

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

JULY 9, 2014
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: Lionel Metz, Charles Middleton, David Hanagriff, Glen Hidalgo, Ken Singleton, Logan Fromenthal, Sterling Fryou and Albert Foulcard. Absent were Tim Tregle and Steve Bierhorst.

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, June 25, 2014 be dispensed with and that the same be approved. Mr. Fryou seconded the motion, which carried.

Tai Green appeared before the Council to announce her candidacy for 16th Judicial District Judge, Division G, Section 161 and to ask the Council's vote and support in the upcoming November 4, 2014 election.

Marc Distefano, Chairman and Terry Mayon, Co-Chairman of the "Fallen Warriors Memorial" Project appeared before the Council to impart information and their objective regarding the mission of the Project.

Following Mr. Distefano's detailed explanation of the inception of the "Fallen Warriors Memorial" Project, he stated that his mission is to obtain the names of persons who served our country and were either killed in action, died of wounds or died of non-combat related injuries while serving in combat.

Mr. Distefano stated that the total numbers thus far in St. Mary Parish are: 60 men killed in action in World War I through our current conflict; 14 men died of wounds and 33 died of non-combat related injuries. (70% in Morgan City and St. Mary Parish.)

Mr. Distefano explained that a wall will be erected with the names of persons that served our country that were killed in action, died of wounds or died of non-combat related injuries while serving in combat.

Mr. Distefano further commented relative to the Walk-of-Honor which is the names of persons who served our country either in active duty or reservist (alive or deceased); served in the military or retired. A brick with an inscription of their name could be purchased in honor of the individual.

Mr. Distefano stated that the City of Morgan City is a sponsor and the owner of the project. (The fiscal partner is the St. Mary Parish Foundation, which is an affiliate of the Community Fund of Acadiana.)

Mr. Distefano informed that the web site is www.fallenwarriorsmemorialmorgancity.com.

Mr. Distefano stated that their monetary goal is \$150,000. (As of this date, a total of \$120,00 has been raised.) (The project proposes to be unveiled on Veterans Day 2014.)

The "Fallen Warriors Memorial" wall will be located outside of Cypress Park (across the street from the Chamber of Commerce office) in Morgan City.

NEW BUSINESS B. which stated, "Mr. Voisin to request an allocation of \$2,500 from the Gaming Receipt Fund for the "Fallen Warriors Memorial" Project, Morgan City.", was acted upon at this time.

Mr. Fromenthal moved that \$2,500 be allocated from the Gaming Receipt Fund to be utilized for the "Fallen Warriors Memorial" Project in Morgan City. The Parish Council seconded the motion, which carried.

In the absence of Gidget Everitt and Deputy Lena Henry, Safe & Drug-Free Schools Coordinators for the 2014 Red Ribbon Drug-Free Week Campaign, Mr. Foulcard moved that funds in the amount of \$3,500 be forwarded to the St. Mary Parish Red Ribbon Committee to be utilized for their 2014 Red Ribbon Drug-Free Week Campaign. Mr. Fryou seconded the motion, which carried. (It was noted that the funds were previously budgeted.)

Dean M. Wattigny appeared before the Council to announce his candidacy for Judge in the 16th Judicial District Court, Division A and to ask the Council's vote and support in the upcoming November 4, 2014 election.

Guy Pitts, CPA, Pitts & Matte presented the St. Mary Parish Council Primary Government Financial Statements, Annual Financial Statements with Independent Auditors' Report and Independent Auditors' Reports on Internal Control and Compliance and other matters for the Year Ended December 31, 2013 and the Reporting Entity Financial Statements Annual Financial Statements with Independent Auditors' Report and Independent Auditors' Report on Internal Control and Compliance and other matters for the year ended December 31, 2013.

