

OFFICIAL PROCEEDINGS OF  
THE ST. MARY PARISH COUNCIL OF THE  
PARISH OF ST. MARY, STATE OF LOUISIANA

JUNE 26, 2019  
FRANKLIN, LOUISIANA

The St. Mary Parish Council met on this date in Regular Session with Vice-Chairman Kevin Voisin presiding and the following members present: Rev. Craig Mathews, J Ina, Dale Rogers, Glen Hidalgo, Ken Singleton, Patrick Hebert, James Bennett, and Paul P. Naquin, Jr. Absent was Sterling Fryou, Gabriel Beadle, and Parish President, David Hanagriff.

The Invocation was pronounced by Mr. Rogers and the Pledge of Allegiance was led by Mr. Hidalgo.

Mr. Naquin moved that the reading of the minutes of the First Regular Meeting, June 12, 2019, be dispensed with and that the same be approved. Mr. Singleton seconded the motion, which carried.

Dawn Kaiser-Melancon and Patrice Williams, St. Mary Chamber Board Members appeared before the Council to discuss the “Bikers on the Bayou” event scheduled on July 13, 2019 in Downtown Franklin.

Ms. Williams informed of the upcoming the 8<sup>th</sup> Annual BBQ Bash that will be held on the same weekend, however, they added a stop in Morgan City for the Bikers. She also stated there will be no registration or fees for this event.

Chief Administrative Officer, Henry “Bo” LaGrange, presented his report for a two (2) week period ending June 26, 2019.

Item 1 in Mr. LaGrange’s report stated, “The final bond pricing numbers have been obtained for the \$11.5 million St. Mary Parish GOMESA, Louisiana Local Government Environmental and Community Development Authority Revenue Bonds reflecting an interest rate of 4.4%.”

Mr. Rogers moved that the Public Hearing Report, June 12, 2019 be approved. Mr. Naquin seconded the motion, which carried.

Mr. Rogers expounded on the drainage issues in Garden City and met with Mr. LaGrange, Mr. Jean Paul Bourg, Mr. Ray Pontiff, and Mr. J.P. Hebert to explain that the culverts are clogged under the overpass of Highway 90. He requested that Mr. LaGrange and Mr. Bourg meet with DOTD representatives, Drainage District No. 1, and Louisiana Department of Wildlife and Fisheries to resolve these issues on the south side.

Mr. Hebert attended the Arkansas, Louisiana, Mississippi, and Texas Regional White House Conference on June 25, 2019 and stated it was very informative, and returned with a Department Contact list with Office of Intergovernmental Affairs department heads contact information that was handed out to all Councilmen and Administration.

Mr. Rogers introduced the following ordinance:

**ORDINANCE NO.**

An ordinance providing for the incurring of debt and issuance of Ten Million Dollars (\$10,000,000) of Limited Tax Revenue Bonds, Series 2019, of the Parish of St. Mary, State of Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; and providing for other matters in connection therewith.

**WHEREAS**, the Parish Council of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Mary, State of Louisiana (the "Issuer"), currently levies and collects an ad valorem tax of 7.24 mills (3.62 mills within incorporated municipalities) (the "Tax") within the Issuer, such rate being subject to adjustment from time to time due to reassessment, under the authority conferred by Article VI, Section 26 of the Constitution of the State of Louisiana of 1974, as amended, and other constitutional and statutory authority; and

**WHEREAS**, the Issuer now desires to incur debt and issue its Limited Tax Revenue Bonds, Series 2019, in the principal amount of Ten Million Dollars (\$10,000,000) (the "Bonds"), pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of paying costs of improving roads, streets and bridges within the Issuer, including drainage and other improvements associated therewith, and paying the costs of issuance of the Bonds; and

**WHEREAS**, the Bonds will be payable as to principal, redemption premium, if any, and interest from the proceeds of the Tax as set forth herein; and

**WHEREAS**, the Issuer has no outstanding indebtedness of any kind payable from a pledge or dedication of the proceeds of the Tax, EXCEPT its (i) Revenue Refunding Bonds, Series 2012 and (ii) Limited Tax Revenue Bonds, Series 2018 (collectively, the "Outstanding Parity Bonds"); and

**WHEREAS**, the estimated income to be realized from the levy of the Tax in Fiscal Year 2019 is approximately \$\_\_\_\_\_, and the maximum amount of principal and interest due in any year on the Bonds and the Outstanding Parity Bonds will not exceed seventy-five percent (75%) of said estimated income; and

**WHEREAS**, it is the desire of the Issuer to fix the details necessary with respect to the issuance of the Bonds and to provide for the authorization and issuance thereof;

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

**Definition's.** As used herein, the following terms shall have the following meanings, unless the context otherwise requires:

"**Act**" means Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority.

"**Agreement**" means the agreement to be entered into between the Issuer and the Paying Agent pursuant to this Ordinance, if required.

"**Bond**" means any bond of the Issuer authorized to be issued by this Ordinance, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any bond previously issued.

"**Bonds**" means the Issuer's Limited Tax Revenue Bonds, Series 2019, authorized by this Ordinance, in the total aggregate principal amount of Ten Million Dollars (\$10,000,000).

"**Bond Register**" means the records kept by the Paying Agent at its designated office in which registration and transfers of the Bonds shall be made as provided herein.

"**Code**" means the Internal Revenue Code of 1986, as amended.

"**Executive Officers**" means collectively the Parish President, the Council Chairman and Clerk of Council of the Parish of St. Mary, State of Louisiana.

"**Fiscal Year**" means the Issuer's one-year accounting period determined from time to time by the Governing Authority as the fiscal year of the Issuer, currently being the year ending each December 31<sup>st</sup>.

**"Governing Authority"** means the Parish Council of the Parish of St. Mary, State of Louisiana.

**"Government Securities"** means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to their maturity, may be United States Treasury obligations such as the State and Local Government Series and may be in book-entry form.

**"Interest Payment Date"** means June 1 and December 1 of each year in which the Bonds are outstanding, commencing December 1, 2019.

**"Issuer"** or **"Parish"** means the Parish of St. Mary, State of Louisiana, a political subdivision of the State of Louisiana, and its successors or assigns.

**"Lender"** means Capital One Public Funding, LLC, of Melville, New York, the original owner of the Bonds.

**"Ordinance"** means this ordinance authorizing the issuance of the Bonds, as it may be supplemented and amended.

**"Outstanding"** when used with respect to Bonds means, as of the date of determination, all Bonds theretofore issued and delivered under this Ordinance, except:

1. Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
2. Bonds for which payment sufficient funds have been theretofore paid to or deposited in trust for the owners of such Bonds;
3. Bonds in exchange for or in lieu of which other Bonds have been registered and delivered pursuant to this Ordinance;
4. Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Ordinance or by law; and
5. Bonds for the payment of the principal of and redemption premium, if any, and interest on which money or Government Securities or both are held in trust with the effect specified in this Ordinance.

**"Outstanding Parity Bonds"** means collectively the Issuer's outstanding (i) Revenue Refunding Bonds, Series 2012 and (ii) Limited Tax Revenue Bonds, Series 2018.

**"Owner"** or **"Owners"** when used with respect to any Bond means the Person in whose name such Bond is registered in the Bond Register.

