

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

MARCH 10, 2021  
FRANKLIN, LOUISIANA

The St. Mary Parish Council met on this date in Regular Session with Chairman Dean S. Adams presiding and the following members present: Rev. Craig A. Mathews, J Ina, Rodney Olander, Scott Ramsey, Leslie “Les” Rulf, Jr., Patrick J. Hebert, James W. Bennett, Jr., Mark A. Duhon, Kristi Prejeant Rink, M.D., and Gwendolyn L. Hidalgo

The Invocation was pronounced by Dr. Rink and the Pledge of Allegiance was led by Mrs. Hidalgo.

Mr. Olander moved that the reading of the minutes of the Second Regular Meeting, February 24, 2021, be dispensed with and that the same is approved. Mr. Hebert seconded the motion, which carried.

Senator R. L. “Bret” Allain, II, Franklin Foundation Hospital CEO, Stephanie Guidry, and Teche Action Clinic CEO, Dr. Gary Wiltz appeared before the Council to discuss and provide an update on the new wellness center at Franklin Foundation Hospital.

Mrs. Guidry informed that this is a \$19 million wellness center that will provide much needed medical services to our region including orthopedics, outpatient physical – occupational – speech therapy, cardiology, outpatient cardiac rehab, senior behavioral health, wellness testing, fitness facility with child care, indoor walking track, group exercise and cycling studios, healthy bistro, exercise pool, lap pool, and a large convention center.

In response to several Council Members inquiries, Senator Allain and Mrs. Guidry expounded on funding, recruiting specialists, membership, and date of completion.

Dr. Wiltz expounded on the importance of healthcare and wellness. He encouraged everyone to receive the Covid-19 vaccine.

Kristal Hebert, Executive Director of The Arc of St. Mary/Center of Hope, appeared before the Council to discuss COVID forced shut downs and plans to continue services for individuals with intellectual and/or developmental disabilities in St. Mary Parish.

In response to several Council Members inquiries, Mrs. Hebert stated that the store is open and that state funding is based on virtual attendance.

Mr. Adams requested to move up Item 14A, “Proclamation proclaiming the month of March 2021 as Development Disability Awareness Month.”

Mr. Ina moved that the following Resolution be adopted. The Council seconded the motion, which carried by the following 11-0-0-0 Roll Call vote:

YEAS: Mathews, Ina, Olander, Ramsey, Rulf, Hebert, Bennett, Duhon, Rink, Hidalgo,  
and Adams

NAYS: None

ABSTAIN: None

ABSENT: None

## **PROCLAMATION**

**WHEREAS**, developmental disabilities manifest during the developmental years of life, before age 22, and are lifelong in duration, resulting in continued need for a variety of services designed to support full inclusion in community and life.

**WHEREAS**, disability is a natural part of the human experience that does not diminish the right of individuals with developmental disabilities to live independently, to exert control and choice over their own lives and to fully participate in and contribute to their communities through full integration and inclusion in the economic, political, social, cultural, and educational mainstream of United States society; and

**WHEREAS**, every person, regardless of their ability, has valued strengths, a capacity to learn, and the potential to make important contributions to their local communities; and

**WHEREAS**, celebrating the abilities and contributions of people with developmental disabilities can only serve to enrich the communities of Louisiana and enhance our diversity; and

**WHEREAS**, we join with the Louisiana Developmental Disabilities Council during the month of March to encourage all citizens to recognize Louisiana's advances concerning persons with developmental disabilities and also to acknowledge that our work to ensure full inclusion and integrated communities is not yet done.

**NOW, THEREFORE BE IT RESOLVED**, that the St. Mary Parish Council, on behalf of the entire St. Mary Parish Government, do hereby proclaim March, 2021 as:

### **“DEVELOPEMENTAL DISABILITY AWARENESS MONTH”**

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 10<sup>th</sup> day of March 2021.

**APPROVED:**

\_\_\_\_\_  
**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

Mr. Ina recognized Jennifer Lancelin for submitting the language for this proclamation.

Alfreida Edwards appeared before the Council in reference to the letter received from the Registrar of Voters. She expounded on diversity in the Registrar of Voters Office and stated that her motives are to empower, educate, inform, and uplift the community by making sure all eligible residents have the right to vote and to hold public officials accountable, to organize voter registration drives, and taking citizens to the polls to vote. She stated that she visits the Registrar of Voters Office multiple times a month to access information.

Rev. Mathews expounded on the necessity to have an adequate level of diversity and awareness when vacancies arise. He commended Mrs. Edwards for having the courage to address diversity.

In response to Mrs. Hidalgo's inquiry, Mr. LaGrange stated that there are a total of five (5) employees at the Registrar of Voters in the Franklin and Morgan City offices.

Parish President, David Hanagriff stated that due to economy, he is in opposition of the proposed school board sales tax increase.

Chief Administrative Officer, Henry “Bo” LaGrange, presented his report for a two (2) week period ending March 10, 2021. (all items are informational)

In absence of Planning & Zoning Director, Tammy Luke, Mr. LaGrange presented the following items as recommended by the Planning & Zoning Commission at their February 22, 2021 Regular Meeting:

**a. Recommend Preliminary & Final Subdivision/Development Approval -**

Name: Dwayne Doucet represented by Miller Engineers  
Address: 2028 Chitimacha Trl, Baldwin, LA

Parcel Id# Sec. 1 T13S R9E;  
Parcel Id# 2174961078.00- Lot por No. 3 Bercegeay part per Plat 8V 90377  
being por Tract "APQRUSCDWA" per Plat 195 305425 Acq. 195 305425.

Zoned: Existing Neighborhood (EN1) Zoned District

PURPOSE: as shown on a plat titled “Plan of Land showing a portion of Lots 2 & 3 of Kimberly Coleman Mayon Subdivision as per C.O.B. 196, Entry No. 305,538 to be subdivided into Tract “REFSTR” situated in Section 1, T13S -R9E, St. Mary Parish, Louisiana; Southwestern Land District, as prepared by Miller Engineers & Associates, Inc. Inc., DWG #14584.; dated January 15, 2021.”

**b. Recommend Preliminary & Final Subdivision/Development Approval -**

Name: Cotten Properties LLC, represented by Kenneth Rembert  
Address: 8305 Hwy 182, Morgan City, LA

Parcel Id# Sec. 8 T16S R13E;  
Parcel Id# 3344341001.00-34.63 AC Tract por of 44.023 Ac Tract  
"WXYZHIJKLMW" per Plat 16w 148057 situated in Sec. 8 T16S R13E  
Acq. 39K 254398.

