

PROCEEDINGS OF THE ST. MARTIN PARISH COUNCIL

REGULAR MEETING - SEPTEMBER 6, 2022

The St. Martin Parish Council met in Regular Session convened at 5:00 P.M., Tuesday, September 6, 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 Presiding Officer Dean LeBlanc.

The Invocation was read by Brooke Gillespie, and the Pledge of Allegiance was led by Byron Fuselier.

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

A motion was made by Daniel Richard, Jr. and seconded by Brook Champagne to approve the minutes of the St. Martin Parish Council Regular Meeting of August 2, 2022.

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

YEAS: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne,
Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tausin (excused).

And the motion was declared adopted this 6th day of September, 2022.

Gary O'Neal, Grants Manager of C. H. Fenstermaker & Associates, LLC introduced himself and discussed the new home elevation program. Mr. O'Neal declared that flooding is widespread problem, and they would like to share details of this program with as many people as possible.

A motion was made by David Poirier and seconded by Daniel Richard, Jr. to approve the following Quietus for 2021 Tax Rolls for the Sheriff's Department:

Q U I E T U S

ST. MARTINVILLE, LOUISIANA
SEPTEMBER 6, 2022

WHEREAS, BECKET BREAUX, TAX COLLECTOR, HAS EXHIBITED TO ME SATISFACTORY EVIDENCE THAT ALL TAXES DUE TO THE PARISH GOVERNING AUTHORITY SHOWN ON THE AD VALOREM TAX ROLLS OF ST. MARTIN PARISH FOR THE YEAR 2021 HAS BEEN PAID OR ACCOUNTED FOR.

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

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

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

YEAS: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne,
Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tauzin (excused).

And the motion was declared adopted this 6th day of September, 2022.

Clerk of the Council Brooke Gillespie read Special Business Item B: Placement on the agenda of October 4, 2022, the determination to approve or disapprove the application of Louisiana Sugar Cane Cooperative, Inc. (#20170492-C-ITE) for an Industrial Tax Exemption. A motion was made by Tangie Narcisse and seconded by Byron Fuselier to approve this placement.

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

YEAS: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne,
Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tausin (excused).

And the motion was declared adopted this 6th day of September, 2022.

Clerk of the Council Brooke Gillespie read Special Business Item C: Placement on the agenda of October 4, 2022, the determination to approve or disapprove the application of Processors, LLC (#20170074-ITE) for an Industrial Tax Exemption. A motion was made by Byron Fuselier and seconded by Brook Champagne to approve this placement.

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

YEAS: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne,
Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tausin (excused).

And the motion was declared adopted this 6th day of September, 2022.

A motion was made by David Poirier and seconded by Tangie Narcisse 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: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne,
Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tausin (excused).

And the motion was declared adopted this 6th day of September, 2022.

Presiding Officer Dean LeBlanc asked for public comment regarding the proposed ordinance being considered for final adoption.

Clerk of the Council Brooke Gillespie read the Ordinance Summary.

Upon requesting and hearing no further comments from the audience regarding the proposed ordinance being considered for final adoption, Presiding Officer Dean LeBlanc requested a motion to close the Public Hearing.

A motion was made by Byron Fuselier and seconded by Brook Champagne that the Public Hearing be closed.

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

YEAS: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne,
Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tausin (excused).

And the motion was declared adopted this 6th day of September, 2022.

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

ORDINANCE NO. 22-09-1374-OR

AN ORDINANCE TO GRANT UNTO BROUSSARD 28, LLC AN EXCEPTION TO THE MINIMUM SIDE YARD WIDTH FOR THAT CERTAIN PROPERTY BEING DEVELOPED BY THE SAID OWNER IN SECTIONS 2, 38, AND/OR 39, TOWNSHIP 11 SOUTH, RANGE 5 EAST OF LAFAYETTE AND ST. MARTIN PARISHES, ALL PURSUANT TO SPECIFIC TERMS, CONDITIONS, AND PROVISIONS.