**"Paying Agent"** means the Clerk of the Governing Authority, in the City of Franklin, Louisiana, until a successor Paying Agent shall have been appointed pursuant to the applicable provisions of this Ordinance, and thereafter "Paying Agent" shall mean such successor Paying Agent.

**"Person"** means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization or government or any agency or political subdivision thereof.

**"Record Date"** for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such Interest Payment Date.

**"Tax"** means the ad valorem tax of 7.24 mills (3.62 mills within incorporated municipalities) currently being levied within the Issuer, such rate being subject to adjustment from time to time due to reassessment.

SECTION 2. **Authorization of Bond; Maturities.** In compliance with the terms and provisions of the Act, there is hereby authorized the incurring of an indebtedness of Ten Million Dollars (\$10,000,000) for, on behalf of, and in the name of the Issuer, for the purpose of paying costs of improving roads, streets and bridges within the Issuer, including drainage and other improvements associated therewith, and paying the costs of issuance of the Bonds, and to represent said indebtedness, this Governing Authority does hereby authorize the issuance of Ten Million Dollars (\$10,000,000) of Limited Tax Revenue Bonds, Series 2019, of the Issuer. The Bonds shall be initially issued in the form of a single, fully-registered bond, dated the date of delivery thereof, numbered R-1 and in the denomination of Ten Million Dollars (\$10,000,000). The Bonds shall bear interest from the dated date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, such interest to be payable semi-annually on June 1 and December 1 of each year, commencing December 1, 2019, at the rate of 3.35% per annum, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months, and shall be subject to mandatory redemption as described in Section 4 below.

The principal of and redemption premium, if any, and interest on the Bonds shall be payable by check of the Paying Agent or the Issuer mailed to the Owner (determined as of the close of business on the Record Date) at the address shown on the Bond Register or, in the discretion of the Paying Agent, by wire from the Paying Agent or the Issuer delivered to the Owner (determined as of the close of business on the Record Date) in accordance with wiring instructions provided by the Owner, provided, however, that principal of and redemption premium, if any, on any Bond at maturity or upon optional redemption in full (but not in part) shall be payable at the designated office of the Paying Agent upon presentation and surrender thereof. Each Bond delivered under this Ordinance upon transfer of, in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond, and each such Bond shall bear interest (as herein set forth) so neither gain nor loss in interest shall result from such transfer, exchange or substitution.

No Bond shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond a certificate of registration, substantially in the form provided in this Ordinance, executed by the Paying Agent by manual signature.

SECTION 3. **Optional Redemption of Bond.** The unpaid principal of the Bonds shall be subject to redemption prior to maturity in whole or in part at any time after June 1, 2029 at the option of the Issuer, at the redemption price equal to the principal amount of the Bonds to be redeemed plus accrued interest on the Bonds, if any, to the redemption date.

Official notice of such call of all or any portion of the Bonds for optional redemption will be given by first class mail, postage prepaid, by notice deposited in the United States mails, or by accepted means of electronic communication, not less than thirty (30) days prior to the redemption date addressed to the registered owner of each bond to be redeemed at his address as shown on the registration books of the Paying Agent. The notice provided for any optional redemption may provide that such optional redemption is conditioned upon the availability of funds therefor.

SECTION 4. **Mandatory Redemption of Bond.** The Bond shall be subject to mandatory sinking fund redemption without necessity of notice on June 1 in the years and in the principal amounts set forth below at a redemption price equal to 100% of the principal amount to be redeemed on such date, plus accrued interest thereon:

<u>Year</u> <u>(June 1)</u>	<u>Principal</u> <u>Amount</u>
2039*	\$

\*Final Maturity

SECTION 5. **Registration and Transfer.** The Issuer shall cause the Bond Register to be kept by the Paying Agent. The Bonds may be transferred, registered and assigned only on the Bond Register, which such registration shall be at the expense of the Issuer, and only by the execution of an assignment form on the Bonds being transferred. A new Bond or Bonds will be

delivered by the Paying Agent to the last assignee (the new Owner) in exchange for such transferred and assigned Bonds after receipt of the Bonds to be transferred in proper form. Such new Bond or Bonds shall be in the denomination of \$100,000 or any integral multiple of \$5,000 in excess thereof within a single maturity. Neither the Issuer nor the Paying Agent shall be required to issue, register the transfer of, or exchange any Bond during a period beginning at the opening of business on a Record Date and ending at the close of business on the Interest Payment Date.

SECTION 6. **Form of Bonds.** The Bonds and the endorsements to appear thereon shall be in substantially the following forms, respectively, to-wit:

(FORM OF BOND)

No. R-1

Principal Amount \$10,000,000

UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF ST. MARY

LIMITED TAX REVENUE BOND, SERIES 2019  
OF THE  
PARISH OF ST. MARY, STATE OF LOUISIANA

<u>Bond Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>
_____, 2019	June 1, 2039	3.35%

The Parish of St. Mary, State of Louisiana (the "Issuer"), promises to pay, but solely from the source and as hereinafter provided, to:

Capital One Public Funding, LLC

or registered assigns, the Principal Amount set forth above, to the extent not already paid, together with interest thereon from the Bond Date set forth above or the most recent interest payment date to which interest has been paid or duly provided for, at the Interest Rate per annum set forth above, payable semiannually on June 1 and December 1 of each year, commencing December 1, 2019 (each an "Interest Payment Date"). The principal of and redemption premium, if any, on this Bond, on the Maturity Date set forth above or upon earlier redemption in whole but not in part, is payable in lawful money of the United States of America at the designated office of the Clerk of the St. Mary Parish Council, in the City of Franklin, Louisiana, or successor thereto (the "Paying Agent"), upon presentation and surrender hereof. Other payments of principal, redemption premium, if any, and interest on this Bond are payable by check of the Paying Agent or the Issuer mailed to the Owner (determined as of the close of business on the Record Date) at the address shown on the Bond Register or, in the discretion of the Paying Agent, by wire from the Paying Agent or the Issuer delivered to the Owner (determined as of the close of business on the Record Date) in accordance with wiring instructions provided by the Owner.

This Bond comprises the entire issue aggregating in principal the sum of Ten Million Dollars (\$10,000,000) of Limited Tax Revenue Bonds, Series 2019 (the "Bond"), said Bond having been issued by the Issuer pursuant to an Ordinance adopted by its governing authority on July 24, 2019 (the "Ordinance"), for the purpose of paying costs of improving roads, streets and bridges within the Issuer, including drainage and other improvements associated therewith, and paying the costs of issuance of the Bond, under the authority conferred by Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

The unpaid principal of the Bonds shall be subject to redemption prior to maturity in whole or in part at any time after June 1, 2029 at the option of the Issuer, at the redemption price equal to the principal amount of the Bonds to be redeemed plus accrued interest on the Bonds, if any, to the redemption date.

Official notice of such call of all or any portion of the Bonds for optional redemption will be given by first class mail, postage prepaid, by notice deposited in the United States mails, or by accepted means of electronic communication, not less than thirty (30) days prior to the redemption date addressed to the registered owner of each bond to be redeemed at his address as shown on the registration books of the Paying Agent. The notice provided for any optional redemption may provide that such optional redemption is conditioned upon the availability of funds therefor.