Zoned: Conservation (CN) Zoned District

PURPOSE: as shown on a plat titled “Survey of Tracts 1 and 2 a Redivision of Property Belonging to Cotton Properties, L.L.C. located in Sections 7 & 8, T16S -R13E, St. Mary Parish, Louisiana; as prepared by Kenneth L. Rembert, Surveyor.; dated November 20, 2020, revised December 16, 2020 to show city limits.”

**c. Recommend Specific Use -**

Name: Redbird Rentals LLC, represented by David Lipari  
Address: 128 Cyremort Rd., Franklin, LA

Parcel Id# Sec.16 T14S R8E;  
Parcel Id# 1904861021.00- 38.36 Ac Tract A-B-C-D-E-F-G-H-I-A per Plat  
18N 159064 BD I Bodin Et Al – I Bodin Et Al Hwy. 83 – Mcguire Acq. 361  
328911.

Currently Zoned: Agricultural (AG) Zoned District

Specific Use Purpose: to allow for a Pond in an Agricultural (AG) Zoned District.

Mr. Olander moved that Preliminary & Final Subdivision/Development Approval be granted for:

Name: Dwayne Doucet represented by Miller Engineers

Address: 2028 Chitimacha Trl, Baldwin, LA

Parcel Id# Sec. 1 T13S R9E;

Parcel Id# 2174961078.00- Lot por No. 3 Bercegeay part per Plat 8V 90377 being por Tract "APQRUSCDWA" per Plat 195 305425 Acq. 195 305425.

Zoned: Existing Neighborhood (EN1) Zoned District

PURPOSE: as shown on a plat titled "Plan of Land showing a portion of Lots 2 & 3 of Kimberly Coleman Mayon Subdivision as per C.O.B. 196, Entry No. 305,538 to be subdivided into Tract "REFSTR" situated in Section 1, T13S -R9E, St. Mary Parish, Louisiana; Southwestern Land District, as prepared by Miller Engineers & Associates, Inc. Inc., DWG #14584.; dated January 15, 2021."

Mr. Hebert seconded the motion, which carried.

Mr. Olander moved that Preliminary & Final Subdivision/Development Approval be granted for:

Name: Cotten Properties LLC, represented by Kenneth Rembert

Address: 8305 Hwy 182, Morgan City, LA

Parcel Id# Sec. 8 T16S R13E;

Parcel Id# 3344341001.00-34.63 AC Tract por of 44.023 Ac Tract "WXYZHIJKLMW" per Plat 16w 148057 situated in Sec. 8 T16S R13E Acq. 39K 254398.

Zoned: Conservation (CN) Zoned District

PURPOSE: as shown on a plat titled "Survey of Tracts 1 and 2 a Redivision of Property Belonging to Cotton Properties, L.L.C. located in Sections 7 & 8, T16S - R13E, St. Mary Parish, Louisiana; as prepared by Kenneth L. Rembert, Surveyor.; dated November 20, 2020, revised December 16, 2020 to show city limits."

Mr. Hebert seconded the motion, which carried.

Mr. Olander recommended Specific Use for:

Name: Redbird Rentals LLC, represented by David Lipari

Address: 128 Cypremort Rd., Franklin, LA

Parcel Id# Sec.16 T14S R8E;

Parcel Id# 1904861021.00- 38.36 Ac Tract A-B-C-D-E-F-G-H-I-A per Plat 18N 159064 BD I Bodin Et Al – I Bodin Et Al Hwy. 83 – Mcguire Acq. 361 328911.

Currently Zoned: Agricultural (AG) Zoned District

Specific Use Purpose: to allow for a Pond in an Agricultural (AG) Zoned District.

Mr. Hebert seconded the motion, which carried.

Mrs. Hidalgo moved that the Public Hearing Report, February 24, 2021 be approved. Mr. Hebert seconded the motion, which carried.

Rev. Mathews moved that the following ordinance be adopted. Mr. Ina seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

YEAS: Ina, Ramsey, Rulf, Hebert, Bennett, Duhon, Rink, Hidalgo, Adams, and Mathews

NAYS: None

ABSTAIN: None

ABSENT: Olander

#### **ORDINANCE NO. 2249**

An Ordinance in compliance with Ordinance No. 1973, Chapter 5 Procedures, Division 5.4 General Procedures for Public Hearing, Section 5.4.2 Rezoning (Zoning Map Amendments).

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

**WHEREAS**, Chapter 5 Procedures, Division 5.4 General Procedures for Public Hearing, Section 5.4.2 Rezoning (Zoning Map Amendments) 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 Existing Neighborhood (EN2) Zoned District to Agricultural (AG) 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 10<sup>th</sup> day of February 2021, having been published in accordance with law and having been heard in a public meeting in Franklin, Louisiana on the 10<sup>th</sup> day of March 2021 was adopted.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

This ordinance was submitted to the President of St. Mary Parish on this the 17th day of March 2021, at the hour of 10:36 a.m.

**APPROVED:**

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**DAVID HANAGRIFF, PRESIDENT  
ST. MARY PARISH**

This ordinance was returned to the Clerk of the Council on this the 24th day of March 2021, at the hour of 4:48 p.m.

**EXHIBIT "A"**

**Name: Holly Michel**

**Address: 259,266,271,274,279,282,287,290,284,295,300 & 301 Darwin Rd., Centerville, LA**

**Parcel Id# Sec. 37 T15S R10E;**

***Parcel Id# 2504561030.00 - Lot 10F Diane Nugent Part per Plat27H 206574 Drawing No. 6661 Acq. 335 324785.***

***Parcel Id # 2504541022.00-Lot 4-F Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 335 324789,***

***Parcel Id # 2504541021.00-Lot 2F Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 335 324787,***

***Parcel Id # 2504541020.00-Lot 1-F Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 335 324786,***

***Parcel Id # 2504541019.00-Lot 9f Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 335 324791,***

***Parcel Id # 2504541018.00-0.26 ac Lot 8F Luke Part Drawing No 6661 Plat 27H 206574 Acq. 335 324782,***

***Parcel Id # 2504541017.00-Lot 7-F Diane Luke Nugent et al Part per Drawing No. 6661 Plat 27H 206574 Acq. 335 324790,***

