

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

FEBRUARY 12, 2014
FRANKLIN, LOUISIANA

The St. Mary Parish Council met on this date in Regular Session with Chairman Steve Bierhorst presiding and the following members present: Lionel Metz, David Hanagriff, Glen Hidalgo, Ken Singleton, Logan Fromenthal, Sterling Fryou, Albert Foulcard and Kevin Voisin. Absent were Charles Middleton and Tim Tregle.

Mr. Singleton pronounced the Invocation and Mr. Fromenthal led the Pledge of Allegiance.

Mr. Fromenthal moved that the reading of the minutes of the Second Regular Meeting, January 22, 2014 be dispensed with and that the same be approved. Mr. Fryou seconded the motion, which carried.

Marjorie Gause, 1172 Lake View Drive, Amelia, Louisiana appeared before the Council to expound relative to problems with helicopters flying over and causing damage to her mobile home.

Ms. Gause questioned what can be done and if there is a fly zone in the Amelia area. She expounded relative to the danger of the situation and the increase of the flights. (A list of dates and flight times was submitted for review by the Council)

Mr. Foulcard questioned whether there are laws for this type of problem.

Mr. Bierhorst stated there is a noise test that was performed at PHI Heliport on March 26, 2011. The results were provided to the Council.

Mr. Bierhorst questioned whether anyone contacted PHI, Inc. regarding the matter.

Ms. Gause stated that the neighbor phoned PHI and they informed her they would look into the problem.

Mr. Fryou suggested that maybe the weather pattern maybe the cause for the increase of the flights.

Mr. LaGrange stated that the property was originally zoned for a Mobile Home Park. The property surrounding the area is zoned as Heavy Industrial (HI).

In the new UDC, there are new buffer zones that would assist in addressing this type of situation.

Mr. LaGrange stated that that in 2011, PHI expanded their Rejected Take-Off Lane (ROTL) which is a path that they follow for takeoff. Discussion was held relative to the noise test that was performed.

Mr. Hidalgo suggested contacting PHI, Inc. to determine whether there were some changes that has taken place since 2011.

Mr. LaGrange spoke with a representative on Monday and they have not changed helicopters and also stated no one has contacted them with complaints.

Mr. Naquin, Parish President informed Ms. Gause they will meet with PHI, Inc. and determine whether there is a resolution to this problem.

Ms. Gause explained she may have to obtain a lawyer for the damage that has already been done to her home.

Several councilmen express their stance regarding the problems being experienced.

Mr. Hanagriff commented relative to similar problem being experienced with the Airport in Patterson, Louisiana and asked Mr. LaGrange if can also investigate the problem.

Willie Peters, 246 Gum Point Lane, Franklin, LA appeared before the Parish Council to inform relative to several problems he is experiencing.

Mr. Peters explained Cox Communications is steady increasing their fees and switching basic channels to premium channels.

Mr. Peters questioned when the sidewalks will be completed in the St. Joseph area and commented relative to how dangerous they are due to the bends and turns.

Mr. Peters also inquired as to when the roads will be repaired in the St. Joseph area (Easy Street, Gumpoint Lane and Irish Bend Road).

Mr. Peters commented relative to the weight of the sugarcane trucks and the speed at which they are travelling.

Mr. Bierhorst informed Mr. Peters that the situation with the sugarcane trucks would have to go to the legislature to remedy the problems being experienced.

Mr. Naquin thanked North American Salt Company for their donation of 50 tons of salt during the 2014 Winter Storm that was delivered to the City of Morgan City to assist in keeping the 182 Bridge open.

Mr. Naquin thanked the Cities, Towns, Municipalities, Mayors, Councilmen, Chiefs of Police, State Police, Department of Transportation for doing an excellent job with the 2014 Winter Storms.

Mr. Naquin also thanked Duval Arthur, OEP Director, Henry “Bo” LaGrange, CAO and Janet Marcotte, OEP Secretary for their diligent work during the Winter Storms.

Mr. Naquin also informed relative to the Senior Citizens’ Luncheon which will be held on Thursday, February 13, 2014 at the Franklin Recreation Center.

Henry “Bo” LaGrange, Chief Administrative Officer presented his report for three (3) week period ending February 12, 2014. (All items in Mr. LaGrange’s report were informational.)

Tammy Luke presented the following items as recommended by the Planning & Zoning Commission at their January 27, 2014 Regular Meeting:

a. Preliminary & Final Development Approval –

Name: Avalon Plantation, Inc. to be acquired by Plains Gas Solutions, Inc., represented by T. Baker Smith
Address: 3201 Zenor Rd. (240 Devon Lane), Patterson, LA

Parcel Id# 2714444016.00; Sec. 48 T15S R11E; 106.96 ac por Area A Sec 48 T15S R11E per Plat 20C 168411 containing 559.26 ac lying North of Zenor Rd. Acq 33Y 232942.

Zoned: Agricultural Zoned District (AG)

PURPOSE: subdivision; as shown on plat titled “Plains Gas Solutions-Plat Showing Tract “A” redivision of Property belonging to Avalon Plantation Inc.” as prepared by T. Baker Smith, dated January 9, 2014; Dwg. No. LA-STM-15PC.DWG

b. Preliminary & Final Development Approval –

Name: Betty Clausen Boudreaux Trust to be acquired by Plains Gas Solutions, Inc. represented by T. Baker Smith
Address: 5301 W. Hwy 90 (195 251, 271 and 299 Tony Lane), Patterson, LA

Parcel Id# 2594284011.00; Sec.55 T15S R11E; 69.45 ac Tract being por 1122.06 ac Tract per Plat 6Z 75774 situated Sec 55 T15S R11E Acq 37J 246907.

Zoned: Agricultural Zoned District (AG)

PURPOSE: subdivision; as shown on plat titled "Plains Gas Solutions-Plat Showing Tract "A","B","C", & "D" redivision of Property belonging to Betty Clausen Boudreaux Trust" as prepared by T. Baker Smith, dated revised January 9, 2014; Dwg. No. LA_STM-01.DWG

c. Preliminary Development Approval –

Name: Francis M. Accardo
Address: 1617 Prairie Road Circle, Centerville, LA

Parcel Id# 2474501009.00; Sec. 37 T15S R10E; 18.73 ac por Tract "EFGHIJKLMNOE" per Plat 41N 262386 Acq. 41S 263092.