WHEREAS, Broussard 28, LLC (“Owner”) is the owner of the following described property:

Those certain lots or parcels of land, together with all buildings and improvements thereon, and all rights, ways, privileges, servitudes, easements and appurtenances thereto belonging or in anywise appertaining, situated in the Parishes of Lafayette and St. Martin, State of Louisiana, and located in Sections 2, 38, and/or 39, Township 11 South, Range 5 East, containing 156.468 Acres, more or less, the said property having such dimensions, boundaries, shape, form, locations and configuration as shown on that plat of survey dated April 22, 2022, prepared by Shawn Macmenamin, PLS, the original of which is attached to an Act of Cash Sale dated April 22, 2022, and recorded in Book 1808, Page 210, under Entry Number 554769 of the Conveyance Records of St. Martin Parish, Louisiana.

Being the identical property acquired by David S. Bercegeay, et al in part by the certain Judgment of Possession dated October 22, 2004, Amended Judgement of Possession dated

December 29, 2004, and in part by that certain Judgment of Possession recorded on June 22, 2021, in the public records of Lafayette Parish, Louisiana, under File Entry Numbers 2004-48552, 2004-57383, and 2021-28330, respectively.

hereinafter referred to as the “Property”; and

WHEREAS, a portion of the Property is situated in St. Martin Parish, and a portion is situated in the Lafayette Parish within the municipal limits of the City of Broussard; and

WHEREAS, the portion of the Property located in St. Martin Parish is zoned R-1R (Single Family Residential - Restricted) under the zoning ordinances of the Parish; and

WHEREAS, the Owner is planning to develop a residential subdivision on the Property consisting of 383 parcels or lots, all as shown and depicted on that certain plat of survey of the proposed subdivision, dated May 12, 2022, and prepared by Shawn Macmenamin, PLS; and

WHEREAS, the preliminary plat of survey depicting the said lots provide for a minimum five (5') foot side yard width for each lot; and

WHEREAS, the subdivision and zoning regulations of St. Martin Parish mandate that subdivided lots have a minimum ten (10') foot side yard width; and

WHEREAS, the applicable codes for the City of Broussard require only a five (5') foot side yard width; and

WHEREAS, the construction codes applicable to this development permit a five (5') foot minimum side yard width provided any structure erected on any lot complies with specific construction dictates to address such side yard widths; and

WHEREAS, time is of the essence with regard to the commencement of the construction activities for the development of the Property especially, though not exclusively, because of supply chain shortages and the current negative economic climate; and

WHEREAS, the Owner requests from the St. Martin Parish Council a conditional exception or variance relative the Parish’s side yard width requirements; and

WHEREAS, the failure to secure the requested exception or variance will result in a significant hardship to Owner in its efforts to develop the Property.

BE IT THEREFORE ORDAINED that the St. Martin Parish Council finds and declares that the failure to permit a five (5') foot minimum side yard width would create a hardship for Broussard 28, LLC as regards and only as regards the proposed subdivision development of the following described property:

Those certain lots or parcels of land, together with all buildings and improvements thereon, and all rights, ways, privileges, servitudes, easements and appurtenances thereto belonging or in anywise appertaining, situated in the Parishes of Lafayette and St. Martin, State of Louisiana, and located in Sections 2, 38, and/or 39, Township 11 South, Range 5 East, containing 156.468 Acres, more or less, the said property having such dimensions, boundaries, shape, form, locations and configuration as shown on that plat of survey dated April 22, 2022, prepared by Shawn Macmenamin, PLS, the original of which is attached to an Act of Cash Sale dated April 22, 2022, and recorded in Book 1808, Page 210, under Entry Number 554769 of the Conveyance Records of St. Martin Parish, Louisiana.

Being the identical property acquired by David S. Bercegeay, et al in part by the certain Judgment of Possession dated October 22, 2004, Amended Judgement of Possession dated December 29, 2004, and in part by that certain Judgment of Possession recorded on June 22, 2021, in the public records of Lafayette Parish, Louisiana, under File Numbers 2004-48552, 2004-57383, and 2021-28330, respectively.