The Bond shall be subject to mandatory sinking fund redemption without necessity of notice on June 1 in the years and in the principal amounts set forth below at a redemption price equal to 100% of the principal amount to be redeemed on such date, plus accrued interest thereon:

<u>Year</u> <u>(June 1)</u>	<u>Principal</u> <u>Amount</u>
*2039	\$

\* Final Maturity

The Issuer shall cause to be kept at the designated office of the Paying Agent a register (the "Bond Register") in which registration of the Bond and of transfers of the Bond shall be made as provided in the Ordinance. The Bond may be transferred, registered and assigned only on the Bond Register, which such registration shall be at the expense of the Issuer, and only by the execution of an assignment form on the Bond. A new Bond or Bonds will be delivered by the Paying Agent to the last assignee (the new registered owner) in exchange for this transferred and assigned Bond after receipt of this Bond to be transferred in proper form.

This Bond is issued on a complete parity with the Issuer's outstanding (i) Revenue Refunding Bonds, Series 2012 and (ii) Limited Tax Revenue Bonds, Series 2018 (collectively, the "Outstanding Parity Bonds"). It is certified that the Issuer, in issuing this Bond, has complied with all the terms and conditions set forth in the ordinance authorizing the issuance of the Outstanding Parity Bonds.

This Bond, equally with the Outstanding Parity Bonds, is secured by an irrevocable pledge and dedication of the proceeds to be derived from the levy and collection of a 7.24 mill ad valorem tax (3.62 mills within incorporated municipalities) (the "Tax") being levied within the Issuer, such rate being subject to adjustment from time to time due to reassessment, under the authority conferred by Article VI, Section 26 of the Constitution of the State of Louisiana of 1974, as amended, and other constitutional and statutory authority. For a complete statement of the tax revenues from which and conditions under which this Bond is issued, reference is hereby made to the Ordinance. The Issuer, in the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Bond for the terms of which reference is made to the Ordinance.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the certificate of registration hereon shall have been signed by the Paying Agent.

It is certified that this Bond is authorized by and issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Issuer, including this Bond, does not exceed the limitations prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, the Parish Council of the Parish of St. Mary, State of Louisiana, acting as the governing authority of the Issuer, has caused this Bond to be executed in its name by the [manual or facsimile] signatures of the Parish President of the Issuer and the

Chairman and the Clerk of the governing authority, and its corporate seal to be impressed hereon.

THE PARISH OF ST. MARY, STATE OF LOUISIANA

Clerk Chairman
Parish President [SEAL]
\* \* \* \* \*

(FORM OF PAYING AGENT'S CERTIFICATE OF REGISTRATION)

This Bond is the Bond referred to in the within mentioned Ordinance.

Date of Registration: \_\_\_\_\_, 2019 By: \_\_\_\_\_
Clerk, St. Mary Parish Council

\* \* \* \* \*

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned Assignor hereby sells, assigns and transfers the within bond and all rights thereunder unto the following Assignee:

Name: \_\_\_\_\_
Address: \_\_\_\_\_

who by its execution below hereby certifies to the Paying Agent that (a) it is (i) an affiliate of the original owner of this Bond, or (ii) a bank, or entity directly or indirectly controlled by a bank, or under common control with a bank, other than a broker dealer or municipal securities dealer, which certifies that it is a "qualified institutional buyer" as defined in Rule 144A of the Securities Act of 1933, as amended, and (b) it consents to the terms of the Purchaser Letter executed by the original owner of this Bond as referenced in the Ordinance.

\_\_\_\_\_, Assignee \_\_\_\_\_, Assignor

By: \_\_\_\_\_ By: \_\_\_\_\_
Its: \_\_\_\_\_ Its: \_\_\_\_\_

Date: \_\_\_\_\_

\* \* \* \* \*

SECTION 7. Execution of Bonds. The Bonds shall be signed by the Executive Officers for, on behalf of, in the name of and under the corporate seal of the Issuer, which signatures and corporate seal may be either manual or facsimile.

SECTION 8. Pledge and Dedication of Revenues. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable solely from an irrevocable pledge and dedication of the proceeds of the Tax. This Governing Authority does hereby obligate itself and its successors in office to impose and collect the Tax in each year, and does hereby irrevocably and irrepealably dedicate, appropriate and pledge the annual income to be derived from the assessment, levy and collection of the Tax in each year to the payment of the Bonds and the Outstanding Parity Bonds, so long as the Bonds and the Outstanding Parity Bonds are

outstanding. The Issuer further covenants that it shall not lower the Tax rate to result in lower Tax revenues than were collected in the fiscal year prior to the proposed adjustment.

SECTION 9. **Additional Parity Bonds.** The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the proceeds of the Tax having priority over or parity with the Bonds and the Outstanding Parity Bonds, except that additional bonds may hereafter be issued on a parity with the Bonds and the Outstanding Parity Bonds under the following conditions:

(a) The Bonds herein authorized, or any part thereof, including the interest and redemption premium, if any, thereon, may be refunded, and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues may have been enjoyed by the Bonds refunded; provided, however, that if only a portion of the Bonds outstanding is so refunded and the refunding bonds require total principal and interest payments during any year in excess of the principal and interest which would have been required in such year to pay the Bonds refunded thereby, then such Bonds may not be refunded without the consent of the Owner of the unrefunded portion of the Bonds issued hereunder (provided such consent shall not be required if such refunding bonds meet the requirements set forth in clause (b) of this Section).

(b) Additional bonds may be issued on and enjoy a full and complete parity with the Bonds and the Outstanding Parity Bonds with respect to the Tax, provided that:

(1) the highest amount of the combined principal and interest requirements for any future Fiscal Year on the Bonds, the Outstanding Parity Bonds and the said additional bonds may not exceed 75% of the revenues estimated to be realized by the Issuer from the levy of the Tax in the year in which such additional bonds are issued; and

(2) the revenues of the Tax actually received by the Issuer in each of the prior two (2) Fiscal Years prior to the issuance of such additional bonds is greater than 135% of the highest amount of the combined principal and interest requirements for any future Fiscal Year on the Bonds, the Outstanding Parity Bonds and the said additional bonds.

As a condition to the issuance of additional bonds pursuant to this Section 9, the Issuer must be in full compliance with all covenants and undertakings in connection with the Bonds and there must be no delinquencies in payments required to be made in connection therewith.

It is expressly provided that junior and subordinate bonds may be issued so long as the highest amount of the combined principal and interest requirements for any future Fiscal Year on the Bonds, the Outstanding Parity Bonds, any additional bonds issued pursuant to the provisions of Section 9(a) or (b) above, and the proposed junior and subordinate bonds do not exceed 100% of the revenues estimated to be realized by the Issuer from the levy of the Tax in the year in which such additional bonds are issued. The restriction in the forgoing sentence shall apply only to bonds or other obligations of the Issuer payable exclusively from a lien on the Tax.