Zoned: Agricultural Zoned District (AG)

PURPOSE: developing a (4) four lot subdivision; as shown on plat titled "Prelim Plat showing Survey of a portion of property belonging to Francis M. Accardo & Ouida Domangue Accardo said property is situated in Section 37, T15S-R10E, Parish of St. Mary, State of Louisiana" as prepared by S. J. Langlinais & Associates, Inc., dated revised September 28, 2012; Z:\Dwg2012B\Accardo,Pat(revised).dwg

d. Preliminary Development Approval –

Name: Ulysses Knight, Jr.
Address: 200 Prairie Rd., Centerville, LA

Parcel Id# 2564541018.00; Sec. 5 T15S R10E; Lot BD Marcel-Lane-Nixon all per Plat 14O 131548 Acq. 210 307471.

Zoned: Mixed Residential (MR) Zoned District

PURPOSE: Manufactured Home Park Development (4 Lots)

Mr. Voisin moved Preliminary & Final Development Approval be granted for:

Name: Avalon Plantation, Inc. to be acquired by Plains Gas Solutions, Inc., represented by T. Baker Smith
Address: 3201 Zenor Rd. (240 Devon Lane), Patterson, LA

Parcel Id# 2714444016.00; Sec. 48 T15S R11E; 106.96 ac por Area A Sec 48 T15S R11E per Plat 20C 168411 containing 559.26 ac lying North of Zenor Rd. Acq 33Y 232942.

Zoned: Agricultural Zoned District (AG)

PURPOSE: subdivision; as shown on plat titled "Plains Gas Solutions-Plat Showing Tract "A" redivision of Property belonging to Avalon Plantation Inc." as prepared by T. Baker Smith, dated January 9, 2014; Dwg. No. LA-STM-15PC.DWG Mr. Foulcard seconded the motion, which carried.

Mr. Voisin moved Preliminary & Final Development Approval be granted for:

Name: Betty Clausen Boudreaux Trust to be acquired by Plains Gas Solutions, Inc. represented by T. Baker Smith
Address: 5301 W. Hwy 90 (195 251, 271 and 299 Tony Lane), Patterson, LA

Parcel Id# 2594284011.00; Sec.55 T15S R11E; 69.45 ac Tract being por 1122.06 ac Tract per Plat 6Z 75774 situated Sec 55 T15S R11E Acq 37J 246907.

Zoned: Agricultural Zoned District (AG)

PURPOSE: subdivision; as shown on plat titled "Plains Gas Solutions-Plat Showing Tract "A","B","C", & "D" redivision of Property belonging to Betty Clausen Boudreaux Trust" as prepared by T. Baker Smith, dated revised January 9, 2014; Dwg. No. LA_STM-01.DWG Mr. Foulcard seconded the motion, which carried.

Mr. Voisin moved that Preliminary Development Approval be granted for:

Name: Francis M. Accardo
Address: 1617 Prairie Road Circle, Centerville, LA

Parcel Id# 2474501009.00; Sec. 37 T15S R10E; 18.73 ac por Tract "EFGHIJKLMNOE" per Plat 41N 262386 Acq. 41S 263092.

Zoned: Agricultural Zoned District (AG)

PURPOSE: developing a (4) four lot subdivision; as shown on plat titled "Prelim Plat showing Survey of a portion of property belonging to Francis M. Accardo & Ouida Domangue Accardo said property is situated in Section 37, T15S-R10E, Parish of St. Mary, State of Louisiana" as prepared by S. J. Langlinais & Associates, Inc., dated revised September 28, 2012; Z:\Dwg2012B\Accardo,Pat(revised).dwg Mr. Foulcard seconded the motion, which carried.

Mr. Voisin moved that Preliminary Development Approval be granted for:

Name: Ulysses Knight, Jr.
Address: 200 Prairie Rd., Centerville, LA

Parcel Id# 2564541018.00; Sec. 5 T15S R10E; Lot BD Marcel-Lane-Nixon all per Plat 14O 131548 Acq. 210 307471.

Zoned: Mixed Residential (MR) Zoned District

PURPOSE: Manufactured Home Park Development (4 Lots) Mr. Foulcard seconded the motion, which carried.

Mr. Voisin moved that the St. Mary Parish Unified Development Code Workshop Committee Report, February 5, 2014 be approved. Mr. Fryou seconded the motion, which carried.

Mr. Foulcard introduced the following ordinance:

ORDINANCE NO.

An Ordinance authorizing the Parish of St. Mary to enter into a lease agreement with St. Bernadette Roman Catholic Church of Bayou Vista for property to be used for the purpose of conducting youth recreation programs.

BE IT ORDAINED by the St. Mary Parish Council:

SECTION 1. That the Parish of St. Mary enter into a lease agreement with St. Bernadette Roman Catholic Church of Bayou Vista for the lease of property situated in St. Mary Parish, Louisiana containing five (5) acres and indicated by the letters "ABCDEF A" on a Plan of Land showing property for the corporation of St. Bernadette Catholic Church of Bayou Vista made by Defraites Associates dated March 4, 1963, and recorded in St. Mary Parish Conveyance Book 13-J, Entry No. 122,865, all in accordance with the basic terms and conditions contained in Exhibit "A" attached hereto.

SECTION 2. That Paul P. Naquin, Jr., Parish President is authorized to execute such lease on behalf of the Parish Council.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 12th day of February 2014, having been published in accordance with law.

LEASE AGREEMENT

UNITED STATES OF AMERICA

BETWEEN

PARISH OF ST. MARY

**ST. BERNADETTE ROMAN CATHOLIC
CHURCH OF BAYOU VISTA**

STATE OF LOUISIANA

AND

THE ST. MARY PARISH GOVERNMENT

KNOWN ALL MEN BY THESE PRESENTS that:

ST. BERNADETTE ROMAN CATHOLIC CHURCH OF BAYOU VISTA, herein referred to as ST. BERNADETTE PARISH, and

THE ST. MARY PARISH COUNCIL, hereinafter referred to as COUNCIL, do hereby agree as follows:

In consideration of the mutual advantages to be derived by the parties hereto, and in further consideration of the payment of the sum of TEN AND NO/ 100 (\$10.00) DOLLARS by the COUNCIL to the ST. BERNADETTE PARISH, the said ST. BERNADETTE PARISH does hereby lease and demise unto COUNCIL the following described property:

That certain lot or parcel of land situated in St. Mary Parish, Louisiana containing five (5) acres and indicated by the letters "ABCDEF A" on a Plan of Land showing property for the corporation of ST. BERNADETTE CATHOLIC CHURCH of BAYOU VISTA made by Defraites Associates dated March 4, 1963, and recorded in St. Mary Parish Conveyance Book 13-J, Entry No. 122,865.

This lease shall be for a term of five (5) years, commencing on October 1, 2013 and ending September 30, 2018.

The premises shall be used by COUNCIL solely for the purpose of conducting youth recreation programs, and for no other purpose, whatsoever. COUNCIL shall not place any permanent fixtures upon the premises, except that it may install recreational equipment to be moved upon the expiration hereof.