BE IT FURTHER ORDAINED that by virtue of this ordinance, and in accordance with Section 2-11 of the Home Rule Charter for St. Martin Parish, Louisiana, and in accord with the criteria enunciated Article VIII, Section 6 of the Parish's Zoning Ordinance, that in the development of the aforescribed property, the lots/parcels into which the said property shall be subdivided as depicted on the plat of survey of the Property dated May 12, 2022, and prepared by Shawn Macmenamin, PLS, the required side yard width shall be a minimum of five (5') feet, under all of the following conditions:

- A. The said property shall be divided into 383 lots as depicted on that certain plat of survey prepared by Shawn Macmenamin, PLS, dated May 12, 2022, which plat of survey is made a part hereof by reference; and
- B. The Planning Commission for St. Martin Parish approves of the Subdivision; and
- C. The City of Broussard agrees to provide the entirety of the subdivided property with water and sewerage; and
- D. The construction of any and all structures of the subdivided lots be in strict accord with all applicable construction codes.

A violation of any of the terms or conditions set forth above shall be subject to enforcement in accordance with Article X of the Zoning Ordinance of St. Martin Parish and pursuant to any other legal remedy allowed by law.

BE IT FURTHER ORDAINED that this Ordinance shall not affect any other provisions of the St. Martin Parish Zoning Ordinance and its applicability shall be and is limited to the property described herein and the above state special conditions.

BE IT FURTHER ORDAINED that the St. Martin Parish Council waives any and all other procedures required by its zoning ordinances relative to this edict.

BE IT FURTHER ORDAINED that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

This Ordinance shall become effective as provided by Section 2-12 of the Home Rule Charter of St. Martin Parish, Louisiana.

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

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

And the Ordinance was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-057-RS

A RESOLUTION CONFIRMING THE MONETARY COMMITMENT OF THE ST. MARTIN PARISH GOVERNMENT RELATIVE TO THE CYPRESS BAYOU AND COULEE LASALLE DRAINAGE IMPROVEMENTS PROJECT WHICH EMBRACES THE CLEARING OF THE SAID CHANNELS AND THE REPLACEMENT OF THE HUGHES ROAD BRIDGE.

WHEREAS, St. Martin Parish Government has sold twenty million dollars of general obligation bonds dedicated specifically to address the mitigation of flooding issues which were exposed in part by the floods of 2016 and in preparation for future storm events; and

WHEREAS, one of the projects developed by the St. Martin Parish Government is the clearing and cleaning of channels known as “Cypress Bayou/Coulee LaSalle” together with the replacement of structure known as the Hughes Road Bridge; and

WHEREAS, in connection with the Louisiana Watershed Initiative, St. Martin Parish has been awarded one million dollars for this project as part of a regional grant program for drainage projects; and

WHEREAS, St. Martin Parish Government has committed the sum of two million dollars for the aforementioned project:

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL does hereby confirm its prior commitment of two million dollars for the project known as the Cypress Bayou and Coulee LaSalle Drainage Improvements which embraces the cleaning of the said channels and the replacement of the Hughes Road Bridge.

BE IT FURTHER RESOLVED that the Parish President of St. Martin Parish is directed and authorized to execute any and all necessary instruments or transmittals to verify the commitment of St. Martin Parish Government to expend two million dollars for the said Cypress Bayou and Coulee LaSalle Drainage Improvements Project. The said instruments may contain such terms, conditions, and provisions as deemed necessary and fit by the said Parish President in order to effectuate the commitment referenced herein.

THIS RESOLUTION having been submitted to a vote, upon motion duly made and seconded, and, thus, adopted.