Mr. Pitts also presented for the Council's review a four (4) page Summary which included Financial Audit Highlights – 2013; Type of Opinion; Management's Discussion and Analysis (MD&A); Statement of Net Assets – Summary of 2013; Statement of Activities; Governmental Fund – Summary (Council Only) 2013; Enterprise Fund – Summary with Comparison of 2013 to 2012 and Summary of Federal Awards Internal Control & Compliance (with page numbers where detailed information may be found).

Mr. Pitts also presented for the Council's review General Business Items – Fee Based Operations with Significant Earned Revenue Shortages – Comparison 2013 to 2012 which includes Landfill, Sanitation & Sewer Construction; Small Animal; Jail and Golf Course.

Mr. Pitts reported that their opinion is an unmodified or clean auditor's opinion on this primary government only financial statement.

In regard to Governmental Fund- Summary of 2013 – Page 9, Mr. Pitts stated that information is provided only on the Council only.

In regard to the Governmental Fund, Mr. Pitts stated that the Total Revenues are \$36.4 million; Total Expenditures are \$31.3 million and Total Operating Other uses over sources are (\$2.3 million) and Revenues over Expenditures totaled \$2.7 million.

In regard to the Enterprise Funds –Summary with Comparisons of 2013 to 2012, Mr. Pitts stated that the Total Operating Revenues totaled \$4.3 million and Total Operating Expenses were \$4.9 million. (Operating loss was (\$.6 million).

Mr. Pitts expounded relative to Note 1 – Summary of Significant Accounting Policies which includes the Component Unit and area served for the fiscal year. (Mr. Pitts also expounded relative to the condensed statements of net position for the Council's eight (8) major component units at 2013 year end.)

Mr. Pitts expounded relative to Note 2 – Implementation of New GASB Pronouncements and Related Restatements of Net Position or Fund Balance.

Mr. Pitts explained that in 2013 the Council implemented GASB 65, "Items Previously Reported as Assets and Liabilities". During the year 2013 the Council also implemented the provision of GASB 61 "The Financial Reporting Entity; Omnibus" which makes certain clarifications and modifications to previously issued GASB guidance defining the reporting entity.

Mr. Pitts also commented relative to Restatement to Major Component Units and Future Accounting Changes and Note 3 which is Prior Period Adjustments.

Mr. Pitts expounded relative to Note 12- Fixed Assets and Note 13 – Long Term Debt.

Mr. Pitts expounded relative to Note 16 – Pension Plan and other Post Retirement Benefits.

Mr. Pitts commented relative to Note 18 – Solid Waste Landfill Closure and Post Closure Care Costs which totals approximately \$7,080.00. (This figure includes monitoring, remediation and containment requirements for 30 years after closure.)

In regard to the Summary of Federal Awards-Internal Control & Compliance, Mr. Pitts highlighted the summary of information which includes 15 Federal Funding groups with totals \$4.9 million.

Mr. Pitts commented relative to the four (4) major programs which are Section 8 Housing, Substance Abuse, TANF and CDBG.

In regard to Internal Control Compliance Overall for the Council, Mr. Pitts commented that there are two (2) items of noncompliance, which are Budget Monitoring and Fund Deficits.

In regard to Internal Control & Compliance – Major Federal Programs – Pitts and Matte found an Unmodified Opinion (No findings).

In regard to General Business Items, Fee Based Operations with Significant Earned Revenue Shortages – Comparison 2013 to 2012, Mr. Pitts expounded relative to the following Items: Landfill, Sanitation & Sewer Construction; Landfill – income (loss) before debt, Sanitation – income (loss) before sales, taxes, debt and fire; Combined Sewer Fund Expected Deficit (\$3,900) Funded over 3 years annual amount.

Mr. Pitts also commented relative to the $\frac{3}{4}$ % Sales Tax available for Liquid & Solid Waste, the Projected Net annual shortage; Small Animal – Operating loss; Jail – Total Operating shortages and the Golf Course – Grants and Advances (repayments).

Following detailed discussion relative to Mr. Pitts' presentation, Mr. Hanagriff moved that the Parish Council's Audit Report for the year ending December 31, 2013 be accepted. Mr. Foulcard seconded the motion, which carried.

