

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

JUNE 26, 2013
FRANKLIN, LOUISIANA

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

Mr. Metz pronounced the Invocation and Mr. Hidalgo led the Pledge of Allegiance.

Mr. Voisin moved that the reading of the minutes of the First Regular Meeting, June 12, 2013 be dispensed with and that the same be approved. Mr. Fryou seconded the motion, which carried. Willie Peters, 246 Gum Point Lane, Franklin, LA appeared before the Parish Council to inform relative to the problem he is experiencing with a horse running loose in his yard. Mr. Peters expressed his stance regarding the proper size of property and regulations of housing horses.

Mr. Peters also commented relative to dogs being allowed to roam the neighborhood.

In response to an inquiry by Mr. Hidalgo regarding the regulation of horses, pigs, etc. in the Parish, Mr. LaGrange informed that the Parish does not have an ordinance to regulate the keeping of small animals, livestock on any properties in any zone.

Mr. LaGrange informed the Council that the Parish does have an ordinance regulating at-large animals.

Mr. LaGrange explained that the Parish Council may adopt an ordinance to prohibit livestock on certain properties (zoned areas) in the Parish if they so choose to do so. (Legal Counsel will be asked to research the matter.)

Mr. Naquin, Parish President informed that the Health Department and the Animal Control Warden inspected the property in the Gum Point area and reported that the matter was in compliance with the current Parish laws.

In regard to changes to Louisiana's voting laws, election districts and precinct locations no longer needing Federal approval before taking affect (removal of several states from the need for federal preclearance of voting district reapportionment), Mr. Peters expressed his opposition to the ruling.

Mr. Peters expounded relative to reapportionment maps and voting laws that previously required review from the U. S. Justice Department before they could take effect to ensure the laws were free from discrimination.

Following detailed discussion, Mr. Peters requested that the Parish Council forward a letter to the Black Caucus, the American Center for Law and Justice and the Southern Poverty Law Center asking that the ruling be reconsidered.

Mr. Peters expressed his stance relative to every voter being granted equal access to the ballot box.

Mr. Foulcard expressed his stance regarding the necessity of an exit ramp from U. S. Hwy. 90 to the Willow Street Bridge.

Mr. Naquin, Parish President reported that he met on Thursday, June 20, 2013 with Mr. Gautier, General Manager, J. Ray McDermott Marine and Fabrications, Inc. regarding the possible closure of McDermott.

Mr. Naquin stated that he was advised that the manpower has been downsized from 1500 to 500 men. (A decision has not been made to close or move McDermott to Mexico.)

Mr. Naquin further stated that he was advised that McDermott has ample work to continue operation of the yard until July 2014.

Henry "Bo" LaGrange, Chief Administrative Officer presented his report for a two (2) week period ending June 26, 2013. (All items in Mr. LaGrange's report are informational.)

Tammy Luke presented the following items as recommended by the Planning & Zoning Commission at their June 17, 2013 Regular Meeting:

a. Preliminary & Final Development Approval –

Name: C & A Properties, Inc. (Robert Auerbach)

Address: 117 Carpenter Dr., Cypremort Point, LA

Parcel Id# *1154444163.00- Sec.21 T15S R8E -2.76 Ac Por Tract
"ABCDEFGHIJKLMNPOQRSTUVWXYZA" per plat 27W 209245 lying west of
Carpenter Ln, Acq 27W 209245.*

Zoned: Conservation (CN) Zoned District

PURPOSE:

Lot 1 & Lot 1A-Subdivision as shown on map titled "Plat showing property belonging to June M. Trotter, Jr. located in Section 21, T15S-R6E, St. Mary Parish, Louisiana" as prepared by Freyou, Moore & Associates, dated May 24, 2013, Dwg. No. M-####

Lot 2 & 2A-Subdivision as shown on map titled "Plat showing property belonging to Karl Girouard, located in Section 21, T15S-R6E, St. Mary Parish, Louisiana" as prepared by Freyou, Moore & Associates, dated May 24, 2013, Dwg. No. M-####

Lot 3 & 3A-Subdivision as shown on map titled "Plat showing property belonging to Anthony George & Jamie Hamilton Mazerole, located in Section 21, T15S-R6E, St. Mary Parish, Louisiana" as prepared by Freyou, Moore & Associates, dated May 24, 2013, Dwg. No. M-####