SECTION 10. **Sinking Fund.** (a) There has previously been created a special fund known as "Parish of St. Mary, State of Louisiana, Revenue Refunding Bonds, Series 2012 Sinking Fund," said Sinking Fund to be maintained with the regularly designated fiscal agent bank of the Issuer. From the proceeds of the Tax received by the Issuer in a Fiscal Year, the Issuer shall deposit in the Sinking Fund at least one (1) day in advance of the date on which each payment of principal, redemption premium, if any, and/or interest falls due, funds fully sufficient to promptly pay the principal, redemption premium, if any, and/or interest so falling due on the Bonds and the Outstanding Parity Bonds in such Fiscal Year. The depository for the Sinking Fund shall transfer from the Sinking Fund to the Paying Agent or Owners, as the Issuer may direct, funds fully sufficient to pay promptly the principal, redemption premium, if any, and interest falling due on such date.

(b) It shall be specifically understood and agreed, however, and this provision shall be a part of this contract, that after the funds have actually been set aside out of the revenues of the Tax for any year sufficient to pay the principal, redemption premium, if any, and interest on the Bonds for that year, and all required amounts have been deposited in the aforesaid Sinking Fund established for the Bonds, then any annual revenues of the Tax remaining in that year shall be free for expenditure by the Issuer for the purposes for which the Tax is authorized.

(c) All moneys deposited with the regularly designated fiscal agent bank or banks of the Issuer or the Paying Agent under the terms of this Ordinance shall constitute sacred funds for the benefit of the Owners of the Bonds and shall be secured by said fiduciaries at all times to the full extent thereof in the manner required by law for the securing of deposits of public funds.

(d) All or any part of the moneys in the Sinking Fund shall, at the written request of the Issuer, be invested in accordance with the provisions of the laws of the State of Louisiana.

SECTION 11. **Budget; Annual Financial Statements.** As long as any of the Bonds are Outstanding, the Issuer shall prepare and adopt a budget prior to the beginning of each Fiscal Year and shall furnish a copy of such budget to any Owner upon request. While any portion of the Bonds is Outstanding, the Issuer shall make available to any Owner, upon request, its annual audited financial statements no later than 180 days after the end of the applicable Fiscal Year of the Issuer.

SECTION 12. **Application of Proceeds.** The Executive Officers are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Ordinance, to cause the necessary Bonds to be printed, to issue, execute and seal the Bonds, and to effect delivery thereof as hereinafter provided. The proceeds derived from the sale of the Bonds shall be deposited by the Issuer with its fiscal agent bank or banks in a special fund entitled "*Parish of St. Mary Limited Tax Revenue Bonds, Series 2019-Construction Fund*" to be used only for the purpose for which the Bonds are issued, including paying any and all costs of issuance incurred in connection with the issuance of the Bonds.

SECTION 13. **Bonds Legal Obligations.** The Bonds shall constitute valid and binding obligations of the Issuer and shall be the only representations of the indebtedness as herein authorized and created.

SECTION 14. **Ordinance a Contract.** The provisions of this Ordinance shall constitute a contract between the Issuer and the Owner or Owners from time to time of the Bonds, and any such Owner or Owners may at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by this Governing Authority or the Issuer as a result of issuing the Bonds.

No material modification or amendment of this Ordinance, or of any Ordinance amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then outstanding; provided, however, that no modification or amendment shall permit a change in the maturity provisions of the Bonds, or a reduction in the redemption premium, if any, or the rate of interest thereon, or in the amount of the principal obligation thereof, or affecting the obligation of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the revenues appropriated, pledged and dedicated to the payment thereof by this Ordinance, or reduce the percentage of the Owners required to consent to any material modification or amendment of this Ordinance, without the consent of the Owners of all of the outstanding bonds.

SECTION 15. **Severability; Application of Subsequently Enacted Laws.** In case any one or more of the provisions of this Ordinance or of the Bonds shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Ordinance or of the Bonds, but this Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provisions enacted after the date of this Ordinance which validate or make legal any provision of this Ordinance and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Ordinance and to the Bonds.

SECTION 16. **Recital of Regularity.** This Governing Authority having investigated the regularity of the proceedings had in connection with the Bonds and having determined the same to be regular, the Bonds shall contain the following recital, to-wit:

"It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State."

SECTION 17. **Effect of Registration.** The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal of and redemption premium, if any, and interest on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

SECTION 18. **Notices to Owners.** Wherever this Ordinance provides for notice to Owners of Bonds of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and delivered via accepted means of electronic communication or mailed, first-class postage prepaid, to each Owner of such Bonds, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners of Bonds is given by mail, neither the failure to mail such notice to any particular Owner of Bonds, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Owner or Owners entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 19. **Cancellation of Bonds.** All Bonds surrendered for payment, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly canceled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already canceled, shall be promptly canceled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly canceled by the Paying Agent. All canceled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 20. **Mutilated, Destroyed, Lost or Stolen Bonds.** If (1) any mutilated Bond is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss or theft of any Bond, and (2) there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute, and upon its request the Paying Agent shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Bond, a new Bond of the same maturity and of like tenor, interest rate and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Issuer in its discretion may, instead of issuing a new Bond, pay such Bond. Upon the issuance of any new Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this Section in lieu of any mutilated, destroyed, lost or stolen bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the mutilated, destroyed, lost or stolen Bond shall be at any time enforceable by anyone and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Parity Bonds. Any additional procedures set forth in the Agreement authorized in this Ordinance, shall also be available with respect to mutilated, destroyed, lost or stolen Bonds. The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bonds.

SECTION 21. **Discharge of Ordinance; Defeasance.** If the Issuer shall pay or cause to be paid, or there shall otherwise be paid to the Owners of all of the outstanding bonds, the principal of and redemption premium, if any, and interest on the Bonds, at the times and in the manner stipulated in this Ordinance, then the pledge of the money, securities, and funds pledged under this Ordinance and all covenants, agreements, and other obligations of the Issuer to the Owners shall thereupon cease, terminate, and become void and be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Ordinance to the Issuer.

Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section if they are defeased in the manner provided by Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 22. **Successor Paying Agent; Paying Agent Agreement, if required.** The original Paying Agent shall be the Clerk of the Governing Authority, in the City of Franklin, Louisiana. The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of the initial Paying Agent in this Ordinance is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by (a) filing with the Person then performing such function a certified copy of a resolution or ordinance giving notice of the termination of the Agreement and appointing a successor and (b) causing notice to be given to each Owner. Any successor Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. If required, the Executive Officers are hereby authorized and directed to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 23. **Disclosure Under SEC Rule 15c2-12.** The Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR '240.15c2-12(b)].

SECTION 24. **Arbitrage.** The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Bond proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds".

The Executive Officers are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or bond necessary to effectuate the purposes of this Section.

SECTION 25. **Award of Bond.** The Issuer hereby accepts the offer of Capital One Public Funding, LLC, of Melville, New York, for the Bonds, which offer is attached as **Exhibit "A"** hereto, and an Executive Officer is hereby authorized to execute said offer on behalf of the Issuer. As a condition to the delivery of the Bonds to the Lender, the Lender will execute a standard letter, acceptable to it and the Issuer, indicating it has conducted its own analysis with respect to the Bonds and is extending credit in the form of the Bonds as a vehicle for making a commercial loan to the Issuer.