AND THE RESOLUTION was declared adopted on this 6th day of September, 2022.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-058-RS

WHEREAS, cooking, heating, and electrical fires represent three of the nation’s leading causes of home fires, and are collectively responsible for nearly half of all home fires and almost one-third of the associated fire deaths; and

WHEREAS, the vast majority of home cooking, heating, and electrical fires can be prevented by taking simple safety precautions; and

WHEREAS, developing a home fire escape plan and practicing it at least twice a year are critical to escaping a fire safely; and

WHEREAS, proper installation, testing, and maintenance of smoke alarms are part of a thorough home fire escape plan; and

WHEREAS, the Fire Prevention Week 2022 theme, is “Fire Won’t Wait. Plan Your Escape”; and

WHEREAS, the fire service of St. Martin Parish is dedicated to the safety of life and property from the devastating effects of fire.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby proclaim the week of October 9-15, 2022, as

FIRE PREVENTION WEEK

and urges all citizens of St. Martin Parish to participate in fire prevention activities at home, work, and school, and to take the steps needed to make their homes and families safe from the leading causes of home fires, which include cooking, heating and electrical.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-059-RS

WHEREAS, in recent years, the Louisiana State Legislature has recognized the seriousness of domestic violence; and

WHEREAS, the law of the State of Louisiana now addresses domestic violence as a unique and severe criminal offense and dictates enhanced criminal penalties commensurate therewith; and

WHEREAS, the treatment of domestic violence by the criminal justice system, while admirable, is not a panacea for the prevention of such egregious misconduct; and

WHEREAS, domestic violence knows and recognizes no boundaries of race, age, gender, social status, or community; and

WHEREAS, domestic violence has a direct impact on over 10 million Americans annually; and

WHEREAS, women are victims of homicides committed in connection with acts of domestic violence at the rate of 1.2 per 100,000 females; and

WHEREAS, there is no cogent, logical reason to conclude that men are likewise far too often victims of homicides and major crime against the person in connection with domestic violence; and

WHEREAS, empirical studies reflect that children of maternal victims of domestic violence are 50% more likely to be victims of domestic violence and furthermore, experience lifelong repercussions from the trauma associated therewith; and

WHEREAS, the general public erroneously believes that domestic violence is a “crime of passion” when in actuality, it is a crime of violence; and

WHEREAS, 81% of female homicide victims in the State of Louisiana are committed by a partner or ex-partner; and

WHEREAS, while there is no published statistical data available, male homicides are likewise frequently committed by a partner or ex-partner; and

WHEREAS, there has been at least one reported domestic homicide in every parish in the State of Louisiana; and

WHEREAS, over 5,000 adult women annually in Louisiana will experience some form of domestic violence; and

WHEREAS, 72% of all murder-suicides involve an intimate partner, and 94% of the victims of these crimes are females; and

WHEREAS, the Partnership Against Domestic Violence reports that every 9 seconds a woman in the United States is subject to physical domestic abuse; and

WHEREAS, a successful campaign against domestic violence commences with an understanding and deep appreciation of the pervasiveness of this societal cancer termed “domestic violence”; and

WHEREAS, Domestic Violence Awareness Month provides an excellent vehicle for the citizens of St. Martin Parish, Louisiana, to learn and study the issues associated with domestic violence and thus, commit themselves to provide support, financial and otherwise, for organizations and individuals which sponsor and/or offer advocacy services, shelters, and other related assistance to both the victims of domestic violence and their minor offspring:

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session convened this 6th day of September, 2022, does hereby officially declare the month of October 2022 as:

DOMESTIC VIOLENCE AWARENESS MONTH

in St. Martin Parish, Louisiana. All citizens of this parish are encouraged to commit themselves to offering support in any way plausible for all organizations and individuals who provide advocacy services, shelters, and other related assistance to those affected by domestic violence.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-060-RS

WHEREAS, breast cancer is the most common cancer in women in the United States, aside from skin cancer; and

WHEREAS, according to the American Cancer Society (ACS), an estimated 287,850 new cases of invasive breast cancer are expected to occur among women in the United States this year; and