***Parcel Id # 2504541016.00-Lot 13-F Diane Luke Nugent et al Part per Drawing 6661 Plat 27h 206574 Acq. 335 324783,***

***Parcel Id # 2504541015.00-Lot 5-F Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 335 324781,***

***Parcel Id # 2504541014.00-Lot 12-F Diane Luke Nugent et al Part per Plat 27h 206574 Drawing No 6661 Acq. 335 324784,***

***Parcel Id # 2504541013.00-Lot 3-F Diane Luke Nugent et al Part per Drawing No. 6661 Plat 27H 206574 Acq. 335 324788, and***

***Parcel Id # 2504541012.00-Lot 11f Diane Luke Nugent et al Part per Drawing 6661 Plat 27H 206574 Acq. 335 324792.***

**PURPOSE: to rezone from Existing Neighborhood (EN2) Zoned District to Agricultural (AG) Zoned District.**

Item 14I, "Resolution providing for the approval and authorization for Change Order No. 2 relative to the St. Peter Street and surrounding area Sanitary Sewer Collection System Project," and Item 14J, "Resolution authorizing the Parish President to execute a Certificate of Substantial Completion relative to the St. Peter Street and surrounding area Sanitary Sewer Collection System Project," were withdrawn.

Rev. Mathews moved that the following Resolutions be adopted. Mr. Duhon seconded the motion, which carried by the following 11-0-0-0 Roll Call vote:

YEAS: Olander, Ramsey, Rulf, Hebert, Bennett, Duhon, Rink, Hidalgo, Adams, Mathews, and Ina

NAYS: None

ABSTAIN: None

ABSENT: None

### **RESOLUTION**

Resolution authorizing and approving David Hanagriff, President of St. Mary to execute an Engineering Services Agreement with Miller Engineers & Associates, Inc. relative to Reconstruction of Martin Luther King Roadway in Charenton for St. Mary Parish Government, within Existing Right-of-Way, FP&C Project No. 50-J51-20-01.

**BE IT RESOLVED**, that David Hanagriff, President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute an Engineering Services Agreement with Miller Engineers & Associates, Inc. relative to Reconstruction of Martin Luther King Roadway in Charenton for St. Mary Parish Government, within Existing Right-of-Way, FP&C Project No. 50-J51-20-01, 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 10<sup>th</sup> day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

### **RESOLUTION**

A Resolution providing for the approval and authorization for Change Order No. 2 relative to the Harry P. Williams Memorial Airport Pump Station Rehabilitation Project – Trash Screens and Timber Bridge.

**WHEREAS**, a certain contract has been entered into between the St. Mary Parish Council and Southern Constructors, LLC, 6313 Hwy. 90, New Iberia, Louisiana 70560, relative to the Harry P. Williams Memorial Airport Pump Station Rehabilitation Project – Trash Screens and Timber Bridge., and

**WHEREAS**, the items as shown on Change Order No. 2 will result in an increase of \$7,279.93 in the contract price and an increase of one (1) working day in the contract time.

**NOW THEREFORE, BE IT RESOLVED**, that the St. Mary Parish Council does hereby approve the issuance of Change Order No. 2 covering result in an increase of \$7,279.93 in the contract price and an increase of one (1) working day in the contract time for the Harry P. Williams Memorial Airport Pump Station Rehabilitation Project – Trash Screens and Timber Bridge.

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

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 10<sup>th</sup> day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

### **RESOLUTION**

A resolution authorizing David Hanagriff, the President of St. Mary Parish to execute a 1<sup>st</sup> Amendment of Cooperative Endeavor Agreement between the City of Franklin, St. Mary Parish Council, and Consolidated Gravity Drainage District No. 1 of the Parish of St. Mary for inclusion of the St. Mary Levee District relative to Phase II of Yokely Bayou State Project No. 576-51-0003.

**BE IT RESOLVED**, that David Hanagriff, President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute a 1<sup>st</sup> Amendment of Cooperative Endeavor Agreement between the City of Franklin, St. Mary Parish Council, and Consolidated Gravity Drainage District No. 1 of the Parish of St. Mary for inclusion of the St. Mary Levee District relative to Phase II of Yokely Bayou State Project No. 576-51-0003, 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 10<sup>th</sup> day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**



**ATTEST:**

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

**RESOLUTION**

A resolution approving the holding of an election in St. Mary Parish Water and Sewer Commission No. 2, State of Louisiana, on Saturday, October 9, 2021, to authorize the renewal of a special tax therein.

**WHEREAS**, the Board of Commissioners of St. Mary Parish Water and Sewer Commission No. 2, State of Louisiana (the "Governing Authority"), acting as the governing authority of St. Mary Parish Water and Sewer Commission No. 2, State of Louisiana (the "Commission"), adopted a resolution on March 8, 2021, calling a special election in the Commission on Saturday, October 9, 2021, to authorize the renewal of a special tax therein; and

**WHEREAS**, the governing authority of the Commission 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 Commission 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 St. Mary Parish Water and Sewer Commission No. 2, State of Louisiana, this Parish Council hereby approves the holding of an election in the Commission, on Saturday, October 9, 2021, at which election there will be submitted the following proposition, to-wit:

**PROPOSITION  
(TAX RENEWAL)**

Shall the St. Mary Parish Water and Sewer Commission No. 2, State of Louisiana (the "Commission"), be authorized to continue to levy a tax of eleven (11) mills on all property subject to taxation within the jurisdiction and boundaries of the Commission (an estimated \$890,000 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 2022 and ending with the year 2031, for the purpose of constructing and acquiring improvements and extensions to the waterworks systems and sewerage systems and related facilities of the Commission and operating and maintaining said systems, a work of public improvement for the Commission?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the Commission 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 10th day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

**RESOLUTION**

**AN AMENDMENT TO A RESOLUTION ENACTED ON JUNE 10, 2020  
TO REDUCE THE MEMBERSHIP OF THE  
BAYOU VISTA STREETS AND CIVIL IMPROVEMENT COMMITTEE  
FROM NINE MEMBERS TO FIVE MEMBERS**

**WHEREAS**, on June 10, 2020, the St. Mary Parish Council established the BAYOU VISTA STREETS AND CIVIL IMPROVEMENT COMMITTEE as a nine-member Committee, all to be appointed by the St. Mary Parish Council.

**WHEREAS**, the St. Mary Parish Council declares that it is necessary and desirable and in the best interest of the citizens and taxpayers of St. Mary Parish to reduce the membership of said committee from nine (9) to five (5), effective upon publication.