Lot 4 & 4A-Subdivision as shown on map titled "Plat showing property belonging to Dickey W. Arnold, located in Section 21, T15S-R6E, St. Mary Parish, Louisiana" as prepared by Freyou, Moore & Associates, dated May 24, 2013, Dwg. No. M-####

Purpose: for the existing lot owners to purchase and increase their lot size, these lots will not be separate developmental sites

b. Preliminary & Final Development Approval –

Name: Joyce Comeaux to be acquired by Mark Gowan

Address: 522 Fanco Ln., Morgan City, LA

Parcel Id# *2984361022.00- Sec.21 T15S R12E Lot Por No 16-B-2 Clarke Bayou
Vista Subd a Resubd of No 16-B Clarke Bayou Vista Subd being Rem por Tract
"ABIJA" per plat 41F 261071 Acq 41F 261071.*

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: subdivision as shown on map titled "Proposed Lot Line Adjustment between Mark W. Gowan & Joyce Fangué Comeaux located in Section 21, T15S-R12E, St. Mary Parish, Louisiana" as prepared by Prosper Toups Land Surveying, LLC, dated May 15, 2013

c. Preliminary & Final Development Approval –

Name: Southern District Church Extension Fund, Inc.
Address: 931 E. Hwy. 90, Bayou Vista, LA

Parcel Id# 2984281001.00- Sec. 15 T16S R12E -3.02 Ac Tract B-C-D-E-B per Plat
111 108637 Acq 239 311309.

Zoned: Highway Commercial (HC) Zoned District

PURPOSE: Subdivision as shown on map titled “Preliminary Plan of Land Showing
Division of Tract “ABCDEFHJKLMNA” into Tract “ABCNA” and Tract
‘LMCDEFHJKLM’ PREPARED FOR Southern District Church Extension Fund, Inc.
Sec. 15, T16S-R12E Community of Bayou Vista St. Mary Parish, Louisiana” as
prepared by Kenneth A. Landry, Dated May 28, 2013, Job 13-4704-S

d. Preliminary & Final Development Approval –

Name: Wilson Viator, Jr. to be acquired by David Thibodeaux
Address: 737 Hwy. 668, Jeanerette, LA

Parcel Id# 1754924070.00- Sec. 37 T13S R8E -34.85 Ac Por 38.70 Ac Tract 3a
Resub No 3 J C Viator Et Al Part per plat 139 R8E Acq 149 299049.

Zoned: Agricultural (AG) Zoned District

PURPOSE: Subdivision as shown on map titled “Preliminary & Final Plat Showing
Boundary Survey of Tract 3A-1 to be acquired by David Thibodeaux & Dodie V.
Thibodeaux from Wilson B. Viator, Jr. said property is situated in Sections 37, T13S-
R8E and in Sections 47, T14S-R8E, Parish of St. Mary, State of Louisiana” as
prepared by S.J. Langlinaia & Associates, Inc., dated June 5, 2013, Drawing No:
Z:\Dwg2013A\Thibodeaux,David.dwg

e. Preliminary & Final Development Approval –

Name: Ray Viator to be acquired by Russell Viator
Address: 709 Hwy. 668, Jeanerette, LA

Parcel Id# 1754924019.00- Sec. 47 T14S R8E -15.78 Ac Por Tract 6D Resub No 6 J
C Viator Et Al Part per plat 182 303355 situated in Sec 47 T14S R8E Acq 182
303355.

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: Subdivision as shown on map titled “Preliminary & Final Plat Showing
Boundary Survey of Tract 6D-1 to be acquired by Russell J. Viator & Beverly M.
Viator from Ray Josph Viator said property is situated in Sections 47, T14S-R8E,
Parish of St. Mary, State of Louisiana” as prepared by S.J. Langlinaia & Associates,
Inc., dated June 5, 2013, Drawing No: Z:\Dwg2013A\Viator,Russell1.dwg

f. Specific Use –

Name: JMB Partnership, LLC represented by Southern States Renewable-Wilfred
Gallardo, Jr. & John Treen, Sr.
Address: located along Hwy. 83-Glenco, LA.

