

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

### **REGULAR MEETING - MAY 3, 2022**

The St. Martin Parish Council met in Regular Session convened at 5:00 P.M., Tuesday, May 3, 2022, Carroll J. Fuselier Meeting Room, St. Martin Parish Annex Building, 301 West Port Street, St. Martinville, Louisiana.

The meeting was called to order by Chairman Chris Tauzin.

The Invocation was read by Brooke Gillespie, and the Pledge of Allegiance was led by Daniel Richard, Jr.

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

A motion was made by Carla JeanBatiste and seconded by Byron Fuselier to approve the minutes of the St. Martin Parish Council Regular Meeting of April 5, 2022.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Brook Champagne (excused).

And the motion was declared adopted this 3rd day of May, 2022.

Clerk of the Council Brooke Gillespie read Special Business Item A: RULE TO SHOW CAUSE to address nuisance property located at 1008 Guidry Drive, Breaux Bridge. Property owned by Thomas Joseph c/o Gayle Bourda.

Property owner Gayle Bourda was not present to discuss the condition of 1008 Guidry Drive, Breaux Bridge. Planning and Zoning Director Morgan Allemond stated Ms. Bourda was served on April 20, 2022, relative to the overgrown grass and abandoned structure on the property. Mrs. Allemond mentioned that a phone conversation was held yesterday where Ms. Bourda asked for two weeks to get the grass cut and stated she would like to eventually rent out the mobile home. Council

Member Vincent Alexander announced that the grass had been cut at the property and passed around pictures (*on-file*) for the Council Members to see. After hearing testimony from Mrs. Morgan Allemond and upon reviewing the photographs taken by Compliance Officer Ronald Solarie (*on-file*), the Council found that under Section 24-105 of the St. Martin Parish Code of Ordinances, the condition of the property renders it a “Nuisance” as a result of the abandoned structure on the premises.

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

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Brook Champagne (excused).

And the motion was declared adopted this 3rd day of May, 2022.

Clerk of the Council Brooke Gillespie read Special Business Item B: Council to enter into Executive Session to discuss spoil bank removal litigation in the matter entitled, “Lafayette Consolidated Government v. St. Martin Parish Government and the United States Army Corps of Engineers” bearing number C-20221498-B of the docket of the 15th Judicial District Court, Lafayette Parish.

Parish President Chester Cedars declared he no longer sees a need to have an Executive Session. Thus, President Cedars advised that the State legislation has been removed to federal court. Lafayette Consolidated Government (LCG) has continuously stated that a Corps permit was not required for the spoil bank removal. Also on Thursday, April 28, 2022, Parish attorneys were advised by an Assistant United States Attorney that an Administrative Order has been issued by the Corps, notifying and advising LCG that a Corps Permit was required for LCG's spoil bank destruction activities in St. Martin Parish. President Cedars then read Paragraph 18 of the Motion to Dismiss which references information about the necessity of a Corps permit. President Cedars acknowledged that he has not seen the Administrative Order himself but stated that St. Martin Parish



Government will continue to accumulate data and continue to seek remedial action.

Due to an error in the publication of the ordinances introduced for public hearing, as mandated by Section 2-12 of the St. Martin Parish Home Rule Charter, a motion was made by Dean LeBlanc and seconded by Carla JeanBatiste to defer indefinitely action on all six (6) items under Item 8 (Public Hearing and Public Meeting for Adoption of Ordinances Previously Introduced and Published).

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Brook Champagne (excused).

And the motion was declared adopted this 3rd day of May, 2022.

Parish President Chester Cedars recommended having a Special Meeting on Wednesday, May 25, 2022, to comply with the Home Rule Charter and millage adoption requirements.

A motion was made by David Poirier and seconded by Daniel Richard, Jr. to extend the agenda to reintroduce the deferred ordinances.

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

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

NAYS: None.

ABSTAIN: None.

ABSENT: Brook Champagne (excused).

And the motion was unanimously adopted this 3rd day of May, 2022.

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

SUMMARY NO. 1352-OR (Introduced by Chris Tauzin, District 5)

An Ordinance to amend Article I of Chapter 24 of the Code of Ordinances for St. Martin Parish, Louisiana, by the enactment of Section 24-6, all relative to the prohibition of activities prohibited by La. R.S. 14:102.23, 14:102.24, and 14:102.19, and defining such activities as a nuisance.