WHEREAS, an estimated 43,250 women are expected to die from the disease in 2022 alone; and

WHEREAS, the impact of breast cancer is wide ranging, directly affecting women; and

WHEREAS, the National Breast Cancer Awareness Month (NBCAM) is an annual international health campaign organized by major breast cancer charities every October to increase awareness of the disease and to raise funds for research into its cause, prevention and cure.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council, in Regular Session convened this 6th day of September, 2022, does hereby celebrate 37 years of awareness, education and empowerment and recognizes the month of October 2022 as:

NATIONAL BREAST CANCER AWARENESS MONTH

and urges all citizens in St. Martin Parish to actively participate in the events and programs that the American Cancer Society pursues towards the cause, prevention and cure of this disease.

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

YEAS: Byron Fuselier, Tangie Narcisse, David Poirier, Brook Champagne, Vincent Alexander, Dean LeBlanc and Daniel Richard, Jr.

NAYS: None.

ABSTAIN: None.

ABSENT: Carla JeanBatiste (excused) and Chris Tauzin (excused).

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-061-RS

WHEREAS, Head Start is a national initiative that provides comprehensive services in education, social services, health, nutrition, parent involvement, disabilities, and transition to largely low-income children and their families; and

WHEREAS, it is known that Head Start had humble beginnings during the summer of 1965 and was viewed largely as a pilot program, but has grown and expanded to become the foremost Early Childhood Development Program in the United States; and

WHEREAS, the SMILE, CAA has long recognized the benefits of such a program in St. Martin Parish and became an active participant by agreeing to administer the program; and

WHEREAS, the successes of Head Start are well-documented, and this body is very proud of its accomplishments in this regard.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby proclaim October 2022 as:

HEAD START AWARENESS MONTH

and urges all citizens to continue to support Head Start and to recognize and acknowledge the important educational, social, and economic accomplishments of Head Start during the past 57 years, particularly that of the SMILE, CAA Head Start Program.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-062-RS

WHEREAS, the St. Martin Parish Council is interested in reappointing a member of the St. Martin Parish Library Board of Control whose term has expired.

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby retroactively reappoint Mr. Tommy Romero to serve as a member of the St. Martin Parish Library Board of Control, for a five (5) year term expiring on July 1, 2027.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-063-RS

WHEREAS, the St. Martin Parish Council regretfully accepted the resignations of Mr. Shelby Daigle, Jr. and Mr. Jesse Doiron as members of St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River); and

WHEREAS, the St. Martin Parish Council has accepted the request of Mr. Daniel Rawls to fill the unexpired term of Mr. Shelby Daigle, Jr. as a member of St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River); and

WHEREAS, the St. Martin Parish Council has accepted the request of Mr. Elwood J. Scully, Jr. to fill the unexpired term of Mr. Jesse Doiron as a member of St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River).

NOW, THEREFORE, BE IT RESOLVED that the St. Martin Parish Council does hereby appoint Mr. Daniel Rawls and Mr. Elwood J. Scully, Jr. as members of St. Martin Parish Water & Sewerage Commission No. 1 (Stephensville-Belle River); said appointments will expire July 2, 2024.

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

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

And the Resolution was declared adopted this 6th day of September, 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. 22-064-RS

A RESOLUTION REQUESTING FINANCIAL ASSISTANCE
FROM THE STATE OF LOUISIANA
UNDER THE FISCAL YEAR 2022-2023
LOCAL GOVERNMENT ASSISTANCE PROGRAM
AND
COMMUNITY WATER ENRICHMENT FUND PROGRAM

WHEREAS, the Louisiana Legislature has appropriated funding for the Fiscal Year 2022-2023 Local Government Assistance Program (LGAP) and Community Water Enrichment Fund (CWEF) Program; and

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

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

WHEREAS, it is deemed necessary and proper to submit applications to the Louisiana Office of Community Development under the Fiscal Year 2022-2023 Local Government Assistance Program and also the Fiscal Year 2022-2023 Community Water Enrichment Fund Program.