Parcel Id# -1514684013.00- Sec. 26 T14S R7E. 81.04 Ac Por Sec. 26 T14S R7E Acq.
83 289389
-1514684012.00- Sec. 2 T14S R7E. 216.25 Ac Por Sec. 2 T14S R7E Acq. 83 289389
-1514684027.00- Sec. 1 T14S R7E. 143.09 Ac Por Sec. 1 T14S R7E Acq. 83 289389
-1514684068.00- Sec. 8 T14S R7E. 334.69 Ac Por Sec. 8 T14S R7E Acq. 83 289389

Currently Zoned: Agricultural "AG" Zoned District

Specific Use Purpose: 8 Turbine Wind Farm

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

Name: C & A Properties, Inc. (Robert Auerbach)
Address: 117 Carpenter Dr., Cypremort Point, LA

Parcel Id# *1154444163.00- Sec.21 T15S R8E -2.76 Ac Por Tract "ABCDEFGHJKLMNOPQRSTUVWXYZA" per plat 27W 209245 lying west of Carpenter Ln, Acq 27W 209245.*

Zoned: Conservation (CN) Zoned District

PURPOSE:

Lot 1 & Lot 1A-Subdivision as shown on map titled "Plat showing property belonging to June M. Trotter, Jr. located in Section 21, T15S-R6E, St. Mary Parish, Louisiana" as prepared by Freyou, Moore & Associates, dated May 24, 2013, Dwg. No. M-####

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Lot 4 & 4A-Subdivision as shown on map titled "Plat showing property belonging to Dickey W. Arnold, located in Section 21, T15S-R6E, St. Mary Parish, Louisiana" as prepared by Freyou, Moore & Associates, dated May 24, 2013, Dwg. No. M-####

Purpose: for the existing lot owners to purchase and increase their lot size, these lots will not be separate developmental sites Mr. Metz seconded the motion, which carried.

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

Name: Joyce Comeaux to be acquired by Mark Gowan
Address: 522 Fanco Ln., Morgan City, LA

Parcel Id# *2984361022.00- Sec.21 T15S R12E Lot Por No 16-B-2 Clarke Bayou Vista Subd a Resubd of No 16-B Clarke Bayou Vista Subd being Rem por Tract "ABIJA" per plat 41F 261071 Acq 41F 261071.*

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: subdivision as shown on map titled "Proposed Lot Line Adjustment between Mark W. Gowan & Joyce Fangue Comeaux located in Section 21, T15S-R12E, St. Mary Parish, Louisiana" as prepared by Prosper Toups Land Surveying, LLC, dated May 15, 2013 Mr. Metz seconded the motion, which carried.

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

Name: Southern District Church Extension Fund, Inc.
Address: 931 E. Hwy. 90, Bayou Vista, LA

Parcel Id# 2984281001.00- Sec. 15 T16S R12E -3.02 Ac Tract B-C-D-E-B per Plat 111 108637 Acq 239 311309.

Zoned: Highway Commercial (HC) Zoned District

PURPOSE: Subdivision as shown on map titled "Preliminary Plan of Land Showing Division of Tract "ABCDEFGHJKLMNA" into Tract "ABCNA" and Tract "LMCDEFGHJKL" PREPARED FOR Southern District Church Extension Fund, Inc. Sec. 15, T16S-R12E Community of Bayou Vista St. Mary Parish, Louisiana" as prepared by Kenneth A. Landry, Dated May 28, 2013, Job 13-4704-S Mr. Metz seconded the motion, which carried.

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

Name: Wilson Viator, Jr. to be acquired by David Thibodeaux
Address: 737 Hwy. 668, Jeanerette, LA

Parcel Id# 1754924070.00- Sec. 37 T13S R8E -34.85 Ac Por 38.70 Ac Tract 3a Resub No 3 J C Viator Et Al Part per plat 139 R8E Acq 149 299049.