COUNCIL assumes the upkeep and maintenance of the leased premises at its sole cost and expenses.

COUNCIL does hereby save and hold ST. BERNADETTE PARISH harmless from claims, demands, or causes of action which may arise on of the said premises. In connection therewith, COUNCIL shall provide a policy of public liability insurance in an amount not less than One Million Dollars (\$1,000,000) which policy shall name the ST. BERNADETTE PARISH and the DIOCESE OF LAFAYETTE AS ADDITIONAL INURED.

This agreement may be cancelled by either party upon One Hundred Eighty (180) days advance written notice.

At the expiration hereof, the parties may extended the term by mutual agreement.

DONE AND SIGNED the _____ day of _____, 2014 Franklin, Louisiana.

WITNESSES:

ST. BERNADETTE ROMAN CATHOLIC
CHURCH OF BAYOU VISTA

BY: _____
REVEREND WILLIAM ROGALLA

TRUSTEE

TRUSTEE

APPROVED:

THE MOST REVEREND BISHOP
MICHAEL JARRELL
PRESIDENT

REV. MSGR. ALEXANDRE LARROUQUE
VICE PRESIDENT

WITNESSES:

ST. MARY PARISH GOVERNMENT
LESSOR

BY: _____
PAUL P. NAQUIN, JR.
PARISH PRESIDENT

NOTARY PUBLIC

Mr. Foulcard introduced the following ordinance:

ORDINANCE NO.

An Ordinance authorizing the Parish of St. Mary to enter an agreement to amend a certain Permanent Levee Servitude with JMB Partnership, LLC, Gavilon Midstream Energy, LLC, and St. Mary Levee District.

BE IT ORDAINED by the St. Mary Parish Council:

SECTION 1. That the Parish of St. Mary enter an agreement to amend a certain Permanent Levee Servitude with JMB Partnership, LLC, Gavilon Midstream Energy, LLC, and St. Mary Levee District on the terms and conditions as contained in the agreement, which is described in Exhibit "A", a copy of which is attached hereto and made a part hereof.

SECTION 2. That Paul P. Naquin, Jr., Parish President is authorized to execute such agreement on behalf of the Parish Council.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 12th day of February 2014, having been published in accordance with law.

EXHIBIT "A"

UNITED STATES OF AMERICA

STATE OF LOUISIANA

PARISH OF ST. MARY

AMENDMENT TO DONATION OF PERMANENT LEVEE SERVITUDE

KNOW ALL MEN BY THESE PRESENTS, that:

PERSONALLY CAME AND APPEARED:

JMB PARTNERSHIP, L.L.C., a Louisiana limited liability company, successor in interest to JMB PARTNERSHIP by virtue of a merger which was filed with the Office of the Louisiana Secretary of State on May 10, 2005, domiciled in Franklin, St. Mary Parish, Louisiana, having a mailing address of 203 Main Street, Franklin, Louisiana 70538, herein represented by GLENN J. VICE, its Chief Operating Officer, duly authorized, hereafter "Donor";

GAVILON MIDSTREAM ENERGY, LLC, a Delaware limited liability company, having a mailing address of 1331 Lamar Street, Suite 1650, Houston, Texas 77010, herein represented by its undersigned duly authorized representative, hereafter "Gavilon";

ST. MARY PARISH, a body politic, with its registered office in Franklin, St. Mary Parish, Louisiana, herein represented by and acting through PAUL P. NAQUIN, JR., its President, duly authorized, hereafter "Donee"; and

ST. MARY LEVEE DISTRICT, a local governmental subdivision created by Act No. 259 of the 2007 Louisiana Legislature, with its registered office in Morgan City, St. Mary Parish, Louisiana, herein represented by and acting through WILLIAM HIDALGO, SR., its President, duly authorized, having a mailing address of 800 Youngs Road, Morgan City, Louisiana 70380, hereafter "District," and together with Donor, Gavilon, and Donee, the "Parties".

WITNESSETH:

Pursuant to that certain Donation of Permanent Levee Servitude dated December 30, 1997, recorded in COB 40-X, Folio 259, Entry No. 260112, as corrected by Affidavit of Correction dated January 15, 1998, recorded in COB 40-4, Folio 176, Entry No. 260241, official records of St. Mary Parish, Louisiana (the "Servitude"), Donor granted to Donee a temporary easement and right-of-way and right to construct, operate, maintain, alter, and replace a road and appurtenances thereto on real property owned by Donor legally described on Exhibit A attached hereto (the "Road").

District also uses the Road from time to time.

Donor, as Landlord, and Gavilon, as Tenant, intend to enter into a lease agreement whereby Gavilon will lease certain real property from Donor (the "Gavilon Lease Site") and will have the right to construct certain improvements (the "Gavilon Facility") thereon.

The Road is located on the Gavilon Lease Site, and, in connection with the lease by Gavilon from Donor of the Gavilon Lease Site, and to facilitate the construction and eventual operation of the Gavilon Facility, Donor, Gavilon, Donee, and District desire to amend the Servitude to relocate the Road as more particularly set forth herein.

Donor, Gavilon, Donee, and District further wish to set forth the terms under which the Parties shall have the right to jointly access and use the Relocated Road (as defined below) and provide for access and use of the Relocated Road (as defined below) by District.

NOW THEREFORE:

1. The Servitude is hereby amended so that the legal description for the Road set forth on Exhibit A attached hereto, is deleted in its entirety and replaced with the legal description set forth on Exhibit B attached hereto (the "Relocated Road").
2. The Parties agree that Donee and its authorized representatives, the District and its authorized representatives, and Gavilon and its authorized representatives shall each have the non-exclusive

right to access and use the Relocated Road. The Parties further agree to cooperate in good faith to ensure that the use of the Relocated Road by one of the Parties does not unreasonably interfere with the use of the Relocated Road by any of the other Parties. Notwithstanding the foregoing, the Parties acknowledge and agree that Gavilon may restrict access to the Relocated Road by card access or other appropriate security measures.

3. The Parties agree that the rights granted in this Amendment are private to the Parties hereto and that nothing in this Amendment shall be construed as effecting a dedication or conveyance of access rights or a servitude of use to the Relocated Road to the public. It is the intent of the Parties hereto that the Relocated Road be deemed a private road that is not subject to public use under La. Civ. Code art. 457.
4. Gavilon agrees that it shall be responsible for the cost of all maintenance, repair, and replacement, if necessary, of the Relocated Road. The foregoing notwithstanding, Gavilon shall not be responsible for the cost of repairing or replacing the Relocated Road to the extent such repair or replacement is made necessary by the negligence or willful misconduct of any of the other Parties hereto.
5. To the extent necessary, the Parties hereby revoke and terminate the Servitude as to the Road and the Parties hereby grant and establish the Servitude as to the Relocated Road.
6. Donee and District confirm that the Road and the Relocated Road are of equal value.
7. Donor and Donee agree and consent to the amendment of the Servitude upon the terms and conditions set forth herein.
8. Except as otherwise specifically provided in this Amendment, all other terms, covenants, and conditions of the Servitude shall remain in full force and effect.