NOW THEREFORE BE IT RESOLVED by the St. Martin Parish Council that Parish President Chester Cedars is hereby authorized to sign and submit an application to the State of Louisiana, Office of Community Development under the Fiscal Year 2022-2023 Local Government Assistance Program and also execute any and all documents should this grant be funded.

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to sign and submit an application to the State of Louisiana, Office of Community Development under the Fiscal Year 2022-2023 Community Water Enrichment Fund Program and also execute any and all documents should this grant be funded.

THEREUPON, the above resolution was declared adopted.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

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

RESOLUTION NO. 22-065-RS

A RESOLUTION APPROVING THE PARTICIPATION OF ST. MARTIN PARISH IN THE TEMPORARY HOUSING AND SHELTERING ASSISTANCE PROGRAM ESTABLISHED BY ACT 526 OF THE 2022 REGULAR SESSION OF THE LOUISIANA LEGISLATURE WHICH INCLUDES THE TEMPORARY WAIVER OF LAND USE REGULATIONS IN THE EVENT OF A PRESIDENTIAL DECLARED EMERGENCY/DISASTER.

WHEREAS, the Louisiana Legislature enacted Act Number 526 in the 2022 Regular Legislative Session which establishes a Temporary Housing and Sheltering Assistance Program (the “Program”); and

WHEREAS, Act Number 526 requires the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”) to develop the Program which provides additional funding and resources for temporary housing and shelter assistance to parish governing authorities within fourteen (14) days following a presidential declaration of disaster; and

WHEREAS, parishes and municipalities are required to opt in or opt out of participation in the program on or before the first of September in each calendar year; and

WHEREAS, the requirements for participation in the Program include: a) a parish’s inclusion in the presidential disaster declaration; b) the parish governing authority submitting a request to GOHSEP within seven (7) days after the declaration; and c) the local governing authority submitting a certification that it will waive any land use regulations relative to allowing mobile homes, recreational vehicles, and other temporary housing directly adjacent to the survivor’s damaged dwelling to allow for expedited temporary housing assistance in the parish; and

WHEREAS, the situation of such temporary housing pursuant to Act 526, and the waiver of land use regulations associated therewith, shall not constitute a waiver of any of state, federal, or local code regulations regarding utilities inclusive of electricity, water, and sewer provisions; and

WHEREAS, GOHSEP has advised that the temporary waiver shall not extend beyond the September first opt in/opt out deadline; and

WHEREAS, for the year 2022, the deadline to opt in or opt out of the Program has been extended to September 30, 2022:

NOW, THEREFORE, BE IT RESOLVED that the ST. MARTIN PARISH COUNCIL does hereby acknowledge its desire to participate in the Temporary Housing and Sheltering Assistance Program established by Act 526 of the 2022 Regular Session of the Louisiana Legislature.

BE IT FURTHER RESOLVED that the Parish President of St. Martin Parish is directed and authorized to execute any and all necessary instruments or transmittals to verify that St. Martin desires to participate in the said Program. The Parish President is authorized to execute any and all waivers and other instruments under such terms, conditions, and provisions as deemed necessary and fit by the said Parish President in order to effectuate the commitment referenced herein.

THIS RESOLUTION having been submitted to a vote, upon motion duly made and seconded, and, thus, adopted.

AND THE RESOLUTION was declared on this 6th day of September, 2022.

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

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

And the Resolution was declared adopted this 6th day of September, 2022.