Jim Percy, Attorney, Jones-Walker Law Firm, 8555 United Plaza Blvd., Baton Rouge, LA. appeared before the Parish Council on behalf of the landowner regarding the proposed ordinance in compliance with Ordinance No. 1973, CHAPTER 4, DIVISION 4.2, Section 4.2.1 C., Rezone Property. (Rezoning) (The property that is proposed to be rezoned/downzoned.)

Mr. Percy respectfully requested that that the ordinance be withdrawn to allow the landowner a chance to meet with the Parish Council to discuss the purpose for the rezoning prior to introduction of the ordinance.

Mr. Percy alluded to the fact that rezoning of the property would change the value of the property.

Mr. Hanagriff stated that a comprehensive plan was put in place and the property was originally zoned "Agriculture".

Mr. Hanagriff gave a brief synopsis of the intentions of the Parish Council in regard to the property being rezoned from Single Family Residential to High Density Residential in 2009.

Mr. Percy commented relative to possible constant procedural issues.

Mr. Percy reiterated the point that he would like to discuss the issues with the Parish Council prior to rezoning of the property.

It was noted that should the ordinance be introduced on this date, it would become available for adoption on August 13, 2014.

In response to an inquiry by Lynn Klutts, 10240 Hwy. 182, Garden City, LA, Mr. Voisin informed that Mr. Percy is representing the owner of the property located at Corner of Hwy. 182 & Hwy. 3215 (Garden City Exit), Garden City, LA. 2354524018.00, Sec. 11 T15S R10E; 58.46 ac Tract por of Rem 529.72 ac tract situated in Sec. 11 T15SR10E BD Williams in Sterling Sugars, Inc.-Sutter et al-Teche-Sutter et al Acq. 34K 234857.

Mr. Fromenthal moved to go into Executive Session to discuss Civil Case No. 127403 – Garden City Apartments, LLC, and Lloyd Harris, Jr. versus St. Mary Parish and St. Mary Parish Council. Mr. Fryou seconded the motion, which carried.

Following a period of approximately 50 minutes, Mr. Foulcard moved that the July 9, 2014 Regular Session be reconvened. Mr. Hanagriff seconded the motion, which carried.

Mr. Voisin informed that two (2) attorneys were present in Executive Session and the Council was advised to proceed with Civil Case No. 127403 – Garden City Apartments, LLC, and Lloyd Harris, Jr. versus St. Mary Parish and St. Mary Parish Council.

Mr. Naquin, Parish President did not have any items to report at this time.

Henry "Bo" LaGrange, Chief Administrative Officer presented his department's report for the week ending July 9, 2014. (All items in Mr. LaGrange's report are informational.)

Mr. Foulcard moved that the Public Hearing Report - June 25, 2014 be approved. Mr. Fryou seconded the motion, which carried.

Mr. Hidalgo introduced the following ordinance:

ORDINANCE NO.

An Ordinance authorizing the Parish of St. Mary to enter into a lease agreement with The United States Air Force Auxiliary, Civil Air Patrol, Inc., for lease of Property at the Harry P. Williams Memorial Airport, Patterson, Louisiana.

BE IT ORDAINED by the St. Mary Parish Council:

SECTION 1. That the Parish of St. Mary enter into a lease agreement with The United States Air Force Auxiliary, Civil Air Patrol, Inc., for lease of Property at the Harry P. Williams Memorial Airport, Patterson, Louisiana, 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 upon publication.

This ordinance having been offered and read on this the 9th day of July, 2014, having been published in accordance with law.