[SIGNATURE PAGES TO AMENDMENT TO FOLLOW]

THUS DONE AND SIGNED in multiple originals, in the City of _____, State of Louisiana, on this _____ day of _____, 2014, in the presence of the undersigned competent witnesses and Notary Public.

WITNESSES:

JMB PARTNERSHIP, LLC

Name:

By: _____
GLENN J. VICE
Title: CHIEF OPERATING OFFICER

Name:

Print _____

NOTARY PUBLIC

BAR ROLL # _____

STATE OF NEBRASKA
COUNTY OF DOUGLAS

THUS DONE AND SIGNED in multiple originals, in the City of _____, State of Nebraska, on this _____ day of _____, 2014, in the presence of the undersigned competent witnesses and Notary Public.

WITNESSES:

GAVILON MIDSTREAM ENERGY, LLC

Name:

By: _____

Name: _____

Name:

Title: _____

Print _____

NOTARY PUBLIC

BAR ROLL # _____

STATE OF LOUISIANA
PARISH OF ST. MARY

THUS DONE AND SIGNED in multiple originals, in the City of _____, State of Louisiana, on this _____ day of _____, 2014, in the presence of the undersigned competent witnesses and Notary Public.

WITNESSES:

ST. MARY PARISH

Name:

By: _____

PAUL P. NAQUIN, JR.
Title: PARISH PRESIDENT

Name:

Print _____

NOTARY PUBLIC

BAR ROLL # _____

STATE OF LOUISIANA
PARISH OF ST. MARY

THUS DONE AND SIGNED in multiple originals, in the City of _____, State of Louisiana, on this _____ day of _____, 2014, in the presence of the undersigned competent witnesses and Notary Public.

WITNESSES:

ST. MARY LEVEE DISTRICT

Name:

By: _____

WILLIAM HIDALGO, SR.
Title: PRESIDENT

Name:

Print _____

NOTARY PUBLIC

BAR ROLL # _____

Exhibit A

Tract No. 1-C

A certain tract of land lying and being situated in St. Mary Parish, Louisiana, located in Section 1, T16S-R10E of the Southwestern Land District and more particularly described as follows:

COMMENCING at a point on the landside of the Wax Lake West A Levee, located approximately 630 feet opposite approximate Levee Station 1031+40, also being on the eastside right-of-way limit of the Access Road shown as Tract No. 1-B, said point being the point of beginning;

THENCE in a northeasterly direction a distance approximately 30 feet to a point;

THENCE in a southeasterly direction a distance approximately 3,930 feet to a point on the east property line between J.M. Burguieres Co., Ltd., and also being the property line between J.M. Burguieres Co., Ltd. and Columbian Chemical Co. located approximately 900 feet opposite approximate Levee Station 992+00;

THENCE in a southwesterly direction along the east property line between J.M. Burguieres Co., Ltd. and Columbian Chemical Co., a distance of approximately 30 feet to a point, located approximately 870 feet opposite approximate Levee Station 992+00;

THENCE in a northwesterly direction a distance of approximately 3,930 feet to the point of beginning, containing an area of 2.71 acres, more or less and more particularly shown on Map File No. M-3346-1A dated August, 1992, Revised March 2, 1993, Revised April 19, 1996, Revised November 3, 1997, as prepared by the Louisiana Department of Transportation and Development, Baton Rouge, Louisiana.

Exhibit B

**DESCRIPTION OF PROPOSED ACCESS ROUTE
ON PROPERTY BELONGING TO JMB PARTNERSHIP
BEING A PART OF THE NORTH BEND PLANTATION
LOCATED IN SECTIONS 1 & 4, T16S-R10E
ST. MARY PARISH, LOUISIANA**

COMMENCING AT A NGS STATION "FOSTER" HAVING (NAD 83) COORDINATES OF X= 3,239,836.57 AND Y= 434,531.39. THENCE, S 26°31'08" W FOR A DISTANCE OF 4,360.54'. SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE S 46°08'16" E FOR A DISTANCE OF 62.99';

THENCE ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 89.69', A RADIUS OF 80.00', A CHORD BEARING OF S 14°01'13" E, AND A CHORD LENGTH OF 85.07;

THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 1,290.01', A RADIUS OF 793.50', A CHORD BEARING OF S 28°28'33" E, AND A CHORD LENGTH OF 1,152.57;

THENCE S 73°57'15" E FOR A DISTANCE OF 274.36';

THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 141.32', A RADIUS OF 1,745.28', A CHORD BEARING OF S 71°38'00" E, AND A CHORD LENGTH OF 141.28;

THENCE S 66°14'49" E FOR A DISTANCE OF 213.60';

THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 137.41', A RADIUS OF 990.13', A CHORD BEARING OF S 62°16'17" E, AND A CHORD LENGTH OF 137.30;

THENCE S 55°48'07" E FOR A DISTANCE OF 401.53';

THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 922.06', A RADIUS OF 803.65', A CHORD BEARING OF S 88°40'15" E, AND A CHORD LENGTH OF 872.31;

THENCE S 66°34'19" E FOR A DISTANCE OF 425.20';

THENCE S 68°27'18" E FOR A DISTANCE OF 414.31';

THENCE S 29°29'58" W FOR A DISTANCE OF 30.29';

THENCE N 68°27'18" W FOR A DISTANCE OF 410.61';

THENCE N 66°34'19" W FOR A DISTANCE OF 410.27';

THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 940.77', A RADIUS OF 833.65', A CHORD BEARING OF N 88°07'51" W, AND A CHORD LENGTH OF 891.64;

THENCE N 55°47'52" W FOR A DISTANCE OF 400.23';

THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 133.24', A RADIUS OF 960.13', A CHORD BEARING OF N 62°16'17" W, AND A CHORD LENGTH OF 133.14;

THENCE N 66°14'07" W FOR A DISTANCE OF 212.00';

THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 138.89', A RADIUS OF 1,715.28', A CHORD BEARING OF N 71°38'00" W, AND A CHORD LENGTH OF 138.85;

THENCE N 73°57'11" W FOR A DISTANCE OF 273.78';

THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 1,338.78', A RADIUS OF 823.50', A CHORD BEARING OF N 28°28'33" W, AND A CHORD LENGTH OF 1,196.14;

THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 56.06', A RADIUS OF 50.00', A CHORD BEARING OF N 14°01'13" W, AND A CHORD LENGTH OF 53.17;

THENCE N 46°08'16" W FOR A DISTANCE OF 60.05';

THENCE N 38°16'25" E FOR A DISTANCE OF 30.14' AND BACK TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIBED ACCESS ROUTE CONTAINS A TOTAL OF 3.012 ACRES AND IS MORE FULLY SHOWN ON A MAP PREPARED BY T. BAKER SMITH, LLC. ENTITLED "PLAT SHOWING PROPOSED 30' ACCESS ROUTE ON PROPERTY BELONGING TO JMB PARTNERSHIP BEING A PART OF THE NORTH BEND PLANTATION LOCATED IN SECTIONS 1 & 4, T16S-R10E, ST. MARY PARISH, LOUISIANA" AND DATED JANUARY 6, 2014, MADE A PART HEREOF AND ATTACHED HERETO.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK!