SECTION 26. **Publication.** This Ordinance shall be published one time in the official journal of the Issuer. For thirty days after the date of publication, any person in interest may contest the legality of this Ordinance, any provision of the Bonds, the provisions therein made for the security and payment of the Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Bonds. After the said thirty days, no person may contest the regularity, formality, legality or effectiveness of this Ordinance, any provisions of the Bonds to be issued pursuant hereto, the provisions for the security and payment of the Bonds and the validity of all other provisions and proceedings relating to their authorization and issuance, for any cause whatever. Thereafter, it shall be conclusively presumed that the Bonds are legal and that every legal requirement for the issuance of the Bonds has been complied with. No court shall have authority to inquire into any of these matters after the said thirty days.

SECTION 27. **Post-Issuance Compliance.** The Executive Officers and/or their designees are directed to establish, continue, and/or amend, as applicable, written procedures to assist the Issuer in complying with various State and Federal statutes, rules and regulations applicable to the Bonds and are further authorized to take any and all actions as may be required by said written procedures to ensure continued compliance with such statutes, rules and regulations throughout the term of the Bonds.

SECTION 28. **Bonds are not "Bank-Qualified".** The Bonds are *not* designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

SECTION 29. **Default.** Upon an Event of Default, the Owner may pursue any and all remedies, including but not limited to an action for mandamus, that may exist at law or in equity pursuant to the law of the State at the time of such Event of Default.

SECTION 30. **Headings.** The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 31. **Effective Date.** This Bond Ordinance shall become effective immediately.

This ordinance having been offered and read on this the 26<sup>th</sup> day of June 2019; having been published in accordance with law.

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**EXHIBIT A**



Capital One Public Funding, LLC  
[jonathan.lewis@capitalone.com](mailto:jonathan.lewis@capitalone.com)

Jonathan Lewis  
President  
631.531.2824 office  
631.316.0269 cell

June 24, 2019

Hon. David Hanagriff  
Parish President  
St. Mary Parish Government  
5th Floor Courthouse  
Franklin, LA 70538

**Subject:** St. Mary Parish Limited Tax Revenue Bond, Series 2019 ("Loan")

Dear Mr. Hanagriff:

Capital One Public Funding, LLC, (the "Lender") is pleased to present this commitment letter to the St. Mary Parish Council with respect to the hereinafter described Loan. The Lender hereby offers to enter into the following agreement setting forth the terms and conditions of the Loan:

**Issuer:** St. Mary Parish ("Parish").

**Lender:** Capital One Public Funding, LLC.

**Type of Financing:** Tax-exempt  
St. Mary Parish Limited Tax Revenue Bond, Series 2019.

**Par Amount:** Maximum amount of \$10,000,000.

**Fixed Interest Rate:** 3.35%

**Maturity/Average Life:** June 1, 2039; 12.3 years.

**Use of Proceeds:** Proceeds will be used to fund various road improvements in St. Mary Parish in accordance with a resolution to be adopted by the St. Mary Parish Council on July 24, 2019.

**Security:** The Loan will be secured, equally with the Parity Debt described below, by a first lien on the revenues of a Parish-wide General Alimony Tax (ad valorem tax) collected both outside of the municipalities (presently approximately 80% of the revenues) and inside the municipalities (presently approximately 20% of the revenues) ("Pledged Revenues").

**Parity Bonds:** The Loan will be secured by the Pledged Revenues on a parity with the Parish's outstanding Limited Tax Revenue Bond, Series 2018, maturing June 1, 2038 of which \$9,885,000 is currently outstanding (the "Parity Debt").

**Additional Bond Test:** The Parish has the right to issue additional bonds secured by a parity pledge of the Pledged Revenues. As a condition precedent, the Parish must certify to COPF that the pledged revenues collected in each of the prior two fiscal years is greater than 1.35% of the highest amount needed to pay the maximum annual principal and interest on the (i) Loan, (ii) all outstanding debt paid from Pledged Revenues and (ii) additional bonds.

**Fees:** No fees, including bank counsel fees, shall be charged by COPF to the Parish for execution of the Loan.

**Optional Call Provision:** Noncallable until June 1, 2029, thereafter at par.

**Documentation:**

Documentation shall be provided by bond counsel at Parish's expense, subject to review by the COPF and its counsel. The Parish shall provide an opinion of legal counsel attesting to the valid and binding nature of the Loan and stating that the interest paid on the Loan is excluded from gross income for federal income tax purposes.

**No Bond Rating, DTC,  
Offering Document or CUSIP:**

The bond shall be delivered as a single bond, subject to payment of principal installments, in physical, non-book-entry, certificated form and registered in the name of COPF. The bond shall not be (i) assigned a separate rating by any Rating Agency; (ii) registered with The Depository Trust Company or any other securities depository; (iii) issued pursuant to any type of official statement, private placement memorandum or other offering document; or (iv) assigned a CUSIP number.

**Role of Capital One  
Public Funding, LLC:**

The Parish acknowledges and agrees that: (i) the information contained in this commitment letter sets forth certain proposed terms and conditions of an arm's-length commercial transaction between the Parish and COPF and does not constitute advice, an opinion or a recommendation by COPF; (ii) the Parish will make its own determination regarding whether to enter into the proposed transaction and the terms thereof, and will consult with and rely on the advice of its own financial, accounting, tax, legal and other advisors; (iii) COPF is acting solely for its own account in connection with the proposed transaction, and is not acting as a municipal advisor, financial advisor, agent or fiduciary to the Parish or any other person or entity (including to any financial advisor or placement agent engaged by the Parish) and the Parish, its financial advisor (if any) and placement agent are free to retain the services of such advisors (including as it relates to structure, timing, terms and similar matters and compliance with legal requirements applicable to such parties) as it deems necessary or appropriate; (iv) COPF has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to the Parish with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto; (v) neither COPF nor any of its affiliates is acting as a broker, dealer, underwriter or placement agent with respect to the transactions contemplated hereby; (vi) the only obligations COPF has to the Parish with respect to the transaction contemplated hereby expressly are set forth in this commitment letter; and (vii) COPF is not recommending that the Parish take an action with respect to the transaction contemplated by this commitment letter. Before taking any action with respect to the contemplated transaction, the Parish should discuss the information contained herein with the Parish's own legal, accounting, tax, financial and other advisors, as it deems appropriate. If the Parish would like a municipal advisor in this transaction that has legal fiduciary duties to you, the Parish is free to engage a municipal advisor to serve in that capacity. This commitment letter is provided to the Parish pursuant to and in reliance upon the "bank exemption" provided under the municipal advisor rules of the Securities and Exchange Commission, Rule 15Ba1-1 seq.

**Lender Certificate:**

At closing, COPF will execute the Lender Certificate attached hereto.

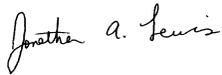
**Commitment Expiration:**

This Commitment shall expire if not accepted by the Parish by July 24, 2019. Once accepted, this Commitment shall expire if the transaction has not closed by September 4, 2019.

Thank you for the opportunity to offer this Commitment. Should you have any questions, please do not

hesitate to contact me at 631-531-2824 or jonathan.lewis@capitalone.com.

Sincerely,



Jonathan A. Lewis  
President  
Capital One Public Funding, LLC

**ACCEPTED BY: ST. MARY PARISH**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**LENDER CERTIFICATE**

I, Catherine DeLuca, Vice President of Capital One Public Funding, LLC, Melville, New York (“COPF”), do hereby certify as follows with regard to the Limited Tax Revenue Bond, Series 2019 in the principal amount of \$10,000,000 (the “*Loan Obligation*”), issued by St. Mary Parish (the “*Borrower*”):

1. COPF has full power and authority to carry on its business as now conducted, deliver this Certificate and make the representations and certifications contained herein.