Presiding Officer Dean LeBlanc requested Resolution Summary No. 066-RS be deferred. A motion was made by Brook Champagne and seconded by Daniel Richard, Jr. that the following resolution be deferred indefinitely:

RESOLUTION SUMMARY NO. 066-RS

A RESOLUTION AUTHORIZING THE PARISH OF ST. MARTIN (HEREIN REFERRED TO AS THE "PARISH") TO JOIN WITH THE STATE OF LOUISIANA, THE LOUISIANA ATTORNEY GENERAL, AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN A MEMORANDUM OF UNDERSTANDING (THE "MOU") AND ANY SUBSEQUENT FORMAL AGREEMENTS NECESSARY TO IMPLEMENT THE MOU, INCLUDING BUT NOT LIMITED TO, A COLLATERAL LETTER AGREEMENT REGARDING THE APPLICATION OF INDEMNITY PROVISIONS SET FORTH IN THE MOU, ALL RELATED TO LITIGATION AGAINST FREEPORT SULPHUR COMPANY, FREEPORT-MCMORAN OIL & GAS, LLC, MCMORAN OIL & GAS, LLC, FREEPORT-MCMORAN ENERGY, LLC, MCMORAN EXPLORATION, LLC, AND MOSAIC GLOBAL HOLDINGS, INC. (THE "FREEPORT/MOSAIC PARTIES").

WHEREAS, litigation (the "Litigation") has been instituted by several Parishes in the State of Louisiana seeking recompense for damages to several sites within the Louisiana Coastal Zone, the Litigation being specifically referenced in a Memorandum of Understanding (the "MOU") which is hereinafter described; and

WHEREAS, the Parish of St. Martin is not, and does not intend or desire to be, a party to the Litigation; and

WHEREAS, the Parish of St. Martin has not instituted or been named as a party as regards any litigation whatsoever involving alleged coastal damages; and

WHEREAS, under the provisions of La. R.S. 49:214.36, the Parish of St. Martin had no legal standing to even institute such litigation because it has never adopted an approved coastal management program as envisioned by the Louisiana Coastal Resources Management Act of 1978, La. R.S. 49:214.21, *et seq*; and

WHEREAS, pursuant to the dictates of La. R.S. 49:214.36(D), the District Attorney for St. Martin Parish, M. Bofill Duhé, has standing to institute such litigation; and

WHEREAS, M. Bofill Duhé has acknowledged that he has no intention on instituting such litigation or participating in any settlement of any claim(s) associated with the Litigation without

the express approval of the parishes within the Sixteenth Judicial District of the State of Louisiana;
and

WHEREAS, the plaintiffs in the Litigation are the Parishes of Plaquemines, Cameron, Jefferson, St. John the Baptist, Vermilion, and St. Bernard; and

WHEREAS, in the course of the Litigation, only one area of violation within the coastal jurisdiction of St. Martin Parish has been identified; and

WHEREAS, the area of violation(s) in St. Martin Parish totals only 0.4% of all of the areas of violations within the Louisiana Coastal Zone as defined in La. R.S. 49:214.24; and

WHEREAS, Freeport Sulphur Company, Freeport-McMoRan Oil & Gas, LLC, McMoRan Oil & Gas, LLC, Freeport-McMoRan Energy, LLC, McMoRan Exploration, LLC, and Mosaic Global Holdings, Inc. (the "Freeport/Mosaic Parties") are defendants in the Litigation; and

WHEREAS, the Freeport/Mosaic Parties have agreed to settle the Litigation which would relieve them from any further liability; and

WHEREAS, the terms of the settlement require the deposit of One Hundred Million Dollars in a special fund to be administered by the Louisiana Coastal Protection and Restoration Authority pursuant to, and provided that, legislation which must be enacted within three (3) years of the confection of the settlement; and

WHEREAS, the allocation of the settlement funds due St. Martin Parish would be 0.4% of the total settlement funds; and

WHEREAS, the proposed settlement provides that the payment of the One Hundred Million Dollars shall fully resolve all potential liability for all claims asserted or that could be asserted by any plaintiff, St. Martin Parish, and/or the State of Louisiana arising directly or indirectly from the Freeport/Mosaic Parties' oil and gas exploration, production, and transportation operations and their sulphur exploration, production, and transportation operations conducted prior to the confection of the settlement and conducted within the jurisdiction of the parishes within the defined Louisiana Coastal Zone; and