SUMMARY NO. 1353-OR (Introduced by Daniel Richard, Jr., District 9)

An Ordinance amending Chapter 19, St. Martin Parish Zoning Ordinance, Appendix D, Parish Road Zoning Data Sheets of the Code of Ordinances for the St. Martin Parish Government by: amending the zoning classification district on a portion of a road zoned in the original ordinance adopted on December 18, 1995. {**1201 Camp Bon Temps Road**}

SUMMARY NO. 1354-OR (Introduced by Dean LeBlanc, District 8)

An Ordinance amending Chapter 19, St. Martin Parish Zoning Ordinance, Appendix D, Parish Road Zoning Data Sheets of the Code of Ordinances for the St. Martin Parish Government by: amending the zoning classification district on a portion of a road zoned in the original ordinance adopted on December 18, 1995. {**1245 Melvin Dupuis Road**}

SUMMARY NO. 1355-OR (Introduced by Chris Tauzin, District 5)

An Ordinance setting the Millage Rate(s) for the Tax Year 2022.

SUMMARY NO. 1356-OR (Introduced by Byron Fuselier, District 1)

An Ordinance providing for an amendment to the expenditures of the Year 2022 Budget for Fire Protection Fund.

SUMMARY NO. 1357-OR (Introduced by Vincent Alexander, District 7)

An Ordinance to authorize the St. Martin Parish Government to sell by public disposition all of its interests in the property depicted as Lots 2B and 7A of that Act of Partition recorded in the Conveyance Records of St. Martin Parish, Louisiana, in Book 815, Page 235, under Entry No. 193457, all in accordance with La R.S. 47:2201, *et seq.*

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

**RESOLUTION NO. 22-034-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 Ms. Pamela Lemoins for a two (2) year term expiring on May 1, 2024, to serve as a member of the 16<sup>th</sup> Judicial District Children and Youth Planning Board.

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

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

And the Resolution was declared adopted this 3rd day of May, 2022.

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

### **RESOLUTION NO. 22-035-RS**

WHEREAS, the St. Martin Parish Council is interested in reappointing a member to serve on the St. Martin Economic Development Authority Board of Directors whose term will expire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby reappoint Mr. Henry Derouselle to serve on the St. Martin Economic Development Authority Board of Directors for a three (3) year term, expiring on May 4, 2025.

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

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

And the Resolution was declared adopted this 3rd day of May, 2022.

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

**RESOLUTION NO. 22-036-RS**

WHEREAS, there exists a contract for the provision of services for the Louisiana WIC Program related to the provisions of WIC services; and

WHEREAS, said contract will expire on June 30, 2022; and

WHEREAS, the Louisiana Department of Health and Hospitals is offering to renew the contract for an additional three (3) years contingent upon available funds; and

WHEREAS, the contract is effective July 1, 2022, through June 30, 2025; and

WHEREAS, the Parish President be and he is hereby empowered, authorized and directed to negotiate the renewal of the contract and on the current terms and conditions and others that he may deem advisable.

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, that the Parish President be and he is hereby authorized, directed and empowered to execute a contract or contracts with the Louisiana Department of Health and Hospitals, and to execute said documents on behalf of the St. Martin Parish Government, and further we do hereby give him the power and authority to do all things necessary to implement, maintain, amend, or renew said documents.

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

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

And the Resolution was declared adopted this 3rd day of May, 2022.

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

**RESOLUTION NO. 22-037-RS**

A RESOLUTION OF THE ST. MARTIN COUNCIL RECOMMENDING THAT THE LOUISIANA BOARD OF COMMERCE AND INDUSTRY TAKE NO ACTION ON THE ALLEGED NON-COMPLIANCE OF THE LOUISIANA SUGAR CANE COOPERATIVE, INC. RELATIVE TO CONTRACT NUMBERS 20170492-ITE AND 20170492-A-ITE.