Zoned: Agricultural (AG) Zoned District

PURPOSE: Subdivision as shown on map titled "Preliminary & Final Plat Showing Boundary Survey of Tract 3A-1 to be acquired by David Thibodeaux & Dodie V. Thibodeaux from Wilson B. Viator, Jr. said property is situated in Sections 37, T13S-R8E and in Sections 47, T14S-R8E, Parish of St. Mary, State of Louisiana" as prepared by S.J. Langlinaia & Associates, Inc., dated June 5, 2013, Drawing No: Z:\Dwg2013A\Thibodeaux,David.dwg Mr. Metz seconded the motion, which carried.

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

Name: Ray Viator to be acquired by Russell Viator
Address: 709 Hwy. 668, Jeanerette, LA

Parcel Id# 1754924019.00- Sec. 47 T14S R8E -15.78 Ac Por Tract 6D Resub No 6 J C Viator Et Al Part per plat 182 303355 situated in Sec 47 T14S R8E Acq 182 303355.

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: Subdivision as shown on map titled "Preliminary & Final Plat Showing Boundary Survey of Tract 6D-1 to be acquired by Russell J. Viator & Beverly M. Viator from Ray Josph Viator said property is situated in Sections 47, T14S-R8E, Parish of St. Mary, State of Louisiana" as prepared by S.J. Langlinaia & Associates, Inc., dated June 5, 2013, Drawing No: Z:\Dwg2013A\Viator,Russell1.dwg Mr. Metz seconded the motion, which carried.

Mr. Bierhorst moved that Specific Use be granted for:

Name: JMB Partnership, LLC represented by Southern States Renewable-Wilfred Gallardo, Jr. & John Treen, Sr.
Address: located along Hwy. 83-Glenco, LA.

Parcel Id# -1514684013.00- Sec. 26 T14S R7E. 81.04 Ac Por Sec. 26 T14S R7E Acq. 83 289389
-1514684012.00- Sec. 2 T14S R7E. 216.25 Ac Por Sec. 2 T14S R7E Acq. 83 289389

-1514684027.00- Sec. 1 T14S R7E. 143.09 Ac Por Sec. 1 T14S R7E Acq. 83 289389
-1514684068.00- Sec. 8 T14S R7E. 334.69 Ac Por Sec. 8 T14S R7E Acq. 83 289389

Currently Zoned: Agricultural “AG” Zoned District

Specific Use Purpose: 8 Turbine Wind Farm Mr. Metz seconded the motion,
which carried.

Mr. Bierhorst moved that the Public Hearing Report – June 12, 2013 be approved. Mr. Voisin seconded the motion, which carried.

Mr. Metz introduced the following ordinance:

ORDINANCE NO.

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 an Eight (8) Turbine Wind Farm.

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 26th day of June 2013; having been published in accordance with law.

Exhibit “A”

Name: JMB Partnership, LLC represented by Southern States Renewable-Wilfred Gallardo, Jr. & John Treen, Sr.

Address: located along Hwy. 83-Glenco, LA.

Parcel Id# -1514684013.00- Sec. 26 T14S R7E. 81.04 Ac Por Sec. 26 T14S R7E Acq. 83 289389

-1514684012.00- Sec. 2 T14S R7E. 216.25 Ac Por Sec. 2 T14S R7E Acq. 83 289389

-1514684027.00- Sec. 1 T14S R7E. 143.09 Ac Por Sec. 1 T14S R7E Acq. 83 289389

-1514684068.00- Sec. 8 T14S R7E. 334.69 Ac Por Sec. 8 T14S R7E Acq. 83 289389

Currently Zoned: Agricultural “AG” Zoned District

Specific Use Purpose: 8 Turbine Wind Farm

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

YEAS: Messrs. Metz, Middleton, Hidalgo, Fromenthal, Dr. Tregle, Messrs. Fryou, Voisin, Bierhorst and Foulcard

NAYS: None

ABSTAIN: None

ABSENT: Messrs. Hanagriff and Singleton

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute Amendment No. 1 to the engineering contract with T. Baker Smith, LLC relative to the Harry P. Williams Airport - Seaway Rehabilitation.

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 Amendment No. 1 to the engineering contract with T. Baker Smith, LLC relative to the Harry P. Williams Airport - Seaway Rehabilitation, 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 26th day of June 2013.

APPROVED:

s/g Albert Foulcard

**ALBERT FOULCARD, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

RESOLUTION

A resolution approving the holding of an election in Recreation District No. 1 of the Parish of St. Mary, State of Louisiana, on Saturday, October 19, 2013, to authorize the renewal of a special tax therein.