**WHEREAS**, the St. Mary Parish Council further declares that it is necessary and desirable and in the best interest of the citizens and taxpayers that the existing members of the BAYOU VISTA STREETS AND CIVIL IMPROVEMENT COMMITTEE be allowed to complete their respective terms.

**NOW THEREFORE, BE IT RESOLVED**, by the St. Mary Parish Council, State of Louisiana acting as the governing authority of the Parish of St. Mary, State of Louisiana amend said Resolution to reduce the membership of the BAYOU VISTA STREETS AND CIVIL IMPROVEMENT COMMITTEE to five (5) persons with existing members of the BAYOU VISTA STREETS AND CIVIL IMPROVEMENT COMMITTEE be allowed to complete their respective terms. All appointments to the Committee shall serve at the pleasure of the Parish Council.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 10<sup>th</sup> day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

**RESOLUTION**

A Resolution providing for the approval and authorization for Change Order No. 1 relative to the Asphaltic Concrete Roadway Improvements to Avoca Road, Youngs Road, and Michel Boat Launch.

**WHEREAS**, a certain contract has been entered into between the St. Mary Parish Council and Barriere Construction Co., LLC, One Galleria Blvd. – Suite 1650, Metairie, Louisiana 70001, relative to the Asphaltic Concrete Roadway Improvements to Avoca Road, Youngs Road, and Michel Boat Launch, and

**WHEREAS**, the items as shown on Change Order No. 1 will result in an increase of \$22,670.89 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 result in an increase of \$22,670.89 in the contract price for the Asphaltic Concrete Roadway Improvements to Avoca Road, Youngs Road, and Michel Boat Launch.

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

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 10<sup>th</sup> day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

**RESOLUTION OF ACCEPTANCE**

A Resolution authorizing and directing the President to execute for and on behalf of the Parish of St. Mary, a Certificate of Substantial Completion from Barriere Construction Co., LLC relative to the Asphaltic Concrete Roadway Improvements to Avoca Road, Youngs Road, and Michel Boat Launch.

**WHEREAS**, Barriere Construction Co., LLC, One Galleria Blvd. – Suite 1650, Metairie, Louisiana 70001, has substantially completed the Asphaltic Concrete Roadway Improvements to Avoca Road, Youngs Road, and Michel Boat Launch.

**NOW THEREFORE, BE IT RESOLVED**, by the Parish of St. Mary that the President be and he is hereby empowered, authorized and directed to execute a Certificate of Substantial Completion for and on behalf of the Parish of St. Mary accepting the Asphaltic Concrete Roadway Improvements to Avoca Road, Youngs Road, and Michel Boat Launch.

**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 10<sup>th</sup> day of March 2021.

**APPROVED:**

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**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

Mr. Olander moved that the following Resolutions be adopted. Mr. Hebert seconded the motion, which carried by the following 11-0-0-0 Roll Call vote:

YEAS: Ramsey, Rulf, Hebert, Bennett, Duhon, Rink, Hidalgo, Adams, Mathews, Ina, and Olander

NAYS: None

ABSTAIN: None

ABSENT: None

### **RESOLUTION**

A resolution giving preliminary approval to the issuance of not exceeding Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) aggregate principal amount of Limited Tax Refunding Bonds of the Parish of St. Mary, State of Louisiana (the "Issuer"), for the purpose of refinancing outstanding debt of the Issuer; providing certain terms of said bonds; making application to the State Bond Commission for approval of said Bonds; hiring professionals in connection therewith; and providing for other matters in connection therewith.

**WHEREAS**, the Parish of St. Mary, State of Louisiana (the "Issuer"), has heretofore issued (i) Limited Tax Bonds, Series 2018 (the "Series 2018 Bonds"), of which \$9,825,000 is outstanding, and (ii) Limited Tax Revenue Bonds, Series 2019 (the "Series 2019 Bonds"), of which \$9,835,000 is outstanding; and

**WHEREAS**, the Parish Council of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Issuer, currently levies and

collects an ad valorem tax of 7.24 mills (3.62 mills within incorporated municipalities) (the "Tax") within the Issuer, such rate being subject to adjustment from time to time due to reassessment, under the authority conferred by Article VI, Section 26 of the Constitution of the State of Louisiana of 1974, as amended, and other constitutional and statutory authority; and

**WHEREAS**, in order to provide debt service savings, the Issuer desires to refund all or a portion of the Series 2018 Bonds and the Series 2019 Bonds (the "Refunded Bonds"), pursuant to the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), through the issuance of its refunding bonds; and

**WHEREAS**, pursuant to the Act, and subject to the approval of the State Bond Commission, the Issuer desires to accomplish the refunding through the issuance of not exceeding Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) of its Limited Tax Refunding Bonds (the "Refunding Bonds"), to be payable solely from and secured by the revenues derived from the levy and collection of the Tax; and

**WHEREAS**, upon the issuance of the Refunding Bonds, the Issuer will have no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the revenues of the Tax pledged, EXCEPT the unrefunded Series 2018 Bonds, if any, and the unrefunded Series 2019 Bonds, if any (collectively, the "Outstanding Parity Bonds"); and

**WHEREAS**, the Issuer desires to make formal application to the State Bond Commission for approval of the Refunding Bonds and further to employ professionals in connection therewith;

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

SECTION 1. **Preliminary Approval of Refunding Bonds**. Preliminary approval is given to the issuance of not exceeding Nineteen Million Five Hundred Thousand Dollars (\$19,500,000) of Limited Tax Refunding Bonds of the Parish of St. Mary, State of Louisiana, pursuant to the Act, to be issued for the purpose of refunding the Refunded Bonds, said Refunding Bonds to be payable, equally with the Outstanding Parity Bonds, from an irrevocable pledge and dedication of the revenues to be derived by the Issuer from the Tax, subject only to the payment of the reasonable and necessary costs and expenses of collecting and administering the Tax. The Refunding Bonds may be taxable or tax-exempt, will be issued at an interest rate not exceeding 3% per annum, and shall mature not later than June 1, 2039. The Refunding Bonds shall be issued in fully registered form and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. **State Bond Commission**. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Refunding Bonds and for consent and authority to proceed with the issuance and sale of the Refunding Bonds as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Issuer. By virtue of

applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the AState Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.," adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. **Employment.** This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Refunding Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Refunding Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale, and delivery of such Refunding Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Refunding Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of revenue bonds and the refunding bonds and based on the amount of said Refunding Bonds actually issued, sold, delivered, and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale, and delivery of said Refunding Bonds. The Parish President is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel appended hereto as **Exhibit A**. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Finance is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated without further approval of this Governing Authority.