Exhibit "A"

**UNITED STATES AIR FORCE AUXILIARY
LOUISIANA WING
CIVIL AIR PATROL LEASE**

THIS LEASE AND AGREEMENT, made and entered into this _____ day of _____ 2014 by and between St. Mary Parish Council, hereinafter referred to as Lessor and THE UNITED STATES AIR FORCE AUXILIARY, CIVIL AIR PATROL, INC., a federally chartered non-profit corporation hereinafter referred to as Lessee;

NOW THEREFORE; the parties do hereby agree as follows:

1. That the St. Mary Parish Senior Squadron is an active unit of the Civil Air Patrol and is in need of the occupancy and use of an appropriate facility for its programs.
2. That the Lessor has facilities which can be used to meet the needs of the Lessee and its unit mentioned in paragraph 1. The facilities are described as follows: the metal building currently being used, known as the CAP Building, located adjacent to the rotating beacon tower and the hangar currently being used to house the CAP aircraft for the squadron.
3. That the Lessor recognizes the valuable contribution the Lessee makes to the community and the nation in their activities of SEARCH AND RESCUE, AEROSPACE EDUCATION AND CADET PROGRAMS in making this lease and that occupation of the buildings in lieu of leaving it vacant will provide some reasonable security for the facilities.
4. In addition, the Lessee shall pay to Lessor as rent the sum of One Dollar (\$1.00) per year for the use of the facilities.

5. This lease is to be effective beginning July 1, 2014 and the term of the lease shall be for 10 years. The Lessee at the option of the Lessor, may request an extension of this lease, provided that the Civil Air Patrol is still providing services to the Parish of St. Mary and still needs the location to house its equipment and provided that the Lessor does not need the location for aviation or income producing use. The length of time of the extension will be determined by the Lessor at the time the request for the extension is made.
6. Lessor agrees that it will pay all charges and expenses for utilities used on the facilities during the term of the lease, and further agrees that it will not permit liens to be incurred or placed upon the facilities because of the non-payment of any such utility charges or any improvements made to the facilities.
7. Lessee at its own expense shall keep and maintain the facilities neat and orderly at all times and shall perform such minor or incidental repairs to the facilities as may be necessary to keep it in proper condition and shall repair any damage to the facilities which may be caused by the Lessee. Lessor agrees to provide or reimburse the St. Mary Parish Squadron for materials required to repair the buildings to alleviate rot and deterioration and the St. Mary Squadron will provide the labor for such repairs.
8. With the prior permission of the Lessor, the Lessee may make such alterations and improvements to the facilities and grounds immediately adjacent to the buildings which are reasonably necessary for the purpose of the Lessee.
9. Lessor shall bear the risk of loss for damage or destruction to the premises which may be caused by fire, rain, hail, windstorm or other casualty. Lessee, at its option, may maintain fire and hazard insurance on the facilities.
10. Lessee agrees to maintain Comprehensive Liability Insurance during the period of the lease and any extension thereof, in an amount not less than \$1 million for any one accident and shall furnish Lessor a certificate of such coverage adding Lessor as an additional insured and provide Lessor with a 30 day notice of any cancellation of coverage.
11. This lease or any extension thereof may be terminated at any time by Lessor for cause during the 10 year primary term. Lessor may terminate this lease agreement if Lessor needs the location for aviation or income-producing use; by giving Lessee sixty (60) days advance written notice of its intent to terminate this lease.
12. Lessee agrees to observe and obey all pertinent laws, ordinances and regulations pertinent to the occupancy of the facility during the term of the lease or any extension thereof.
13. Lessor reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstructions, together with the right to prevent Lessee from erecting or permitting to be erected, any building or other structure on or adjacent to the Airport which, in the opinion of the Lessor, would limit the usefulness of the Airport or constitute a hazard to aircraft.
14. The Lessee shall at all times comply with the Airport Rules and Regulations, Federal, State, and Municipal laws, ordinances, codes and other regulatory measures now in existence or, as may be hereafter modified or amended. The Lessee shall procure and maintain during the term of this agreement all licenses, permits, and other similar authorizations required for the conduct of its business operations.
15. Upon the termination of the lease, Lessee shall return the facility to Lessor in the same condition as received, ordinary wear and tear and any approved alterations excepted.
16. As partial consideration for this Agreement, Lessor agrees that it shall protect, indemnify, and hold harmless the Civil Air Patrol, the Louisiana Wing of the Civil Air Patrol, and the St. Mary Parish Composite Squadron of the Civil Air Patrol (all hereinafter referred to as the "CAP"), the CAP's officers, agents, servants, volunteers, and employees of all, in their capacities as such, from every liability, claim, demand, right of action, judgment, loss, cost, damages, or other expense (including reasonable attorneys' fees) for every injury to or death of any person or persons (including agents of the CAP) or instance of damage to property (including property of the CAP) out of which injury, death, or damage arises or is in any way connected with the use to which the Lessee pertains unless, however, such liability claim demand is related to or is caused by the negligence of the CAP, its officers, agents, servants, volunteers, or employees or is related to or is caused by negligence in the use of property under this lease by the CAP.