2. COPF is a lender that regularly extends credit to state and local governments by making loans and repayment obligations which are evidenced by obligations such as the Loan Obligation; has knowledge and experience in financial and business matters that make it capable of evaluating the Borrower, the Loan Obligation and the risks associated with the extension of credit evidenced by the Loan Obligation; has the ability to bear the economic risk of extending the credit evidenced by the Loan Obligation; and is a limited liability company controlled by a bank, and engaged in the primary business of extending credit and making loans to state and local governments and non-profit entities and has total assets in excess of \$1 billion. COPF is not acting as a broker, dealer, municipal securities underwriter, municipal advisor or fiduciary in connection with its extension of credit evidenced by the Loan Obligation.

3. COPF has conducted its own investigation of the financial condition of the Borrower, the purpose for which the Loan Obligation is being executed and delivered and of the security for the payment of the principal of and interest on the Loan Obligation, and has obtained such information regarding the Loan Obligation and the Borrower and its operations, financial condition and financial prospects as COPF deems necessary to make an informed lending decision with respect to its extension of credit evidenced by the Loan Obligation.

4. COPF is extending credit to the Borrower evidenced by the Loan Obligation as a vehicle for making a commercial loan for its own loan account, with the present intention of holding the Loan Obligation to maturity or earlier prepayment, provided that COPF retains the right at any time to dispose of the Loan Obligation or any interest therein or portion thereof, but agrees that any such sale, transfer or distribution by COPF shall be made in accordance with applicable law and the provisions of the Loan Obligation and related documents to (a) an affiliate of COPF; or (b) one or more banks, insurance companies or other financial institutions.

5. COPF acknowledges that the Loan Obligation (a) has not been registered under the Securities Act of 1933, as amended, and has not been registered or otherwise qualified for sale under the securities laws of any state, (b) will not be listed on any securities exchange and (c) there is no established market for the Loan Obligation and that none is likely to develop. COPF understands and acknowledges that (i) its extension of credit evidenced by the Loan Obligation is not intended to be subject to the requirements of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended and (ii) in connection with its extension of credit evidenced by the Loan Obligation, the Borrower has not prepared or caused to be prepared, any official statement, private placement memorandum or other offering document.

6. COPF is acting solely for its own loan account and not as a fiduciary for the Borrower or in the capacity of broker, dealer, placement agent, municipal securities underwriter, municipal advisor or fiduciary. It has not provided, and will not provide, financial, legal (including securities law), tax, accounting or other advice to or on behalf of the Borrower (including to any financial advisor or any placement agent engaged by the Borrower) with respect to the structuring, or delivery of the Loan Obligation. COPF has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to the Borrower with respect to the transactions relating to the structuring, or delivery of the Loan Obligation and the discussions, undertakings and procedures leading thereto. Each of the Borrower, its financial advisor and its placement agent has sought and shall seek and obtain financial, legal (including securities law), tax, accounting and other advice (including as it relates to structure, timing, terms and similar matters and compliance with legal requirements applicable to such parties) with respect to the Loan Obligation from its own financial, legal, tax and other advisors (and not from the undersigned or its affiliates) to the extent that the Borrower, its financial advisor or its placement agent desires, should or needs to obtain such advice. The undersigned expresses no view regarding the legal sufficiency of its representations for purposes of compliance with any legal requirements applicable to any other party, including but not limited to the Borrower's financial advisor or placement agent, or the correctness of any legal interpretation made by counsel to any other party, including but not limited to counsel to the Borrower's financial advisor or placement agent, with respect to any such matters. The transactions between the Borrower and COPF are arm's length, commercial transactions in which COPF is acting and has acted solely as a principal and for its own interest and COPF has not made recommendations to the Borrower with respect to the transactions relating to the Loan Obligation.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CAPITAL ONE PUBLIC FUNDING, LLC

By: \_\_\_\_\_

Name:

\_\_\_\_\_

—

Title:

\_\_\_\_\_

—

Mr. Hebert introduced the following ordinance:

**ORDINANCE NO.**

An Ordinance amending Ordinance No. 1161 establishing the Regular Meeting Dates, Times, and Place of the St. Mary Parish Council.

**BE IT ORDAINED** by the St. Mary Parish Council, in regular session convened:

**SECTION 1.** That Section I of Ordinance No. 1161 shall be amended as follows: The Regular Meetings of the St. Mary Parish Council shall be held every Second and Fourth Wednesday of the month at 5:15 p.m., in the St. Mary Parish Council Meeting Room, Fifth Floor Courthouse, Franklin, Louisiana.

**SECTION 2.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance to become effective upon adoption.

This ordinance having been offered and read on this the 26<sup>th</sup> day of June, 2019; having been published in accordance with law.

Mr. Bennett moved that the following Resolution be adopted. The Council seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Rev. Mathews, Messrs. Ina, Rogers, Hidalgo, Singleton, Hebert, Bennett, Naquin, and Voisin

NAYS: None

ABSTAIN: None

ABSENT: Messrs. Fryou and Beadle

### **RESOLUTION OF RESPECT**

**WHEREAS**, the Lord Almighty in His Infinite mercy and goodness has seen fit to remove from our midst, Mr. Andrew Joseph “Deacon” Dragna, father-in-law of Chief Administrative Officer, Henry C. “Bo” LaGrange, and

**WHEREAS**, Deacon Dragna was ordained a permanent deacon with the Diocese of Houma-Thibodaux in 1976, and served Holy Cross Church in Morgan City for more than 35 years, and

**WHEREAS**, Deacon Dragna was a great story teller who loved telling stories about his family, cooking, and gardening, and

**WHEREAS**, Deacon Dragna will be truly missed by his family and friends that loved him dearly, and

**WHEREAS**, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. Andrew Joseph “Deacon” Dragna, and

**WHEREAS**, the St. Mary Parish Council hopes that his family will find comfort in the thought that their grief and sorrow are shared by their friends.

**NOW, THEREFORE BE IT RESOLVED**, by the St. Mary Parish Council through the unanimous adoption of this resolution that they solemnly deliberate with sincere condolences, sympathy, and understanding during this time of grief.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

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**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

**LISA C. MORGAN, CLERK**

**ST. MARY PARISH COUNCIL**

Mr. Hebert moved that the following Resolution be adopted. The Council seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Ina, Rogers, Hidalgo, Singleton, Hebert, Bennett, Naquin, Voisin, and Rev. Mathews

NAYS: None

ABSTAIN: None

ABSENT: Messrs. Fryou and Beadle

**RESOLUTION OF RESPECT**

**WHEREAS**, the Lord Almighty in His Infinite mercy and goodness has seen fit to remove from our midst, Mr. John “Coach Menard” Louis Menard, and

**WHEREAS**, Coach Menard was a graduate of Berwick High School and later began his career there as a math teacher and coach, and

**WHEREAS**, Coach Menard later became the Assistant Principal at Berwick High School with hard work and dedication, and

**WHEREAS**, Coach Menard will be truly missed by his family, friends, and students that loved him dearly, and

**WHEREAS**, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. John “Coach Menard” Louis Menard, and

**WHEREAS**, the St. Mary Parish Council hopes that his family will find comfort in the thought that their grief and sorrow are shared by their friends.

