District 5)

An Ordinance providing for a 3-way stop sign at the intersection of Hammock Lane and Palm Harbor Way, located in District 5.

SUMMARY NO. 1333-OR (Introduced by Chris Tauzin, District 5)

An Ordinance establishing a weight limit of fifteen (15) tons on Bordelon Road, located in Districts 5 and 8.

SUMMARY NO. 1334-OR (Introduced by Carla JeanBatiste, District 2)

An Ordinance authorizing the sale of an empty lot on St. Ann Street, St. Martinville, acquired by Tax Sale.

Prior to adjournment, Parish President Chester Cedars advised of a few informational items not requiring Council action. Parish President Chester Cedars announced that construction for the Pontoon Bridge Replacement Project should begin in 45-60 days. The project will be done in two (2) phases: 1) offsite assembly of portions of the bridge (330 calendar days), and 2) removal of old structure and installation of the new structure (270 working days). President Cedars mentioned that the bid opening for the Arnaudville Pavilion is scheduled for August 25, 2021. The Henderson Lake Drawdown was scheduled to commence but the water level was too high to start. Finally, President Cedars is hopeful he will have a plan to share with the Council Members relative to American Rescue Plan Act monies by August 17, 2021.

Council Member Dean LeBlanc asked if there is an update on canal/roadside spraying operations. Parish President Chester Cedars and Director of Public Works Kasey Courville declared operations are slightly delayed due to recent weather events but are still expected to be complete on schedule.

A motion was made by Tangie Narcisse and seconded by David Poirier that the St. Martin Parish Council does hereby adjourn. Motion was unanimously approved.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:



BROOKE GILLESPIE  
CLERK OF THE COUNCIL