17. Similarly, as partial consideration for this Agreement, Lessee agrees that it shall protect, defend, indemnify, save, and hold harmless the Parish of St. Mary, all Parish Departments, Agencies, Boards, Commissions, its officers, agents, servants, and employees of all, in their capacities as such, from every liability, claim, demand, right of action, judgment, loss, cost, damages, or other expense (including reasonable attorneys' fees) for every injury to or death of any person or persons (including agents of the Parish) or instance of damage to property (including property of the Parish) out of which injury, death, or damage arises or is in any way connected with the use to which the Lessor pertains unless, however, such liability claim demand is related to or is caused by the negligence of the Parish, its officers, agents, servants, volunteers, or employees or is related to or is caused by negligence in the use of property under this lease by the Parish of St. Mary.

IN WITNESS WHEREOF, the parties have affixed their signatures on the day and year above.

LESSOR: ST. MARY PARISH COUNCIL

By: Paul P. Naquin, Jr., Parish President

LESSEE: THE UNITED STATES AIR FORCE AUXILIARY
CIVIL AIR PATROL INC.

By:

Mr. Hanagriff introduced the following ordinance:

ORDINANCE NO.

An Ordinance in compliance with Ordinance No. 1973, DIVISION 4.2, Section 4.2.1 C., Rezone Property. (Rezoning).

WHEREAS, on March 12th, 2014, the St. Mary Parish Council adopted Ordinance No. 1973 – St. Mary Parish Unified Development Code, and

WHEREAS, DIVISION 4.2, Section 4.2.1 C., Rezone Property (Rezoning) provides authority 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 “High Density (HR) Residential District” to “Agricultural (AG) 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 9th day of July 2014; having been published in accordance with law.

EXHIBIT “A”

**Address: Corner of Hwy. 182 & Hwy. 3215 (Garden City Exit), Garden City, LA.
2354524018.00, Sec. 11 T15S R10E; 58.46 ac Tract por of Rem 529.72 ac tract situated in
Sec. 11 T15SR10E BD Williams in Sterling Sugars, Inc.-Sutter et al-Teche-Sutter et al
Acq. 34K 234857**

**Currently Zoned: High Density (HR) Residential Zoned District
Requested Zone: Agricultural Zoned (AG) District**

Mr. Hanagriff moved that the following resolutions be adopted. Mr. Hidalgo seconded the motion, which carried by the following 8-0-0-3 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Fromenthal, Dr. Tregle and Mr. Bierhorst

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute a contract with LA Contracting Enterprise, LLC relative to Bulk Waste Bin #4 Construction, St. Mary Parish West End Pickup Station – SMP Project No. 14-04-02.

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 LA Contracting Enterprise, LLC, P. O. Box 5178, Thibodaux, Louisiana 70302, relative to Bulk Waste Bin #4 Construction, St. Mary Parish West End Pickup Station – SMP Project No. 14-04-02, with said contract to contain such terms, conditions and stipulations as he may best fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 9th day of July 2014.

APPROVED:

s/g Kevin Voisin

**KEVIN VOISIN, VICE-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 an amendment with South Central Louisiana Human Services Authority for the period of July 1, 2013 to June 30, 2014 relative to 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 an amendment with South Central Louisiana Human Services Authority for the period of July 1, 2013 to June 30, 2014 relative to Claire House, 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 9th day of July 2014.