MAP IS AVAILABLE FOR REVIEW IN THE PARISH COUNCIL'S OFFICE!

Mr. Voisin moved that the following ordinance be adopted. Mr. Foulcard seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Metz, Hanagriff, Hidalgo, Singleton, Fromenthal, Fryou, Foulcard, Voisin and Bierhorst

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton and Dr. Tregle.

ORDINANCE NO. 1967

An Ordinance in compliance with Ordinance No. 1738, ARTICLE 3 Use Regulations, Section 3.2 Specific Use Standards granting a Specific Use.

WHEREAS, on September 13th, 2006, the St. Mary Parish Council adopted Ordinance No. 1738 – St. Mary Parish Zoning Regulations, and

WHEREAS, ARTICLE 3 Use Regulations, Section 3.2 Specific Use Standards provides a process for the granting of a specific use, and

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

SECTION I - That certain tract of land described in Exhibit “A” is hereby approved and granted a specific use for a 21 Lot Recreational Vehicle (RV) Park in a Conservation (CN) Zoned District with the stipulation that there is only one living structure per leased lot and that there is a minimum 1 year lease.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this 8th day of January 2014; having been published in accordance with law; and having been heard in a public hearing held at Franklin, Louisiana on the 12th day of February 2014; was adopted.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

This Ordinance was submitted to the President of St. Mary Parish on this the 14th day of February 2014 at the hour of 9:00 a.m.

APPROVED:

s/g Paul P. Naquin, Jr.

**PAUL P. NAQUIN, JR., PRESIDENT
ST. MARY PARISH**

This Ordinance was returned to the Clerk of the Council on this the 18th day of February 2014 at the hour of 10:50 a.m.

Mr. Voisin moved that the following ordinance be adopted. Mr. Fromenthal seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Hanagriff, Hidalgo, Singleton, Fromenthal, Fryou, Foulcard, Voisin, Bierhorst and Metz

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton and Dr. Tregle

ORDINANCE NO. 1968

An Ordinance in compliance with Ordinance No. 1738, ARTICLE 6 Review Procedures, Section 6.1 General Approval Procedures D. Zoning Map Amendment (Rezoning).

WHEREAS, on September 13th, 2006, the St. Mary Parish Council adopted Ordinance No. 1738 – St. Mary Parish Zoning Regulations, and

WHEREAS, ARTICLE 6 Review Procedures, Section 6. 1 General Approval Procedures D Zoning Map Amendment (Rezoning) provides a process for the official zoning district map to be amended, and

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

SECTION I - That certain tract of land described in Exhibit “A” is hereby rezoned from the current zoning of “Conservation (CN) Zoned District” to “Heavy Industrial (HI) Zoned District”.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 8th day of January 2014; having been published in accordance with law; and having been heard in a public hearing at Franklin, Louisiana on the 12th day of February 2014; was adopted.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

This ordinance was submitted to the President of St. Mary Parish on this the 14th day of February 2014, at the hour of 9:00 a.m.

APPROVED:

s/g Paul P. Naquin

**PAUL P. NAQUIN, JR., PRESIDENT
ST. MARY PARISH**

This ordinance was returned to the Clerk of the Council on this the 18th day of February 2014, at the hour of 10:50 a.m.

Mr. Fromenthal moved that the Ordinance adopting the St. Mary Parish Unified Development Code and Zoning Map, January 2014 be postponed until the March 12, 2014 Regular Meeting to further review the Ordinance. Mr. Singleton seconded the motion, which carried.

Mr. Hanagriff moved that the following ordinance be adopted. Mr. Metz seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Hanagriff, Hidalgo, Singleton, Fromenthal, Fryou, Foulcard, Voisin, Bierhorst and Metz

NAYS: None

ABSTAIN: None

ABSENT: Dr. Tregle and Mr. Middleton

ORDINANCE NO. 1969

An Ordinance declaring certain real property surplus
in the Parish of St. Mary.

WHEREAS, Ordinance 1879 of the St. Mary Parish Council provided for the acquisition of certain real property by the Parish of St. Mary, more full described below;

- (1) That certain lot or parcel of land, lying and being situated in the Town of Franklin, Parish of St. Mary, State of Louisiana, measuring (59') feet front on the North side of Willow Street of said Town, by the depth between parallel lines of Two Hundred and Fifty One feet (251 ft.); said property being bounded on the East by property of Frank Young, or his heirs or assigns; South by Willow Street; West by property allotted to other parties in Act of Partition, and North by property of Brooks, his heirs or assigns. Being the property acquired by I. B. Scott in Act of Partition with others, recorded in Book 4-K of Conveyances, Page 489; and being the same property acquired by vendor Mattie Jane Scott as the surviving widow in community of Isaiah Benjamin Scott, Decd., in the proportion of one-half, and by the vendors, Anita Scott McIntosh, Mabel Scott Saunders and Dr. Ira B. Scott, as the children and sole legal heirs of said Isaiah Benjamin Scott, in the proportion of one-third to each, of the other one-half thereof; as per judgment of court in the Suc. of Isaiah Benjamin Scott, Decd., Probate No. 5372, 16th Judicial District Court of Louisiana, Parish of St. Mary, of date of February 15, 1949, and recorded same day in book 7-H of Conveyances, No. 78,602; and as shown and delineated upon a map and plan of survey made by T.F. Kramer, C.E., of date February 8, 1949, being lot on Willow Street on said map, inscribed "I. B. Scott" attached to act of sale recorded in Book 7-H, Page 418, Entry No. 78,780. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.

- (2) That certain lot or parcel of land, lying and being situated on the North side of Willow Street in the Town of Franklin, Louisiana, bounded on the East by I. B. Scott, his heirs or assigns, on the North by the estate of Brooks and by Miller, West by property of Arthur Breaux, his heirs or assigns, in part, and in part by remaining property of A. G. Allen, his heirs or assigns, and in part by I. B. Scott, his heirs or assigns, and on the South by Willow Street. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.