WHEREAS, Article VII, Section 21(F) of the Louisiana Constitution provides that the Louisiana Board of Commerce and Industry (“Board”), with the approval of the Governor of the State of Louisiana (“Governor”) may enter into contracts for the exemption of ad valorem taxes for certain industrial and manufacturing ventures; and

WHEREAS, the Governor has established the terms and conditions pursuant to which he will approve contracts for the Industrial Tax Exemption (“Exemption”); and, the Board has promulgated Rules pursuant to which it will approve contracts, all in accordance with Article VII, Section 21(F) of the Louisiana Constitution; and

WHEREAS, the Louisiana Board of Commerce and Industry (“Board”) has notified the St. Martin Parish Government that the Louisiana Sugar Cane Cooperative, Inc. (“LASUCA”) is in non-compliance with contracts awarding tax exemption, under contract numbers 20170492-ITE and 20170492-A-ITE; and

WHEREAS, the Parish President after due deliberation has concluded that the alleged contract violations are not material in several respects; and

WHEREAS, the St. Martin Parish Council has also studied the grounds for the alleged non-compliance and has also determined that the said bases are not material:

NOW, THEREFORE, BE IT RESOLVED by the St. Martin Parish Council, in regular and legal session convened this 3<sup>rd</sup> day of May, 2022, recommends that the Louisiana Board of Commerce and Industry adopt no remedial action for the alleged violations of Contract Numbers 20170492-ITE and 20170492-A-ITE.

BE IT FURTHER RESOLVED that the Parish President and St. Martin Parish Council have concluded that the responses of LASUCA relative to the alleged violations are cogent and reasonable.

BE IT FURTHER RESOLVED that this Resolution applies only to the alleged violations set forth in transmittals dated March 15, 2022, addressed to the Parish President from Hud Usie, the program director of the Industrial Tax Exemption Program administered through the Louisiana Board of Commerce and Industry.

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

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

And the Resolution was declared adopted this 3rd day of May, 2022.

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

#### **RESOLUTION NO. 22-038-RS**

WHEREAS, a contract for the Bayou Benoit - General Site Upgrades Project, was awarded to low bidder, Landry's Construction Services, LLC, with a low bid in the amount of \$187,237.90; and

WHEREAS, A&E Consultants, Inc. has recommended Change Order No. 1 in the amount of \$10,529.80 (increase).

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 \$10,529.80 (increase) for the Bayou Benoit - General Site Upgrades Project, by Landry's Construction Services, LLC.



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

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

And the Resolution was declared adopted this 3rd day of May, 2022.

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

### **RESOLUTION NO. 22-039-RS**

A RESOLUTION RECOGNIZING THE NEED FOR THE CONSTRUCTION OF AN UPDATED FACILITY FOR THE OPERATIONS OF THE ACADIANA CRIMINALISTICS LABORATORY, SUPPORTING ITS APPLICATION FOR FUNDING FROM THE STATE OF LOUISIANA THEREFOR, AND COMMITTING TO WORKING COLLABORATIVELY TO SECURE ANY AND ALL REQUIRED CONTRIBUTIONS FOR THE SAID CAPITAL ENDEAVOR.

WHEREAS, La. R.S. 40:2267.1 established the Acadiana Criminalistics Laboratory Commission to serve the southwest Louisiana parishes of Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermilion, relative to the operation of the Acadiana Criminalistics Laboratory (“ACL”); and

WHEREAS, the Acadiana Criminalistics Laboratory’s statutorily defined duties and responsibilities embrace crime detection, prevention, investigation, and related activities associated with criminal investigations, arrests, and prosecution; and

WHEREAS, over ninety-seven (97%) per centum of funding for the ACL emanates from costs imposed upon parties in criminal cases by the various courts located within the parishes and municipalities served by the ACL; and

WHEREAS, the ACL is a critical component of the criminal justice system for the eight (8) parishes which it directly serves; and

WHEREAS, the work of the ACL results in both the scientific identification of offenders and the exoneration of suspects, thus providing a balanced, fair, effective, reliable, and efficient

administration of justice; and

WHEREAS, the ACL is composed solely of independent scientists whose duties embrace the forensic evaluation of evidence collected during the course of the investigation of criminal offenses; and

WHEREAS, as a consequence of the foregoing, the arrest and subsequent prosecution of suspects are expedited, and the exoneration of potential suspects is similarly effected expeditiously; and

WHEREAS, one of the many positive by-products of the foregoing is the reduction of the number of pre-trial inmates incarcerated in local jails which are funded by local governing authorities by virtue of unfunded mandates imposed by law; and

WHEREAS, the current facility from which the ACL operates is not only outdated, but it is not of sufficient size to accommodate the mass volume of cases handled during the normal operations of ACL; and

WHEREAS, the said facility is also prone to flooding, and it has fallen into disrepair and presents frequent failures in its plumbing, HVAC system, and roofing structure, among other issues; and