SECTION 4. **Appointment of Placement Agent/Underwriter.** Raymond James & Associates, Inc., of New Orleans, Louisiana, is hereby appointed as placement agent/underwriter in connection with all or any portion of the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon the issuance of the Bonds; provided that no compensation shall be due to said placement agent/underwriter unless the Bonds are sold and delivered.

SECTION 5. **Ratification and Acceptance of Term Sheet.** The Term Sheet appended hereto as **Exhibit B**, has met the parameters set forth in the Section 1 and accordingly, it is approved and its execution is hereby ratified, subject to the approval of the State Bond Commission.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 10th day of March 2021.

**APPROVED:**

---

**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

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

**EXHIBIT A**

## **ENGAGEMENT LETTER**

March 10, 2021

Hon. David Hanagriff, Parish President  
Parish of St. Mary  
Franklin, Louisiana

Re: Proposed Limited Tax Refunding Bonds of the Parish  
of St. Mary, State of Louisiana

Dear Mr. Hanagriff:

The purpose of this engagement letter is to set forth certain matters concerning the role we will serve and the legal services we will provide as bond counsel to the Parish of St. Mary, State of Louisiana (the "Issuer") in connection with the issuance of the captioned bonds (collectively, the "Bonds"). We understand that the Bonds will be issued for the purpose (the "Project") described in the resolution adopted by the Parish Council of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Issuer, on March 10, 2021.

As bond counsel, we will prepare and submit to the Governing Authority for adoption all of the legal proceedings required for the authorization, issuance, sale and delivery of the Bonds and provide advice of a traditional legal nature as to the issuance and sale of the Bonds. Our job is principally to render certain opinions to the Issuer regarding (i) the validity of the Bonds under applicable Louisiana law, (ii) the exemption of interest paid on the bonds from federal and/or

state taxes, and (iii) other matters as may be applicable. The bond opinion will be based on facts and law existing as of its date. In rendering such opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to our firm without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws and other resolutions relating to the Bonds. During the course of this engagement, we will rely upon the staff of the Issuer and the members of the Governing Authority to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds.

In our engagement as bond counsel, we will:

- Confer with members of the working group, including you and other officials of the Issuer, relating to the Project and review legal issues relating to the structure of the Bond issue;
- Prepare the Issuing Bond Ordinance and all related financing documents (collectively, the "Bond Documents");
- Attend meetings of the Governing Authority at which the Bond Documents are adopted;
- Prepare the application for approval of the issuance of the Bonds by the State Bond Commission and attend the State Bond Commission meeting at which such approval will be considered;
- Prepare the closing index and various closing certificates and supervise the execution of certain closing documents by the various parties thereto;
- Prepare the Bonds and supervise their execution and authentication;
- Prepare complete transcripts of record covering the issuance of the Bonds and furnishing the transcripts to various parties in connection therewith; and
- Submit applicable post-closing reports to the State Bond Commission.

Our fee as bond counsel is based upon the terms, structure, size and schedule of the financing, the services provided, and the responsibilities assumed; however, our fee will not exceed that permitted by guidelines set forth by the Attorney General of the State of Louisiana and is subject to his approval. Our fee as bond counsel is a "contingent fee," meaning you are required to pay for our legal services only in the event the Bonds are actually sold and delivered. Other vendors or members of the working group may charge additional fees or costs for their services.

We will continue to serve as bond counsel until the delivery of the Bonds; however, the Issuer and our firm each have the right to terminate this engagement at any time after providing reasonable advanced written notice, subject to the applicable rules of professional responsibility. Upon conclusion or termination of our representation of the Issuer, papers and property furnished by the Issuer will be returned promptly upon request.

Please note that we are not municipal advisors, and we do not render financial advice or other financial services to the Issuer; however, in the course of providing traditional legal services, we may provide factual information to the Issuer that is not specifically tailored to the Bonds or that does not rise to the level of a recommendation concerning a course of action. We will, however, analyze and advise the Issuer regarding the legal ramifications of the structure, timing, terms and other provisions of the Bonds, as these functions are essential to developing a plan of finance.

Applicable ethical rules in Louisiana prohibit us from undertaking this representation if we represent another party that is directly adverse to the Issuer or if there is a significant risk that other considerations will materially limit our representation of the Issuer. As you are aware, our firm represents the State of Louisiana and many other political subdivisions, including others in St. Mary Parish. At this time, we do not believe any other current or past engagement of our firm adversely affects our ability to represent the Issuer as provided in this letter; however, we invite you to discuss any concerns you have with us.



In the interest of facilitating our services to you, we may (i) send documents, information or data electronically or via the Internet or (ii) store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Confidential electronic documents or data of the Issuer may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents, and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, the Issuer recognizes and accepts that we have no control over the unauthorized interception or breach of any communications, documents, or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party service providers. By acceptance of this letter, the Issuer consents to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

If this letter is acceptable to the Issuer, please so indicate by executing below and returning a copy to us, retaining an original for your files. We appreciate the opportunity to serve the Issuer and look forward to working with you.

**FOLEY & JUDELL, L.L.P.**

**By:** \_\_\_\_\_  
**M. JASON AKERS, PARTNER**

**ACCEPTED AND APPROVED:**

**By:** \_\_\_\_\_  
**NAME: DAVID HANAGRIFF**  
**TITLE: PARISH PRESIDENT**

**DATED: MARCH 10, 2021**

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## EXHIBIT B



February 19, 2021

Lee Bressler  
[Lee.Bressler@raymondjames.com](mailto:Lee.Bressler@raymondjames.com)

Subject: St. Mary Parish, Louisiana  
2021 Tax-Exempt Limited Tax Revenue Refunding Bond (the "2021 Loan")

Dear Lee:

This Term Sheet is presented by Capital One Public Funding, LLC ("COPF") to St. Mary Parish, Louisiana ("Borrower or Parish") in connection with our discussions regarding the above-referenced potential refunding transaction. COPF owns 100% of the Parish's Limited Tax Revenue Bond Series 2018 and Series 2019 (the "2018 and 2019 Loans"). Although the 2018 and 2019 Loans are not currently callable, COPF is willing to allow the Parish to prepay the vast majority of the 2018 and 2019 Loans no later than April 16, 2021 ("Prepayment Date"), on the following terms:

- COPF is proposing a refunding of most of the maturities of the 2018 Loan, which carries an interest rate of 3.83% and is not callable until 6/2/25, and the 2019 Loan, which carries an interest rate of 3.35% and is not callable until 6/2/25;
- The 2018 and 2019 Loans will be amended to allow for a special prepayment;
- COPF shall allow the special prepayment of all mandatory redemptions due and payable on 6/01/22 through and including 6/01/39 (\$18,995,000) at 100% of the prepaid amount plus accrued interest to the Prepayment Date;
- The remaining 6/01/21 maturity of the 2018 and 2019 Loans (\$665,000) shall remain unfunded;
- A new amortization schedule shall be attached to the 2021 Loan which shall substantially track to the combined amortization of the 2018 and 2019 Loans; and
- The 2021 Loan shall carry an interest rate of 2.95% and will be callable in whole at par beginning 6/1/32.