Being the same property acquired by Beverly Bernard Broussard, et ux from Joseph O. Bodin, Jr., et ux by Act of Cash Sale dated and recorded August 9, 1991 in Conveyance Book 34-N, under Entry No. 235,232 of the conveyance records of St. Mary Parish, Louisiana. The property has as its address 906 Willow Street, Franklin, Louisiana.

The acquisition of said property is undertaken pursuant to the terms of a Cooperative Endeavor Agreement previously executed by and between the Parish of St. Mary and the Boys and Girls Club of the Bayou Teche Region, a copy of which is attached as Exhibit "A", made part hereof.

Furthermore, by resolution adopted by the Board of Directors of the Boys and Girls Club of the Bayou Teche Region, on June 5, 2009, a copy of which is attached as Exhibit "B", and made part hereof; it is declared that the Boys and Girls Club of the Bayou Teche Region is no longer in operation and no longer occupies the premises located at 906 Willow Street in Franklin, Louisiana, and all rights and ownership interests in said premises were conveyed to the Parish of St. Mary.

WHEREAS, the St. Mary Parish Council finds that the above described is no longer needed for a public purpose and to declare such real property surplus.

NOW, THEREFORE BE IT ORDAINED by the St. Mary Parish Council, on behalf of the St. Mary Parish Government, declares that:

SECTION 1. That the below described property is no longer needed for a public purpose and is hereby declared surplus property.

- (1) That certain lot or parcel of land, lying and being situated in the Town of Franklin, Parish of St. Mary, State of Louisiana, measuring (59') feet front on the North side of Willow Street of said Town, by the depth between parallel lines of Two Hundred and Fifty One feet (251 ft.); said property being bounded on the East by property of Frank Young, or his heirs or assigns; South by Willow Street; West by property allotted to other parties in Act of Partition, and North by property of Brooks, his heirs or assigns. Being the property acquired by I. B. Scott in Act of Partition with others, recorded in Book 4-K of Conveyances, Page 489; and being the same property acquired by vendor Mattie Jane Scott as the surviving widow in community of Isaiah Benjamin Scott, Decd., in the proportion of one-half, and by the vendors, Anita Scott McIntosh, Mabel Scott Saunders and Dr. Ira B. Scott, as the children and sole legal heirs of said Isaiah Benjamin Scott, in the proportion of one-third to each, of the other one-half thereof; as per judgment of court in the Suc. of Isaiah Benjamin Scott, Decd., Probate No. 5372, 16th Judicial District Court of Louisiana, Parish of St. Mary, of date of February 15, 1949, and recorded same day in book 7-H of Conveyances, No. 78,602; and as shown and delineated upon a map and plan of survey made by T.F. Kramer, C.E., of date February 8, 1949, being lot on Willow Street on said map, inscribed "I. B. Scott" attached to act of sale recorded in Book 7-H, Page 418, Entry No. 78,780. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.
- (2) That certain lot or parcel of land, lying and being situated on the North side of Willow Street in the Town of Franklin, Louisiana, bounded on the East by I. B. Scott, his heirs or assigns, on the North by the estate of Brooks and by Miller, West by property of Arthur Breaux, his heirs or assigns, in part, and in part by remaining

property of A. G. Allen, his heirs or assigns, and in part by I. B. Scott, his heirs or assigns, and on the South by Willow Street. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.

Being the same property acquired by Beverly Bernard Broussard, et ux from Joseph O. Bodin, Jr., et ux by Act of Cash Sale dated and recorded August 9, 1991 in Conveyance Book 34-N, under Entry No. 235,232 of the conveyance records of St. Mary Parish, Louisiana. The property has as its address 906 Willow Street, Franklin, Louisiana.

The acquisition of said property is undertaken pursuant to the terms of a Cooperative Endeavor Agreement previously executed by and between the Parish of St. Mary and the Boys and Girls Club of the Bayou Teche Region, a copy of which is attached as Exhibit "A", made part hereof.

Furthermore, by resolution adopted by the Board of Directors of the Boys and Girls Club of the Bayou Teche Region, on June 5, 2009, a copy of which is attached as Exhibit "B", and made part hereof; it is declared that the Boys and Girls Club of the Bayou Teche Region is no longer in operation and no longer occupies the premises located at 906 Willow Street in Franklin, Louisiana, and all rights and ownership interests in said premises were conveyed to the Parish of St. Mary.

SECTION 1. That the Parish President be authorized to take whatever actions and to execute all documents that are necessary to transfer ownership of said property from St. Mary Parish.

SECTION 2. This ordinance shall be published in full in the official journal of the Parish Council after adoption.

SECTION 3. This ordinance shall become effective and be in full force upon signature of the Parish President.

This ordinance having been offered and read on this the 22nd day of January 2014; having been published in accordance with law; and having been heard in a public hearing at Franklin, Louisiana on the 12th day of February 2014; was adopted.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

This ordinance was submitted to the President of St. Mary Parish on this the 14th day of February 2014, at the hour of 9:00 a.m.

APPROVED:

s/g Paul P. Naquin, Jr.

**PAUL P. NAQUIN, JR., PRESIDENT
ST. MARY PARISH**

This ordinance was returned to the Clerk of the Council on this the 18th day of February 2014, at the hour of 10:50 a.m.

Mr. Hanagriff moved that the following ordinance be adopted. Mr. Fromenthal seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Hidalgo, Singleton, Fromenthal, Fryou, Foulcard, Voisin, Bierhorst, Metz and Hanagriff

NAYS: None

ABSTAIN: None

ABSENT: Dr. Tregle and Mr. Middleton

ORDINANCE NO. 1970

An Ordinance proposing an amendment to Section 2 – 01(D) of the Home Rule Charter for St. Mary Parish adopted February 1983.

THE ST. MARY PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Section 2 – 01 (D) of the Home Rule Charter for St. Mary Parish, entitled “Composition, Qualifications and Election.” is proposed to be amended to read as follows:

D. Any council member elected after the effective date of this provision, who has represented any council districts for more than two and one-half terms in three consecutive terms shall not be elected for the succeeding term for any council district.