WHEREAS, the Board of Commissioners of Recreation District No. 1 of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of Recreation District No. 1 of the Parish of St. Mary, State of Louisiana (the "District"), adopted a resolution on June 18, 2013, calling a special election in the District on Saturday, October 19, 2013, to authorize the renewal of a special tax therein; and

WHEREAS, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of St. Mary, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to continue to levy and collect the special tax provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to continue to levy and collect the special tax provided for therein;

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

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Recreation District No. 1 of the Parish of St. Mary, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Saturday, October 19, 2013, at which election there will be submitted the following proposition, to-wit:

**PROPOSITION
(MILLAGE RENEWAL)**

Shall Recreation District No. 1 of the Parish of St. Mary, State of Louisiana (the "District"), continue to levy a tax of three (3) mills on all the property subject to taxation in the District (an estimated \$387,400 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2014 and ending with the year 2023, for the purpose of maintaining, operating and improving recreational facilities in the District?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to continue to levy and collect the special tax provided for therein.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 26th day of June 2013.

APPROVED:

s/g Albert Foulcard

**ALBERT FOULCARD, 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, 2013 to June 30, 2014 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, 2013 to June 30, 2014 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 26th day of June 2013.

APPROVED:

s/g Albert Foulcard

**ALBERT FOULCARD, 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 Amendment No. 1 to the agreement with South Central Louisiana Human Services Authority 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 Amendment No. 1 to the agreement with relative South Central Louisiana Human Services Authority relative to Fairview Treatment Center, 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 26th day of June 2013.

APPROVED:

s/g Albert Foulcard

**ALBERT FOULCARD, 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 Amendment No. 2 to the agreement with South Central Louisiana Human Services Authority 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 Amendment No. 2 to the agreement with relative South Central Louisiana Human Services Authority relative to Fairview Treatment Center, 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 26th day of June 2013.

APPROVED:

s/g Albert Foulcard

**ALBERT FOULCARD, 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 Agreement with Louisiana Wetlands, L.L.C. relative to Donation of Mitigation Credits and Right of First Refusal of future credits.

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 Agreement with Louisiana Wetlands, L.L.C. relative to Donation of Mitigation Credits and Right of First Refusal of future credits, 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 26th day of June 2013.

APPROVED:

s/g Albert Foulcard

**ALBERT FOULCARD, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

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

Mr. Bierhorst moved that the agenda be expanded to adopt a Resolution of Respect in memory of Mrs. Helen Louviere. Mr. Metz seconded the motion, which carried.

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

YEAS: Messrs. Middleton, Hidalgo, Fromenthal, Dr. Tregle, Messrs. Fryou, Voisin, Bierhorst, Foulcard and Metz

NAYS: None

ABSTAIN: None

ABSENT: Messrs. Hanagriff and Singleton

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, Mrs. Helen Ann Caro Louviere, and

WHEREAS, Mrs. Louviere was the wife of Mr. Harold A. "Neg" Louviere, former Council Member, and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mrs. Louviere, 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 26th day of June 2013.

APPROVED:

s/g **Albert Foulcard**

**ALBERT FOULCARD, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g **Lisa C. Morgan**

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

OLD BUSINESS:

- A. Senator David Vitter has written thanking the Parish for contacting him in opposition to increased prices for flood insurance.

Congress passed legislation in 2012 extending the National Flood Insurance Program (NFIP) for five years. The law begins to eliminate some artificially low rates and discounts that are no longer sustainable, which will help ensure that the entire program remains financially sound.

The Federal Emergency Management Agency is tasked to oversee the NFIP program. FEMA has not figured out or finalized the new flood insurance rates. Also, they are revising estimates on the numbers of properties affected by these changes almost daily.

I am a lead co-author of an amendment in the U.S. Senate, along with Senator Mary Landrieu, to delay the implementation of these new rate increases related to the grandfathering of properties that comply with current flood maps so that FEMA will have time to study and understand the impact the increases will have on the affordability of flood insurance. I met with Louisiana officials, including 10 Parish Presidents and officials from FEMA, in Washington D.C. multiple times to discuss the looming rate increases for homeowners and businesses. I am also talking to local residents to determine what changes to the law may be necessary, particularly to protect existing homeowners who always complied with the old rules and flood elevations.