#### Documentation

2021 Loan documentation shall be prepared by qualified bond counsel subject to review by COPF and its counsel. Borrower shall provide, at its expense, an opinion of legal counsel (acceptable to COPF) attesting to the legal, valid, and binding nature of the transaction and the tax-exempt nature of the interest component of the 2021 Loan payments.

#### Costs of Issuance

The Borrower shall be responsible for normal borrower costs of issuance including a financial advisor, placement agent, bond counsel and \$7,500 (capped) of COPF's legal fees.

#### Direct Loan

The 2021 Loan shall be directly funded by (and registered in the name of) COPF and delivered in physical, non-book-entry, certificated form. It shall not be (i) assigned a separate rating by any rating agency; (ii) registered with the Depository Trust Company or any other securities depository; (iii) issued pursuant to any type of official statement, private placement memorandum or other offering document; or (iv) assigned a CUSIP number.

#### Audited Financial Statements

Upon request, as soon as available, the Borrower shall send COPF a copy of its audited financial statements as of the end of the fiscal year.



#### **Municipal Advisor Rules**

This term sheet is provided to the Borrower pursuant to and in reliance upon the “bank exemption” provided under the municipal advisor rules of the Securities and Exchange Commission, Rule 15Ba1-1 seq.

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

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

#### **Other Information**

To the extent that updated financial and other credit materials have not already been provided to COPF or are not available through public resources, COPF may require and request the following: audited and unaudited financial statements; budgets; information on outstanding bond issues, lease transactions, and contingent/material liabilities; tax base details; and other reasonable and customary information relevant to the Borrower’s credit quality and the source of repayment.

#### **Confidentiality**

The information contained herein is strictly confidential and is intended for review by the parties, their advisors and legal counsel only and may not be disclosed to any other person or entity, except as required by law or otherwise consented to by COPF.

#### **Closing**

Closing is anticipated to take place on April 16, 2021. This Term Sheet does not represent a commitment. The funding of the 2021 Loan will only occur upon the approval and acceptance of the 2021 Loan documents by COPF, the Borrower, and their respective counsels.

#### **Term Sheet Expiration**

This term sheet shall expire if not accepted by the Borrower by February 26, 2021. Once accepted, this term sheet shall expire if the transaction has not closed by April 16, 2021, unless extended by COPF at its sole discretion.

#### **Conditions Precedent to Close**

Any obligation of COPF to provide financing or otherwise shall arise only upon the acceptance, approval, and execution of final 2021 Loan documents signed by authorized signatories of COPF and not from statements (oral or written) made during the course of discussions among the parties (whether or not prior to or after the date hereof).



Thank you for the opportunity to offer this term sheet. Should you have any questions, please do not hesitate to contact me at (505) 503-7629 or [jeffrey.sharp@capitalone.com](mailto:jeffrey.sharp@capitalone.com).

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey D. Sharp".

**Jeffrey D. Sharp**  
Senior Vice President / Director of Business Development  
Capital One Public Funding, LLC

cc: Jonathan Lewis, Capital One Public Funding, LLC  
Brenda Barnes, Capital One Public Funding, LLC

**ACCEPTED BY: St. Mary Parish, Louisiana**

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



<b>19,137,000.00</b>		<b>Par Amount - Includes Sample COI of \$142,000 (75bps)</b>		
<b>St. Mary Parish</b>				
<b>Debt Service Schedule</b>				
<b>Date</b>	<b>Principal</b>	<b>Coupon</b>	<b>Interest</b>	<b>Total P+I</b>
06/01/2021	-	2.95%	70,567.69	70,567.69
12/01/2021	-	2.95%	282,270.75	282,270.75
06/01/2022	817,000.00	2.95%	282,270.75	1,099,270.75
12/01/2022	-	2.95%	270,220.00	270,220.00
06/01/2023	838,000.00	2.95%	270,220.00	1,108,220.00
12/01/2023	-	2.95%	257,859.50	257,859.50
06/01/2024	865,000.00	2.95%	257,859.50	1,122,859.50
12/01/2024	-	2.95%	245,100.75	245,360.75
06/01/2025	891,000.00	2.95%	245,100.75	1,136,360.75
12/01/2025	-	2.95%	231,958.50	231,958.50
06/01/2026	917,000.00	2.95%	231,958.50	1,148,958.50
12/01/2026	-	2.95%	218,432.75	218,432.75
06/01/2027	940,000.00	2.95%	218,432.75	1,167,432.75
12/01/2027	-	2.95%	204,435.00	204,435.00
06/01/2028	974,000.00	2.95%	204,435.00	1,178,435.00
12/01/2028	-	2.95%	190,068.50	190,068.50
06/01/2029	1,009,000.00	2.95%	190,068.50	1,199,068.50
12/01/2029	-	2.95%	175,185.75	175,385.75
06/01/2030	1,038,000.00	2.95%	175,185.75	1,213,385.75
12/01/2030	-	2.95%	159,875.25	159,875.25
06/01/2031	1,067,000.00	2.95%	159,875.25	1,226,875.25
12/01/2031	-	2.95%	144,137.00	144,137.00
06/01/2032	1,100,000.00	2.95%	144,137.00	1,244,137.00
12/01/2032	-	2.95%	127,912.00	127,912.00
06/01/2033	1,133,000.00	2.95%	127,912.00	1,260,912.00
12/01/2033	-	2.95%	111,200.25	111,200.25
06/01/2034	1,164,000.00	2.95%	111,200.25	1,275,200.25
12/01/2034	-	2.95%	94,031.25	94,031.25
06/01/2035	1,201,000.00	2.95%	94,031.25	1,295,031.25
12/01/2035	-	2.95%	76,316.50	76,316.50
06/01/2036	1,237,000.00	2.95%	76,316.50	1,313,316.50
12/01/2036	-	2.95%	58,070.75	58,070.75
06/01/2037	1,273,000.00	2.95%	58,070.75	1,331,070.75
12/01/2037	-	2.95%	39,294.00	39,294.00
06/01/2038	1,312,000.00	2.95%	39,294.00	1,351,294.00
12/01/2038	-	2.95%	19,942.00	19,942.00
06/01/2039	1,352,000.00	2.95%	19,942.00	1,371,942.00
<b>Total</b>	<b>\$15,837,000.00</b>		<b>\$5,812,621.00</b>	<b>\$24,549,621.00</b>

In response to Mr. Ramsey’s inquiry, Jason Akers, Foley & Judell, LLP explained that Capital One researched and offered a lower interest rate if the Parish would refinance and extend the redemption date. He stated that the savings would be approximately \$1.2 million. He also informed that this is not a new tax or an extension of a final maturity.