APPROVED:

s/g Kevin Voisin

**KEVIN VOISIN, VICE-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 an Agreement with South Central Louisiana Human Services Authority for the period of July 1, 2014 to June 30, 2015 relative to 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 an Agreement with South Central Louisiana Human Services Authority for the period of July 1, 2014 to June 30, 2015 relative to Claire House, 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 9th day of July 2014.

APPROVED:

s/g Kevin Voisin

**KEVIN VOISIN, VICE-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 an Agreement with South Central Louisiana Human Services Authority for the period of July 1, 2014 to June 30, 2015 relative to Fairview Treatment Center.

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 South Central Louisiana Human Services Authority for the period of July 1, 2014 to June 30, 2015 relative to Fairview Treatment Center, 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 9th day of July 2014.

APPROVED:

s/g Kevin Voisin

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

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution designating Paul P. Naquin, Jr., the Parish President, as the Authorizing Official, for Grant Applications, Grant Awards, Reports, and Reimbursement Requests relative to the RESTORE Act Program administered by the U.S. Department of Treasury.

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 be designated as the Authorizing Official for Grant Applications, Grant Awards, Reports, and Reimbursement Requests relative to the RESTORE Act Program administered by the U.S. Department of Treasury, 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 9th day of July 2014.

APPROVED:

s/g **Kevin Voisin**

**KEVIN VOISIN, VICE-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 Task Order No. 2, Amendment No. 2 to the Master Services Agreement with CB&I Government Solutions, Inc. (formerly Shaw Environmental & Infrastructure, Inc.) relative to the Point Chevreuil Shoreline Protection Project – CIAP Project No. F12AF70078.

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 Task Order No. 2, Amendment No. 2 to the Master Services Agreement with CB&I Government Solutions, Inc. (formerly Shaw Environmental & Infrastructure, Inc.), 4171 Essen Lane, Baton Rouge, LA 70809 relative to the Point Chevreuil Shoreline Protection Project – CIAP Project No. F12AF70078, 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 9th day of July 2014.

APPROVED:

s/g **Kevin Voisin**

**KEVIN VOISIN, VICE-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 Wal-Mart Louisiana, LLC dba Neighborhood 7099 and their Project No. 20141010 – Neighborhood Market 7099 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 402 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 9th day of July 2014 that Wal-Mart Louisiana, LLC dba Neighborhood Market 7099 and their project –

Enterprise Zone Application No. 20141010 – Neighborhood Market 7099 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 9th day of July 2014.

APPROVED:

s/g **Kevin Voisin**

**KEVIN VOISIN, VICE-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 Sealevel Construction, Inc. relative to Plantation Inn Pump Station Replacement, Gravity Sub-Drainage District No. 1 of Gravity Drainage District No. 2.

WHEREAS, Sealevel Construction, Inc., P. O. Box 655, Thibodaux, Louisiana 70302, has substantially completed Plantation Inn Pump Station Replacement, Gravity Sub-Drainage District No. 1 of Gravity Drainage District No. 2.

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 Plantation Inn Pump Station Replacement, Gravity Sub-Drainage District No. 1 of Gravity Drainage District No. 2, 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 9th day of July 2014.

APPROVED:

s/g Kevin Voisin

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

ATTEST:

s/g Lisa C. Morgan

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

Mr. Hanagriff moved that the following resolutions be adopted. Mr. Foulcard seconded the motion, which carried by the following 8-1-0-2 Roll Call vote:

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

NAYS: None

ABSTAIN: Mr. Hidalgo

ABSENT: Dr. Tregle and Mr. Bierhorst

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute a contract with Acadiane' Renovations, Ltd. relative to Metal Building Rehabilitation, St. Mary Parish West End Pickup Station, Franklin, Louisiana.