**NOW, THEREFORE BE IT RESOLVED**, by the St. Mary Parish Council through the unanimous adoption of this resolution that they solemnly deliberate with sincere condolences, sympathy, and understanding during this time of grief.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

---

**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

**LISA C. MORGAN, CLERK  
ST. MARY PARISH COUNCIL**

Mr. Hebert moved that the following Resolution be adopted. The Council seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Rogers, Hidalgo, Singleton, Hebert, Bennett, Naquin, Voisin, Rev. Mathews, and Mr. Ina

NAYS: None

ABSTAIN: None

ABSENT: Messrs. Fryou and Beadle

### **RESOLUTION OF RESPECT**

**WHEREAS**, the Lord Almighty in His Infinite mercy and goodness has seen fit to remove from our midst, Mr. Merwyn “Roby” Adam Robicheaux, and

**WHEREAS**, Mr. Robicheaux was a veteran of the United States Air Force where he served as a Radar Operator on the Convair B-36 Peacemaker Strategic Bomber during the Korean Conflict, and

**WHEREAS**, Mr. Robicheaux started his career in the oil field industry with Mobil Oil, then moved on the oil field rental tool business where upon he retired, and then was the owner of Bayou Vista Lumber for two decades, and

**WHEREAS**, Mr. Robicheaux will be truly missed by his family and friends that loved him dearly, and

**WHEREAS**, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. Merwyn “Roby” Adam Robicheaux, and

**WHEREAS**, the St. Mary Parish Council hopes that his family will find comfort in the thought that their grief and sorrow are shared by their friends.

**NOW, THEREFORE BE IT RESOLVED**, by the St. Mary Parish Council through the unanimous adoption of this resolution that they solemnly deliberate with sincere condolences, sympathy, and understanding during this time of grief.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

---

**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

**LISA C. MORGAN, CLERK**

**ST. MARY PARISH COUNCIL**

Clerk of the Council, Lisa C. Morgan informed that 15D “Resolution providing for the approval and authorization for Change Order No. 1 relative to the 2018 Amelia Roadway Improvements Project” was withdrawn.

In response to Mr. Hidalgo’s inquiry, Mr. LaGrange explained there were no changes in cost to Item 13G, “Resolution approving and authorizing Parish President to execute Amendment No. 2 with The State of Louisiana relative to the Burns Point Recreational Area Fishing Pier” and Item 13 J, “Resolution approving and authorizing the Parish President to execute an amendment to the agreement between the South Central Louisiana Human Services Authority and the St. Mary Parish Council relative to Fairview Treatment Center.”

Mr. Rogers moved that the following Resolutions be adopted. Mr. Naquin seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Hidalgo, Singleton, Hebert, Bennett, Naquin, Voisin, Rev. Mathews, Messrs. Ina, and Rogers

NAYS: None

ABSTAIN: None

ABSENT: Messrs. Fryou and Beadle

**RESOLUTION**

A Resolution providing for the approval and authorization for Change Order No. 2 relative to the Yokely Levee Improvements.

**WHEREAS**, a certain contract has been entered into between the St. Mary Parish Council and Patriot Construction & Industrial, LLC, 1026 Toby Mouton Road, Duson, Louisiana 70529, relative to the Yokely Levee Improvements, and

**WHEREAS**, the items as shown on Change Order No. 1 will result in an increase of \$99,711.50 in the contract price and an increase of forty-five (45) working days in the contract time.

**NOW, THEREFORE BE IT RESOLVED**, that the St. Mary Parish Council does hereby approve the issuance of Change Order No. 2 covering an increase of \$99,711.50 in the contract price and an increase of forty-five (45) working days in the contract time for the Yokely Levee Improvements.

**BE IT FURTHER RESOLVED**, that the President of St. Mary Parish, David Hanagriff, be and he is hereby authorized to execute Change Order No. 2 on behalf of the St. Mary Parish Council.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

\_\_\_\_\_  
**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

\_\_\_\_\_  
**LISA C. MORGAN, CLERK**

## ST. MARY PARISH COUNCIL

### RESOLUTION

**WHEREAS**, the Bayou Courtableau Watershed in St. Landry Parish at Washington LA is approximately 715 square miles. The entire Bayou Courtableau watershed is greater than 1000 square miles and also includes areas both east and south of Washington, LA. The watershed extends north to Boyce, LA (North of Alexandria, LA) and includes several wetland swamps (flood plains) in the southern part of the watershed. These flood plains in the southern watershed include Darbonne, Waukesha, Thistlewaite, Bayou Carron and Dubuisson. These lowland swamps provide a flood plain for excess water that enters the watershed from the north and central part of the watershed into the floodway when water levels are low enough in the Atchafalaya basin. Additionally, there are two five-hundred overflow weirs immediately upstream of the Courtableau Control Gates that allow excessive, but uncontrolled, flood waters to drain into the West Atchafalaya Guide Levee Barrow Pit (also referred to as Bayou Amy-Barrow Pit) and down the floodplain to Lake Dauterive and Lake Fausse Point near Loreauville, LA. Additionally, there exist a levee between Bayou Courtableau and Bayou Amy-Barrow Pit, through which a 54-inch culvert and control gate is located that provides freshwater flow into Bayou Amy-Barrow Pit and connecting waterways to the south; and

**WHEREAS**, the Atchafalaya basin water levels dictate the effectiveness of the existing Bayou Courtableau Control Gates, also known as (the Grimmatt Canal Gates) in moving flood water in the northern part of the watershed into the West Atchafalaya floodway. As an example, the water levels in the Atchafalaya basin since December 2018 have been unusually high and are expected to remain high until the summer of 2019, making these existing gates in the West Atchafalaya Guide Levee (Grimmett Canal Gates) largely ineffective for managing flood water; and

**WHEREAS**, the Teche-Vermilion Freshwater District operates a 54" culvert gate which provides freshwater flow from Bayou Courtableau into the Bayou Amy-Borrow Pit and connecting waterways to the South. The Teche-Vermilion Freshwater District has reported that St. Martin Parish downstream does not believe this freshwater resource is adequate and have indicated they would support adding a larger gate in the levee; and

**WHEREAS**, we are recommending adding dual-purpose Floodgates in the levee between Bayou Courtableau and Bayou Amy-Barrow Pit. The gate would provide both a flood mitigation resource, as well as, a freshwater quality resource downstream. The gate if constructed would improve water quality in multiple parishes including St. Landry, St. Martin, and St. Mary. The gate would also provide a critically needed flood management resource for 10 parishes in the Courtableau-Teche-Vermilion Watershed; and

**WHEREAS**, the flood of August 2016 brought great losses of homes, business and agricultural crops, equipment and structures in the entire Courtableau-Vermilion Watershed; and

**WHEREAS**, the St. Mary Parish Council supports St. Landry Parish's request that the U.S. Army Corp of Engineers study and/or review and update the Bayou Cocodrie and Tributaries, Louisiana Project; and further, consider the construction of additional flood control gates from Bayou Courtableau into Bayou Amy in St. Landry Parish; and further request that the Corp study and review plans to repair the flood gate at Bayou des Glaises at Bordelonville, Louisiana.