WHEREAS, District Attorney M. Bofill Duhé has stated that he will not execute the settlement documents without the express consent, approval, and/or affirmation of St. Martin Parish; and

WHEREAS, all of the named plaintiffs in the litigation and the Freeport/Mosaic Parties have agreed to a settlement under the terms expressed in a Memorandum of Understanding (the "MOU") setting forth the terms and conditions of the settlement; and

WHEREAS, the Memorandum of Understanding was signed by the Freeport/Mosaic Parties on March 11, 2020, and March 12, 2020; and

WHEREAS, the State of Louisiana executed the Memorandum of Understanding on February 19, 2021; and

WHEREAS, the Attorney General of the State of Louisiana has also approved of the terms and conditions of the Memorandum of Understanding as evidenced by his signature on the MOU on March 4, 2021; and

WHEREAS, should St. Martin Parish and/or District Attorney Duhé refuse to sign the Memorandum of Understanding, then the Parish's 0.4% allocation of the settlement funds would inure to the benefit of the State of Louisiana; and

WHEREAS, with or without the execution of the Memorandum of Understanding by St. Martin Parish, the Freeport/Mosaic Parties will be obligated to fund the total settlement of One Hundred Million Dollars; and

WHEREAS, the settlement fund may only be used for environmental restoration, coastal protection, remediation, increased resiliency, and economic development within the Parishes which execute the Memorandum of Understanding; and

WHEREAS, District Attorney M. Bofill Duhé has expressed concerns about various indemnity provisions of the Memorandum of Understanding; and

WHEREAS, the concerns of District Attorney M. Bofill Duhé have been assuaged by the terms of a "Letter Agreement" to which the Freeport/Mosaic Parties have agreed:

NOW, THEREFORE, BE IT RESOLVED that:

SECTION 1. The entirety of the MOU inclusive of all exhibits appended, duly signed by the Freeport/Mosaic Parties on March 11, 2020, and March 12, 2020, the State of Louisiana, Department of Natural Resources on February 19, 2021, and Attorney General Jeffrey M. Landry on March 4, 2021, and the entirety of the "Letter Agreement" relative to the indemnity provisions of the settlement accord be made a part of this Resolution by reference.

SECTION 2. The St. Martin Parish Government finds that participation in the MOU and Letter Agreement would be in the best interest of the Parish and its citizens.

SECTION 3. St. Martin Parish Government hereby expresses its support of the plan for the allocation and use of settlement proceeds described in the MOU.

SECTION 4. M. Bofill Duhé, District Attorney for the Sixteenth Judicial District, be and is hereby expressly authorized to execute the MOU and Letter Agreement reference herein.

SECTION 5. Chester R. Cedars, President of St. Martin Parish, be and is hereby authorized and directed to execute any formal agreements or instrument in order to effectuate the terms and conditions of this Resolution.

SECTION 6. The Clerk of the Council be and is hereby directed to furnish a certified copy of this Resolution to:

M. Bofill Duhé
District Attorney
300 Iberia Street, #200
New Iberia, LA 70560

SECTION 7. This Resolution shall take effect immediately upon its adoption.

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

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

And the Resolution was declared deferred this 6th day of September, 2022.

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

SUMMARY NO. 1375-OR (Introduced by Carla JeanBatiste, District 2 and Dean LeBlanc, District 8)

An Ordinance to amend and/or revise Appendix A of the St. Martin Parish Zoning Ordinance relative to the Section thereof entitled, "Schedule of Zoning District Regulations," so as to provide for side and rear yard widths of five (5) feet in Zoning Districts R-1, R-1R, R-2, and R-3; and to provide for all matters associated therewith.

Prior to adjournment, Parish President Chester Cedars briefed the Council Members on a few matters not requiring Council action. Parish President Chester Cedars discussed this year's Household Hazardous Waste Day, water consolidation program, Henderson Lake Drawdown, and vandalism that occurred at Paul Angelle Park.

A motion was made by Byron Fuselier seconded by Daniel Richard, Jr. 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