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 Acadiane' Renovations, Ltd., 15223 Hwy. 182 W, Franklin, LA 70538, relative to Metal Building Rehabilitation, St. Mary Parish West End Pickup Station, Franklin, Louisiana, with said contract to contain such terms, conditions and stipulations as he may best fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 9th day of July 2014.

APPROVED:

s/g **Kevin Voisin**

**KEVIN VOISIN, VICE-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 St. Mary Parish Courthouse Floodproofing Project – HMGP Project #1603-101-0005.

WHEREAS, a certain contract has been entered into between the St. Mary Parish Council and Acadiane’ Renovations, Ltd., 15223 Hwy. 182 W, Franklin, LA 70538, relative to St. Mary Parish Courthouse Floodproofing Project – HMGP Project #1603-101-0005, and

WHEREAS, the items as shown on Change Order No. 1 will result in a decrease of \$60,043.00 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 \$60,043.00 in the contract for St. Mary Parish Courthouse Floodproofing Project #1603-101-0005.

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 9th day of July 2014.

APPROVED:

s/g **Kevin Voisin**

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

ATTEST:

s/g **Lisa C. Morgan**

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

OLD BUSINESS:

NEW BUSINESS:

A. We received the following financial statements:

- St. Mary Parish Assessor – year ended December 31, 2013
- Amelia Volunteer Fire Department – year ended December 31, 2013
- Bayou Vista Volunteer Fire Department – year ended December 31, 2013
- Acadiana Criminalistics Laboratory Commission – year ended December 31, 2013

B. Andrew V. Mancuso, P.E. writes he is resigning from the St. Mary Levee District, Council District No. 7 appointment effective July 2, 2014.

Mr. Mancuso will be forwarded a letter thanking him for his service on the St. Mary Levee District

C. Mr. Hanagriff to request an allocation of \$4,000 from Wards 1, 2, 3, 4, 7 & 10 3/10% Sales Tax Fund to the Town of Baldwin for Pee Wee Football.

Mr. Hanagriff moved that funds in the amount of \$4,000 be allocated from Wards 1,2,3,4,7, & 10 3/10% Sales Tax Fund to the Town of Baldwin for Pee Wee Football. Mr. Metz seconded the motion, which carried.

D. Mr. Hanagriff for discussion and action relative to a funding request for materials, supplies and training for the development of Mass Causality capabilities in St. Mary Parish from the Franklin Fire Department on behalf of the St. Mary Parish Fire Association.

Mr. Hanagriff commented that due to the recent accident and causality in the Centerville area (involving a School Bus and a vehicle), he has spoken with Jeff Hildreth, Assistant Fire Chief, Franklin Fire Department regarding the matter.

Mr. Hanagriff stated that Mr. Hildreth commented that it was determined at that time that the Fire Department was not equipped and prepared to handle the causality.

Mr. Hanagriff stated that Mr. Hildreth is proposing to have to trailer units on either end of the Parish to handle Mass Causalities.

Following Mr. Hanagriff's comments, he requested that Jeff Hildreth be placed on the July 23, 2014 Regular Meeting Agenda to discuss funding for materials, supplies and training for the development of Mass Causality capabilities in St. Mary Parish from the Franklin Fire Department on behalf of the St. Mary Parish Fire Association.

Mr. Metz moved that the agenda be expanded to discuss the resignation of Benny J. Druilhet, Justice of the Peace, Ward 10 and to recommend an appointment to the position. Mr. Middleton seconded the motion, which carried.

Mr. Metz moved to accept Mr. Druilhet's letter of resignation and that the Secretary of State be notified that Kim Provost, Sr. has been recommended to fill the unexpired term of Benny J. Druilhet. Mr. Foulcard seconded the motion, which carried.

Benny J. Druilhet will be forwarded letter thanking him for his services as Justice of the Peace, Ward 10.

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

s/g Lisa C. Morgan

s/g Kevin Voisin

Lisa C. Morgan, Clerk

Kevin Voisin, Vice-Chairman