SECTION 2. That this Ordinance is hereby adopted in accordance with Section 2-11 and Section 7-03 of the Home Rule Charter for St. Mary Parish and that said Charter amendment shall become effective only upon ratification by the electors of St. Mary Parish at a special election to be called for said purpose.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law and having been heard in a public hearing in Franklin, Louisiana on the 12th day of February 2014; was adopted.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Voisin moved that the following ordinance be adopted. Mr. Fromenthal seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Singleton, Fromenthal, Fryou, Foulcard, Voisin, Bierhorst, Metz, Hanagriff and Hidalgo

NAYS: None

ABSTAIN: None

ABSENT: Dr. Tregle and Mr. Middleton

ORDINANCE NO. 1971

An Ordinance proposing an amendment to Section 3 – 04 of the Home Rule Charter for St. Mary Parish adopted February 1983.

THE ST. MARY PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Section 3 – 04 of the Home Rule Charter for St. Mary Parish, entitled “Compensation.” is proposed to be amended to read as follows:

The salary of the president shall be \$36,000.00 annually. No increase in the compensation shall be made to any parish president who was not elected after the effective date of the increase.

SECTION 2. That this Ordinance is hereby adopted in accordance with Section 2-11 and Section 7-03 of the Home Rule Charter for St. Mary Parish and that said Charter amendment shall become effective only upon ratification by the electors of St. Mary Parish at a special election to be called for said purpose.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law and having been heard in a public hearing in Franklin, Louisiana on the 12th day of February 2014; was adopted.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Fryou moved that the following ordinance be adopted. Mr. Metz seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Fromenthal, Fryou, Foulcard, Voisin, Bierhorst, Metz, Hanagriff, Hidalgo and Singleton

NAYS: None

ABSTAIN: None

ABSENT: Dr. Tregle and Mr. Middleton

ORDINANCE NO. 1972

An Ordinance proposing an amendment to Section 2 – 05 (A) of the Home Rule Charter for St. Mary Parish adopted February 1983.

THE ST. MARY PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Section 2 – 05 (A) of the Home Rule Charter for St. Mary Parish, entitled “Compensation.” is proposed to be amended to read as follows:

A. The compensation of council members shall be \$750 per month, except that council members elected by all voters in the Parish shall receive \$1,100 per month. No increase in the compensation shall be made to any council member who was not elected after the effective date of the increase.

SECTION 2. That this Ordinance is hereby adopted in accordance with Section 2-11 and Section 7-03 of the Home Rule Charter for St. Mary Parish and that said Charter amendment shall become effective only upon ratification by the electors of St. Mary Parish at a special election to be called for said purpose.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law and having been heard in a public hearing in Franklin, Louisiana on the 12th day of February 2014; was adopted.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Fryou moved that the following resolution be adopted. The Parish Council seconded the motion which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Fryou, Foulcard, Voisin, Bierhorst, Metz, Hanagriff, Hidalgo, Singleton and Fromenthal

NAYS: None

ABSTAIN: None

ABSENT: Dr. Tregle and Mr. Middleton

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, Mr. Raymond Delco, Sr., and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. Delco, 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 12th day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Voisin moved that the following resolutions be adopted. The Parish Council seconded the motion which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Fryou, Foulcard, Voisin, Bierhorst, Metz, Hanagriff, Hidalgo, Singleton and Fromenthal

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton and Dr. Tregle

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, Mr. Earl Joseph Hebert, Sr., and

WHEREAS, Mr. Hebert served as the Treasurer on the St. Mary Parish Home Rule Charter Commission, and

WHEREAS, Mr. Hebert was a commissioner of the Morgan City Harbor & Terminal District, and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. Hebert, 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, longtime friend and public servant, Morgan City Police Chief Travis Anthony Crouch, and

WHEREAS, Chief Crouch was appointed as Morgan City Police Chief on February 26, 2013 and served his community for over 30 years , and

WHEREAS, Chief Crouch was a fun-loving and compassionate man and loved his family dearly, and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Chief Crouch, 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, Mrs. Anna Dondinaki Hanagriff, mother of Council Member David Hanagriff, and

WHEREAS, Mrs. Hanagriff was a woman of strength and was devoted to her family and loved ones, and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mrs. Hanagriff, and

WHEREAS, the St. Mary Parish Council hopes that her 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Voisin moved that the following resolutions be adopted. Mr. Fryou seconded the motion which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Foulcard, Voisin, Bierhorst, Metz, Hanagriff, Hidalgo, Singleton, Fromenthal and Fryou

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton and Dr. Tregle

RESOLUTION

BE IT RESOLVED, that the St. Mary Parish Council does hereby adopt and approve the Louisiana Compliance Questionnaire for St. Mary Parish as completed for year ending December 31, 2013.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 12th day of February 2014.

APPROVED:

s/g **Steve Bierhorst**

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g **Lisa C. Morgan**

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

RESOLUTION

Resolution stating the Parish of St. Mary's endorsement of MK Dixon Funeral Home, LLC and their Project No. 20140135 – MK Dixon Funeral Home to participate in the benefits of the Louisiana Enterprise Zone Program.

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, and Act 624 and Act 647 of 1997, and;

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the State, and;

WHEREAS, the Louisiana Department of Economic Development designated Census Tract 412 Block Group 002 in the Parish of St. Mary, as "Enterprise Zone" or Economic Development Zone" eligible based on enabling legislation (R.S. 51.21.1787-1791) and;

WHEREAS, the Parish of St. Mary states this endorsement is in agreement with the Overall Economic Development Plan for the Parish of St. Mary, and;

WHEREAS, the attached Enterprise Zone map has been marked to show the location of the business being endorsed, and;

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the Parish of St. Mary agrees:

1. To participate in the Enterprise Zone Program
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction
3. To REBATE all eligible local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business permanently on that site.

BE IT RESOLVED, by the Parish of St. Mary in, regular and legal session convened on this the 12th day of February 2014 that MK Dixon Funeral Home, LLC. and their project – Enterprise Zone Application No. 20140135 – MK Dixon Funeral Home is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED, that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute a Cooperative Endeavor Agreement between the State of Louisiana, and the Parish of St. Mary relative to FP&C Project No. 50-J51-13-02 "Recreational and Infrastructure Improvements at Centerville Park, Planning and Construction".

BE IT RESOLVED, that Paul P. Naquin, Jr., 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 a Cooperative Endeavor Agreement between the State of Louisiana and the Parish of St. Mary relative to FP&C Project No. 50-J51-13-02 "Recreational and Infrastructure Improvements at Centerville Park, Planning and Construction", with said Cooperative Endeavor Agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

BE IT FURTHER RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council to act on behalf of the Parish of St. Mary in all matters pertaining to this project, including certifying requests for State disbursements.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of the Parish of St. Mary to execute Professional Service Agreement with GMW Medical P.C. relative to Medical Director Services at Claire House.

BE IT RESOLVED, that Paul P. Naquin, Jr., 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 a Professional Service Agreement with GMW Medical P.C. relative to Medical Director Services at Claire House, with said Contracts 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**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 Coastal Bridge Company, LLC relative to Facility Improvements – St. Mary Parish West End Pickup Station.