It is important for you to talk to your insurance agent to see exactly how the new law will affect your property. Every piece of property will be affected differently.

Thank you for sharing your thoughts on this important issue.

NEW BUSINESS:

- A. We received the following financial statements:

Bayou Vista Volunteer Fire Department, Inc. – year ended December 31, 2012
Sales & Use Tax Department – year ended December 31, 2012

- B. Mr. Harrel Wilson writes effective June 15, 2013 he is resigning from Consolidated Gravity Drainage District No. 2 Board of Commissioners.

Mr. Wilson will be forwarded a letter thanking him for his service on Consolidated Gravity Drainage District No. 2 Board of Commissioners and the vacancy will be advertised.

- C. Melissa Blake, Director of Governmental Affairs writes on behalf of Cox Communications, I want to inform you of upcoming changes to some of our one-time video installation charges and channel positions occurring on or after July 21, 2013.

Cox is committed to providing customers with competitive installation rates and many customers will find opportunities for reduced or free installation in many promotional service offers.

We look forward to working with you on our exciting plans for improvements in the coming years.

- D. Clarence Robinson, Jr., President, 100 Black Men of St. Mary, Inc. writes - We are requesting \$2,000 to defray the costs of our 2013 5K Race. The race will be held on Saturday, August 31, 2013 in Morgan City, Louisiana in conjunction with the 2013 Shrimp and Petroleum Festival.

We ask for your support to continue our health and educational initiatives in the parish.

Attached is a budget which shows the total cost for the race.

Following discussion regarding the legality of the matter, Mr. Duplantis, Legal Advisor was requested to investigate the matter to determine whether the Council may legally allocate funds to the 100 Black Men of St. Mary, Inc. organization.

Mr. Middleton moved that funds in the amount of \$2,000 from the Gaming Receipt Fund be allocated to the 100 Black Men of St. Mary, Inc. contingent upon the legal advisor's findings to be utilized to help defray the cost of their 2013 5K Race. Mr. Fryou seconded the motion, which carried.

- E. William Hidalgo, Sr. writes - St. Mary Parish Levee Board has written to advise that the following members terms expire on July 1st of this year – Wilson Terry (appointment from Council District No. 1); Luther Smith (appointment from Council District No. 2) and Junius Hebert, Jr. (appointment from Council District No. 3)

Also, Mr. Raleigh J. Boudreaux (appointment from Council District No. 4) has tendered his resignation.

The Council is responsible for submitting a list containing three nominations from each of the districts. The Governor shall appoint one member to represent each District. Names, addresses, contact information and a resume for all individuals nominated are needed.

Mr. Hebert, Mr. Smith and Mr. Terry are willing to continue their service.
I would like to request your assistance in having them reappointed to their positions.

In response to an inquiry by Mr. Metz relative to submitting the names to reappoint the present members, Mr. LaGrange explained that the State Statute for the Levee District states that the St. Mary Parish Council shall submit a list containing three nominations from each of the eight single member parish council districts in the St. Mary Parish, from which the governor shall appoint one member to represent each such district from the list. (A vacancy created whether by reason of death, resignation, expiration of term, or any other cause of a member of the board shall be filled in the same manner.)

Mr. LaGrange further stated that one of the three (3) nominees can be a current member.

Mr. LaGrange informed that solicitation has not been received from the Governor's Office at this time regarding submittal of a list of nominees for consideration to the Levee District.

Mr. LaGrange stated that the Governor's Office will be contacted regarding the matter and the Council will be notified of his findings at the July 10, 2013 Regular Meeting.

- F. Appointments to the following Boards and Commissions:

Recreation District No. 2 – 1 Vacancy

Richard Martin – Present Member

Water and Sewer Commission No. 5 – 2 Vacancies

No applications received.

Mr. Fryou moved that Richard Martin be reappointed to Recreation District No. 2 Board of Commissioners. Mr. Voisin seconded the motion, which carried.

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

s/g Lisa C. Morgan

s/g Albert Foulcard

Lisa C. Morgan, Clerk

Albert Foulcard, Chairman