## RESOLUTION

A resolution giving preliminary approval to the issuance of, not exceeding, One Million Dollars (\$1,000,000) of Public Improvement Sales Tax Bonds of the Parish of St. Mary, State of Louisiana (the "Issuer"); providing certain terms of said bonds; making application to the State Bond Commission for approval of said Bonds; hiring professionals in connection therewith; and providing for other matters in connection therewith.

**WHEREAS**, the Parish of St. Mary, State of Louisiana (the "Issuer") is now receiving revenues derived from the levy and collection of a special one percent (1%) sales and use tax being levied and collected by the Issuer, pursuant to an election held in the Issuer on December 7, 1965 (the "Tax"); and

**WHEREAS**, pursuant to the Act, and subject to the approval of the State Bond Commission, the Issuer desires to issue not exceeding One Million Dollars (\$1,000,000) of its Public Improvement Sales Tax Bonds (the "Bonds"), to be payable solely from and secured by the Tax, for the purpose of improving, equipping and furnishing the Parish jail facilities, and paying the costs of issuance of the Bonds; and

**WHEREAS**, after the delivery of the Bonds, the Issuer will have no outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Tax herein pledged, EXCEPT (i) Public Improvement Sales Tax Bonds, Series 2011, (ii) Taxable Public Improvement Sales Tax Refunding Bonds, Series 2020, and (iii) Public Improvement Sales Tax Bonds, Series 2020A (collectively, the "Outstanding Parity Bonds"); and

**WHEREAS**, the Issuer desires to make formal application to the State Bond Commission for approval of the Bonds and further to employ professionals in connection therewith;

**NOW THEREFORE, BE IT RESOLVED**, by the Parish Council of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Issuer, that:

**SECTION 1. Preliminary Approval of Bonds.** Preliminary approval is given to the issuance of not exceeding One Million Dollars (\$1,000,000) of Public Improvement Sales Tax Bonds of the Parish of St. Mary, State of Louisiana, pursuant to the Act, to be issued for the purpose of improving, equipping, and furnishing the Parish jail facilities, and paying the costs of issuance of the Bonds, said Bonds to be payable, equally with the Outstanding Parity Bonds, from an irrevocable pledge and dedication of the Tax, subject only to the payment of the reasonable and necessary costs and expenses of collecting and administering the Tax. The Bonds may be taxable or tax exempt, will be issued at an interest rate not exceeding 5% per annum, and shall mature no later than ten (10) years from the date of issuance. The Bonds shall be issued in fully registered form and shall have such additional terms and provisions as may be determined by this Governing Authority.

**SECTION 2. State Bond Commission.** Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Bonds and for

consent and authority to proceed with the issuance and sale of the Bonds as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Issuer. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the AState Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.," adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. **Employment.** This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of revenue bonds and the refunding bonds and based on the amount of said Bonds actually issued, sold, delivered, and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale, and delivery of said Bonds. The Parish President is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel appended hereto. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Finance is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated without further approval of this Governing Authority.

SECTION 4. **Appointment of Placement Agent/Underwriter.** Raymond James & Associates, Inc., of New Orleans, Louisiana, is hereby appointed as placement agent/underwriter in connection with the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon the issuance of the Bonds, respectively; provided that no compensation shall be due to said placement agent/underwriter unless the Bonds are actually sold and delivered.

SECTION 5. **Declaration of Official Intent.** Prior to the issuance of the Bonds, the Issuer anticipates that it may pay a portion of the costs of the project from the general fund, sales tax fund, or other available funds in an amount not exceeding \$750,000. Upon issuance of the Bonds, the Issuer reasonably expects to reimburse said expenditures from the proceeds of the Bonds. Any such allocation of the proceeds of the Bonds for reimbursement will be with respect to capital expenditures [as defined in Treasury Regulation 1.150-1(b)] and will be made upon the delivery of the Bonds and not later than one year after the date of (i) the date such expenditure was made or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 10th day of March 2021.

**APPROVED:**

---

**DEAN S. ADAMS, CHAIRMAN  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

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**ENGAGEMENT LETTER**

March 10, 2021

Hon. David Hanagriff, Parish President  
Parish of St. Mary  
Franklin, Louisiana

Re: Proposed Public Improvement Sales Tax Bonds of the  
Parish of St. Mary, State of Louisiana;

Dear Mr. Hanagriff:

The purpose of this engagement letter is to set forth certain matters concerning the role we will serve and the legal services we will provide as bond counsel to the Parish of St. Mary, State of Louisiana (the "Issuer") in connection with the issuance of the captioned bonds (collectively, the "Bonds"). We understand that the Bonds will be issued for the purpose (the "Project") described in the resolution adopted by the Parish Council of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Issuer, on March 10, 2021.

As bond counsel, we will prepare and submit to the Governing Authority for adoption all of the legal proceedings required for the authorization, issuance, sale and delivery of the Bonds and provide advice of a traditional legal nature as to the issuance and sale of the Bonds. Our job is principally to render certain opinions to the Issuer regarding (i) the validity of the Bonds under applicable Louisiana law, and (ii) other matters as may be applicable. The bond opinion will be based on facts and law existing as of its date. In rendering such opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to our firm without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws and other resolutions relating to the Bonds. During the course of this engagement, we will rely upon the staff of the Issuer and the members of the Governing Authority to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds.