WHEREAS, Coastal Bridge Company, LLC, P.O. Box 14715, Baton Rouge, LA 70898, has substantially completed Facility Improvements – St. Mary Parish West End Pickup Station.

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 Facility Improvements – St. Mary Parish West End Pickup Station, as being substantially complete.

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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Singleton questioned relative to the Resolution authorizing Paul P. Naquin, Jr., the President of the Parish of St. Mary to execute a Contract with the Louisiana Department of Wildlife and Fisheries regarding to the Black Bear Conflict Management Program. Mr. Singleton questioned whether the Parish can negotiate with the Louisiana Department of Wildlife and Fisheries to address the problems being experienced with the Black Bears in the Patterson area.

Mr. LaGrange explained that the agreement with Department of Wildlife and Fisheries provides grant funds to assist in funding the Black Bear Conflict Officer, who is an employee of St. Mary Parish. Mr. LaGrange also stated Catherine Siracusa, Black Bear Conflict Officer works with the Louisiana Department of Wildlife and Fisheries and Progressive Waste Solutions, Inc. Ms. Siracusa is also the outreach contact person for citizen compliance.

Mr. LaGrange stated he met with Mr. Bierhorst and the Mayor of Patterson last week to discuss the issues with the Black Bears.

Mr. LaGrange explained that the Parish has to ensure that the bear proof cans are in working order and that the residents are complying with using their garbage cans correctly. Mr. LaGrange stated they discussed working on Ordinances that would potentially have more fines for citizens that do not comply with the bear proof garbage cans.

Mr. Fromenthal moved that the following resolutions be adopted. Mr. Fryou seconded the motion which carried by the following 9-0-0-2 Roll Call vote:

YEAS: Messrs. Voisin, Bierhorst, Metz, Hanagriff, Hidalgo, Singleton, Fromenthal, Fryou and Foulcard

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton and Dr. Tregle

RESOLUTION

A resolution providing for the approval and authorization for Change Order No. 2 for Atchafalaya River Wharf Replacement – Berwick.

WHEREAS, a certain contract has been entered into between the St. Mary Parish Council and Berry Bros. General Contractors, Inc., P.O. Box 253, Berwick, LA 70342, relative to Atchafalaya River Wharf Replacement - Berwick, and

WHEREAS, the items as shown on Change Order No. 2 will result in an increase of \$23,327.78 in the contract price.

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 \$23,327.78 in the contract for Atchafalaya River Wharf Replacement - Berwick.

BE IT FURTHER RESOLVED, that the President of St. Mary Parish, Paul P. Naquin, Jr., 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President to execute an Agreement with Acadiane' Renovations, Ltd. relative to Modifications and Renovations to the Blevins Building.

BE IT RESOLVED, that Paul P. Naquin, Jr., 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 Agreement with Acadiane' Renovations, Ltd., 15223 Hwy. 182 W, Franklin, LA 70538, relative to Modifications and Renovations to the Blevins Building, with said Contract 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of the Parish of St. Mary to execute a Contract with the Louisiana Department of Wildlife and Fisheries relative to the "Bear Conflict Management Program" January 1, 2014 – December 31, 2014.

BE IT RESOLVED, that Paul P. Naquin, Jr., 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 a Contract with the Louisiana Department of Wildlife and Fisheries, relative to the "Bear Conflict Management Program" January 1, 2014 – December 31, 2014, with said Contract 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution providing for the approval and authorization for Change Order No. 1 for Roadway and Drainage Improvements to Labau Street, Jolivette Street, Ninth Street and Tenth Street within the Town of Baldwin.

WHEREAS, a certain contract has been entered into between the St. Mary Parish Council and LA Contracting Enterprise, LLC, Inc., P. O. Box 5178, Thibodaux, Louisiana 70302, relative to Roadway and Drainage Improvements to Labau Street, Jolivette Street, Ninth Street and Tenth Street within the Town of Baldwin, and

WHEREAS, the items as shown on Change Order No. 1 will result in an increase of \$18,787.50 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 an increase of \$18,787.50 in the contract for Roadway and Drainage Improvements to Labau Street, Jolivette Street, Ninth Street and Tenth Street within the Town of Baldwin.

BE IT FURTHER RESOLVED, that the President of St. Mary Parish, Paul P. Naquin, Jr., 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President to execute a Maintenance Agreement for FHWA Recreational Trails Program relative to Bayou Teche Paddle Trail.

BE IT RESOLVED, that Paul P. Naquin, Jr., 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 a Maintenance Agreement for FHWA Recreational Trails Program relative to Bayou Teche Paddle Trail with said Maintenance 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 12th day of February 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

OLD BUSINESS:

- A. Congressman Charles W. Boustany, Jr. writes – thank you for your recent fax regarding veterans’ medical benefits. As per your request, I am enclosing eligibility requirements.
- B. Senator David Vitter writes – thank you for contacting me about the problems you are experiencing regarding the Department of Veterans Affairs.

I have contacted the appropriate officials on your behalf, and will be back in touch with you as soon as I receive a response.

Mr. Bierhorst urged that citizens please use the Franklin Veteran’s Office so it may remain open.

NEW BUSINESS:

- A. Nicky Begnaud, Krewe of Cypremort Sippers has written that they will be holding their 17th Annual Krewe of Cypremort Sippers Mardi Gras Parade on Saturday, March 1, 2014.

As in years past, they are requesting the Parish Council waive the Open Container Ordinance for the event.

Mr. Hanagriff moved that the Krewe of Cypremort Sippers be granted a waiver concerning the Open Container Ordinance for their 17th Annual Krewe of Cypremort Sippers Mardi Gras Parade on Saturday, March 1, 2014. Mr. Fromenthal seconded the motion, which carried.

- B. Kerry J. Bertrand writes on behalf of Jerome Bertrand – it is with deepest regrets that I submit this letter of resignation from the St. Mary Gravity Sub-Drainage District No. 1 of Gravity District No. 2.

Mr. Jerome Bertrand will be forwarded a letter thanking him for his service on St. Mary Gravity Sub-Drainage District No. 1 of Gravity District No. 2 Board of Commissioners and the vacancy will be advertised.

- C. Jolene Holcombe, Registrar of Voters writes in compliance with LSA-RS 42:282-286, she submitted the report of expenditures for the Registrar of Voters Office for the fiscal year ending December 31, 2013.

- D. Appointments to the following Boards and Commissions:

Board of Adjustments – 1 Vacancy

No applications received.

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

s/g Lisa C. Morgan

s/g Steve Bierhorst

Lisa C. Morgan, Clerk

Steve Bierhorst, Chairman