WHEREAS, the outdated and dilapidated condition of the current ACL facility compromises the integrity of ACL's scientific work and the maintenance of records and jeopardizes the invaluable scientific equipment and related paraphernalia situated therein; and

WHEREAS, to address the remediation of the foregoing problems, the ACL has submitted requests to the State of Louisiana for funds necessary to construct a new facility on property owned by it and situated adjacent to the current facility; and

WHEREAS, any assistance from the State of Louisiana is projected to require a "match" which in this instance would be approximately Five Million dollars; and

WHEREAS, La. R.S. 40:2266.1(E) provides that local governing authorities serviced by the ACL may contribute funds on a pro rata basis for its capital operations; and

WHEREAS, the St. Martin Parish President and St. Martin Parish Council postulate that any necessary "match" required for the state funding of a new facility can and ought to be secured through a collaborative endeavor among all of the parish governing authorities, municipalities, and other agencies within the eight-parish region served by the ACL:



BE IT, THEREFORE, RESOLVED that the St. Martin Parish Government does hereby urge and specifically request that the Governor of the State of Louisiana, and the legislative delegation of the parishes which compose the Acadiana Criminalistics Laboratory adopt all steps necessary to secure the necessary funding for the construction of a new state-of-the art facility for the laboratory.

BE IT FURTHER RESOLVED that St. Martin Parish Government does further commit to participating in a joint collaborative endeavor among all of the parishes and municipal governing authorities within the eight-parish region of the Acadiana Criminalistic Laboratory to secure any “match” which may be a concomitant of any state funding.

BE IT FURTHER RESOLVED that certified copies of this resolution be submitted to Governor John Bel Edwards and to the legislative delegation whose districts, or a part thereof, are within the jurisdictional boundaries of the Acadiana Criminalistics Laboratory.

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

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

And the Resolution was declared adopted this 3rd day of May, 2022.

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

SUMMARY NO. 1358-OR (Requested by Parish President Chester Cedars)

An Ordinance to amend Chapter 8 of the St. Martin Parish Code of Ordinances revising the schedule for building and/or construction permits.

SUMMARY NO. 1359-OR (Introduced by Chris Tauzin, District 5)

An Ordinance amending Ordinance No. 11-05-0946-OR, reapportioning single member voting districts for the Council of the Parish of St. Martin, Louisiana, in accordance with the 2020 Census.

SUMMARY NO. 1360-OR (Introduced by Chris Tauzin, District 5)

An Ordinance amending current Parish Ordinance No. 02-03-0206-OR, as amended by Ordinance No. 19-12-1281-OR, creating whole voting precincts for the Parish of St. Martin in accordance with the guidelines put forth by the Louisiana Secretary of State.



SUMMARY NO. 1361-OR (Requested by Parish President Chester Cedars)

An Ordinance to authorize the St. Martin Parish Government to sell by public disposition all of its interest in the property described as an undivided interest of 15.46 acres located in Section 30 of Township 9 South, Range 7 East, said interest being assessed by the St. Martin Parish Assessor under Parcel #10702A3361 of St. Martin Parish, Louisiana, all in accordance with La. R.S. 47:2201, *et seq.* (Adjudicated Sales)

SUMMARY NO. 1362-OR (Requested by Parish President Chester Cedars)

An Ordinance to authorize the St. Martin Parish Government to sell by public disposition all of its interests in the property described as an undivided interest in Lot 7 per survey recorded under Entry No. 181780, all in accordance with La. R.S. 47:2201, *et seq.* (Adjudicated Sales)


SUMMARY NO. 1363-OR (Requested by Parish President Chester Cedars)

An Ordinance to authorize the St. Martin Parish Government to sell by public disposition all of its interest in the property described as a lot in Section 43, Township 11 South, Range 6 East of St. Martin Parish, Louisiana, all in accordance with La. R.S. 47:2201, *et seq.* (Adjudicated Sales)

Prior to adjournment, Parish President Chester Cedars announced that the tax renewal for Sales Tax District No. 1 passed. President Cedars thanked Executive Secretary Lesley Thibodeaux for her assistance in organizing presentation relative to this renewal and the Council for their support. Council Members thanked President Cedars for his leadership and dedication in informing the citizens of St. Martin Parish of the importance of this tax. Finally, Council Member Byron Fuselier declared that the tax for Recreation District No. 1 passed, as well.

A motion was made by Dean LeBlanc, 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