In our engagement as bond counsel, we will:

- Confer with members of the working group, including you and other officials of the Issuer, relating to the Project and review legal issues relating to the structure of the Bond issue;
- Prepare the Issuing Bond Ordinance and all related financing documents (collectively, the "Bond Documents");
- Attend meetings of the Governing Authority at which the Bond Documents are adopted;
- Prepare the application for approval of the issuance of the Bonds by the State Bond Commission and attend the State Bond Commission meeting at which such approval will be considered;
- Prepare the closing index and various closing certificates and supervise the execution of certain closing documents by the various parties thereto;
- Prepare the Bonds and supervise their execution and authentication;
- Prepare complete transcripts of record covering the issuance of the Bonds and furnishing the transcripts to various parties in connection therewith; and
- Submit applicable post-closing reports to the State Bond Commission.

Our fee as bond counsel is based upon the terms, structure, size, and schedule of the financing, the services provided, and the responsibilities assumed; however, our fee will not exceed that permitted by guidelines set forth by the Attorney General of the State of Louisiana and is subject to his approval. Our fee as bond counsel is a “contingent fee,” meaning you are required to pay for our legal services only in the event the Bonds are actually sold and delivered. Other vendors or members of the working group may charge additional fees or costs for their services.

We will continue to serve as bond counsel until the delivery of the Bonds; however, the Issuer and our firm each have the right to terminate this engagement at any time after providing reasonable advanced written notice, subject to the applicable rules of professional responsibility. Upon conclusion or termination of our representation of the Issuer, papers and property furnished by the Issuer will be returned promptly upon request.

Please note that we are not municipal advisors, and we do not render financial advice or other financial services to the Issuer; however, in the course of providing traditional legal services, we may provide factual information to the Issuer that is not specifically tailored to the Bonds or that does not rise to the level of a recommendation concerning a course of action. We will, however, analyze and advise the Issuer regarding the legal ramifications of the structure, timing, terms, and other provisions of the Bonds, as these functions are essential to developing a plan of finance.

Applicable ethical rules in Louisiana prohibit us from undertaking this representation if we represent another party that is directly adverse to the Issuer or if there is a significant risk that other considerations will materially limit our representation of the Issuer. As you are aware, our firm represents the State of Louisiana and many other political subdivisions, including others in St. Mary Parish. At this time, we do not believe any other current or past engagement of our firm adversely affects our ability to represent the Issuer as provided in this letter; however, we invite you to discuss any concerns you have with us.

In the interest of facilitating our services to you, we may (i) send documents, information, or data electronically or via the Internet or (ii) store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Confidential electronic documents or data of the Issuer may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents, and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, the Issuer recognizes and accepts that we have no control over the unauthorized interception or breach of any communications, documents, or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party service providers. By acceptance of this letter, the Issuer consents to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

**FOLEY & JUDELL, L.L.P.**

**BY:** \_\_\_\_\_  
**M. JASON AKERS, PARTNER**

**ACCEPTED AND APPROVED:**

**BY:** \_\_\_\_\_  
**NAME: DAVID HANAGRIFF**  
**TITLE: PARISH PRESIDENT**  
**DATED: MARCH 10, 2021**

In response to Mr. Ramsey's inquiry, Mr. Akers explained that this is new money borrowed and secured by the parish portion of the one percent sales and use tax. It will be a ten year borrowing that will be used for improvements to the jail facility and paying costs associated with it.

**OLD BUSINESS:**

- A. Referred from the February 24, 2021 Regular Meeting - Appointment to the following Boards and Commissions:

**Water & Sewer Commission No. 2 (Bayou Vista) – 1 Vacancy**

Chris Cooper – Present Member

Glen Elliott

Mr. Ramsey moved that Chris Cooper be reappointed to Water & Sewer Commission No. 2 Board of Commissions. Mr. Duhon seconded the motion, which carried.

- B. Joyce Metoyer, Program Administrator Enterprise Zone Program has forwarded a copy of her letter written to MK Dixon Funeral Home, LLC, Enterprise Zone Contract Cancellation EZ #20140135, that the Board of Commerce & Industry cancelled the above reference Enterprise Zone Contract on Wednesday, February 24, 2021 since the hiring requirements were not met.

In response to Rev. Mathews' inquiry, Mr. LaGrange stated that this allows businesses to participate in the Enterprise Zone and take advantage of exemptions to payroll taxes. They must meet certain criteria or payroll limitations in order to participate.

**NEW BUSINESS:**

- A. Mr. Olander to request an allocation of \$1,000.00 from Wards 1, 2, 3, 4, 7, & 10 3/10% Sales Tax Fund to Fire Protection District No. 1 for equipment, materials, and supplies for its Community Beautification Event at Cypremort Point.

Mr. Olander moved to allocate funds in the amount of \$1,000.00 from Wards 1, 2, 3, 4, 7, & 10 3/10% Sales Tax Fund to Fire Protection District No. 1 for equipment, materials, and supplies for its Community Beautification Event at Cypremort Point. Mr. Ina seconded the motion, which carried. Dr. Rink abstained.

- B. Appointments to the following Boards and Commissions:

**Gravity Sub-Drainage District No. 1 of Gravity Drainage District No. 2 (Bayou Vista Area) – 2 Vacancies**

Steven Clements

Mr. Ramsey moved that Steven Clements be appointed to Gravity Sub-Drainage District No. 1 of Gravity Drainage District No. 2 (Bayou Vista Area). Mr. Hebert seconded the motion, which carried.

**Recreation District No. 2 (Siracusaville Area) – 1 Vacancy**

Gerrin Thibodeaux

Norma Jones Skinner

Mr. Duhon moved that Gerrin Thibodeaux be appointed to Recreation District No. 2 Board of Commissions. Mr. Ramsey seconded the motion, which carried.

**Recreation District No. 3 (Bayou Vista Area) – 1 Vacancy**

Steven Kelly

Mr. Ramsey moved that Steven Kelly be appointed to Recreation District No. 3 Board of Commissions. Mr. Duhon seconded the motion, which carried.

- C. Nominations for Morgan City Harbor & Terminal District – 3 Nominees to be submitted to the Governor (1 Vacancy)

Barry Dufrene  
Mike Domino

David B. DeVillier

Mr. Bennett moved to submit the names, Barry Dufrene, David B. DeVillier, and Mike Domino to the Governor for a nomination to the Morgan City Harbor & Terminal District. Dr. Rink seconded the motion, which carried. Mr. Rulf abstained.

Mr. Adams stated that in the future, he would like to see someone nominated from the Siracusa and Amelia areas.

There being no further business, Mr. Olander moved for adjournment. Mrs. Hidalgo seconded the motion, which carried.