**NOW, THEREFORE BE IT RESOLVED**, the St. Mary Parish Council does hereby support St. Landry Parish's request that the U.S. Army Corp of Engineers commence a study and/or review the Bayou Cocodrie and Tributaries, Louisiana Project and commence a study of plans to construct additional flood control gates at the Bayou Courtableau Control Structure in St. Landry Parish to discharge flood waters from Bayou Courtableau into Bayou Amy and further the supports the request that the Corp commence a study and/or review of plans to repair the flood gate at Bayou des Glaises at Bordelonville, Louisiana.

**BE IT FURTHER RESOLVED**, that this resolution shall be sent to Louisiana Congressional Delegation seeking their support and their intervention with the U.S. Army Corp of Engineers in causing this study and/or review to commence promptly.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

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**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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**LISA C. MORGAN, CLERK  
ST. MARY PARISH COUNCIL**

**RESOLUTION**

A resolution authorizing David Hanagriff, the President of St. Mary Parish to execute Amendment No. 2 with The State of Louisiana relative to the Burns Point Recreational Fishing Pier.

**BE IT RESOLVED**, that David Hanagriff, President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute Amendment No. 2 with The State of Louisiana relative to the Burns Point Recreational Fishing Pier, with said agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

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**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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**LISA C. MORGAN, CLERK  
ST. MARY PARISH COUNCIL**

**RESOLUTION**

A Resolution providing for the approval and authorization for Change Order No. 1 relative to the 2018 Garden City & Irish Bend Road Asphaltic Concrete Roadway Improvements.

**WHEREAS**, a certain contract has been entered into between the St. Mary Parish Council and Diamond B. Construction Company, LLC, P.O. Box 7618, Alexandria, Louisiana

71306, relative to the 2018 Garden City & Irish Bend Road Asphaltic Concrete Roadway Improvements, and

**WHEREAS**, the items as shown on Change Order No. 1 will result in a decrease of \$31,441.68 in the contract price.

**NOW, THEREFORE BE IT RESOLVED**, that the St. Mary Parish Council does hereby approve the issuance of Change Order No. 1 covering a decrease of \$31,441.68 in the contract price for the 2018 Garden City & Irish Bend Road Asphaltic Concrete Roadway Improvements.

**BE IT FURTHER RESOLVED**, that the President of St. Mary Parish, David Hanagriff, be and he is hereby authorized to execute Change Order No. 1 on behalf of the St. Mary Parish Council.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

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**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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**LISA C. MORGAN, CLERK  
ST. MARY PARISH COUNCIL**

#### **RESOLUTION OF ACCEPTANCE**

A Resolution authorizing and directing the President to execute for and on behalf of the Parish of St. Mary, a Certificate of Substantial Completion from Diamond B. Construction Company, LLC relative to the 2018 Garden City & Irish Bend Road Asphaltic Concrete Roadway Improvements.

**WHEREAS**, Diamond B. Construction Company, LLC, P.O. Box 7618, Alexandria, Louisiana 71306, has substantially completed 2018 Garden City & Irish Bend Road Asphaltic Concrete Roadway Improvements.

**NOW THEREFORE, BE IT RESOLVED** by the Parish of St. Mary that the President be and he is hereby empowered, authorized and directed to execute a Certificate of Substantial Completion for and on behalf of the Parish of St. Mary accepting the 2018 Garden City & Irish Bend Road Asphaltic Concrete Roadway Improvements Project.

**BE IT FURTHER RESOLVED**, that he be authorized and directed to have a copy of said Certificate of Substantial Completion recorded in the mortgage records of St. Mary Parish, Louisiana.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

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**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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**LISA C. MORGAN, CLERK  
ST. MARY PARISH COUNCIL**

**RESOLUTION**

A resolution authorizing David Hanagriff, the President of St. Mary Parish to execute an amendment to the agreement between South Central Louisiana Human Services Authority and the St. Mary Parish Council relative to Fairview Treatment Center.

**BE IT RESOLVED**, that David Hanagriff, President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute an amendment to the agreement between South Central Louisiana Human Services Authority and the St. Mary Parish Council relative to Fairview Treatment Center, with said amendment to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 26<sup>th</sup> day of June 2019.

**APPROVED:**

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**KEVIN VOISIN, VICE-CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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**LISA C. MORGAN, CLERK  
ST. MARY PARISH COUNCIL**

**NEW BUSINESS:**

- A. Lige S. Robison has written to resign from the Industrial Development Board effective June 12, 2019. Thank you for allowing me to serve.

Mr. Robison will be sent a letter thanking him for his service on the Industrial Development Board and the vacancy will be advertised.

- B. Discussion and action relative to the Official Journal for the Parish of St. Mary for the year July1, 2019 – June 30, 2020.

Honorable David Hanagriff, President  
Members of the Parish Council  
St. Mary Parish Council

Gentlemen,

The Banner-Tribune is pleased to quote a price of six dollars per legal square (approximately \$3.00 per column inch depending on font and type size) to serve as the official journal of St. Mary Parish for the upcoming fiscal year (July 1, 2019 through June 30, 2020).

This rate covers all minutes, ordinances, etc., with the exception of fee-paid advertising (advertising placed by a governmental agency but paid for by a third party) which is governed by a separate legislative pricing formula.

Thank you for the opportunity to quote. If you have any questions, please don't hesitate to call.

Sincerely,



Allan Von Werder  
Editor & Publisher

Mr. Naquin questioned whether the Parish could change their official journal to the Daily Review due to the limited days that the Franklin Banner-Tribune is published.

St. Mary and Franklin Banner-Tribune Managing Editor, Roger Stouff appeared before the Council and explained the paper is published on Sundays and Wednesdays and also explained that most customers are receiving an online daily paper.

After a lengthy discussion, Mr. Rogers moved that the quote of \$3.00 per column inch (depending on font and type size) from Editor & Publisher of the Banner-Tribune, Allan Von Werder serve as the official journal of St. Mary Parish for the upcoming fiscal year (July 1, 2019 through June 30, 2020) be accepted. Mr. Ina seconded the motion, which carried.

C. James L. Moffett, III, Cox Manager, Government and Regulatory Affairs, as you know, Cox is required to obtain permission from local broadcast stations, and cable networks to provide their signals on our video channel lineup. Our company is in discussions to renew agreements with programmers and broadcasters that may affect the following channels: SD Channel #217 and HD Channel # 1217.

We continue to actively negotiate with these networks and are working toward renewing our agreements without any disruption of service to our customers. We are meeting our customer notification obligation through an ad in the local newspaper.

Mr. Naquin addressed the Council to explain that he is still not happy with Cox and has been unable to make contact with Mr. Moffett. He requested that Mr. LaGrange and the Council schedule a meeting with Cox.

Mr. LaGrange also asked Mr. Hebert to contact State Representative Clay Higgins to initiate possible help with this issue.

There being no further business, Mr. Hebert moved for adjournment. Mr. Singleton seconded the motion, which carried.

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Lisa C. Morgan, Clerk

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Kevin Voisin, Vice-Chairman