

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

APRIL 28, 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 Mr. Hebert and the Pledge of Allegiance was led by Mr. Rulf.

Mr. Olander moved that the reading of the minutes of the First Regular Meeting, April 14, 2021, be dispensed with and that the same is approved. Mrs. Hidalgo seconded the motion, which carried.

Joy Sanders, President, Elizabeth Montgomery, Treasurer/Secretary, and Ann James of Animal Advocates of St. Mary appeared before the Council to discuss the St. Mary Parish Animal Shelter and consideration of creating an advisory committee.

Mrs. Sanders stated that she visits the shelter regularly and suggested consideration of making improvements to the cat room by adding security cameras, making a change in the ordinance regarding hold times for the cruelty cases, reducing or eliminating pull fees, examinations of friendly dogs and cats, possible additional staff, volunteers, social media presence, and consideration of creating an advisory committee.

In response to Mr. Bennett's inquiry relative to the Facebook pictures of animals, Mrs. Sanders stated those pictures were taken in St. Mary Parish Animal Shelter in 2019 and 2020 and that the animals entered the shelter in those conditions. She stated that there was one dog that had a superficial scratch on the top of the head that probably occurred from the fence and that proper care was given. She expounded on the level of care that Animal Advocates of St. Mary gives to the animals as needed.

Several Council Members recently performed surprise visits to St. Mary Parish Animal Shelter and reported that they were impressed with the conditions and care of the animals, and that they did not observe any of the alleged conditions as stated on social media.

In response to several Council Members inquiries, Chief Administrative Officer, Henry "Bo" LaGrange expounded on circumstances that cause animals to end up in the shelter, explained the fee schedule and how the revenue side of the budget is set up.

Parish President, David Hanagriff stated that the 2021 budget for the St. Mary Parish Animal Shelter is \$240,000.00.

President Hanagriff acknowledged former Parish President, Paul P. Naquin, Jr. and thanked him for his years of service to St. Mary Parish.

President Hanagriff reported that Governor John Bell Edwards has lifted the Louisiana statewide mask mandate but masks will still be required to be worn at K-12 schools, early childhood education centers, colleges and universities, hospitals, nursing homes, on public transit, and at some state government buildings. He stated that at this time, the mask mandate will be lifted in all Parish operated buildings but if the capacity is at or above 75%, masks will be required. He also stated that local businesses will decide whether or not masks are required and that each agency in the Parish Courthouse will make their own policy for their own offices.

Chief Administrative Officer, Henry “Bo” LaGrange, presented his report for a two (2) week period ending April 28, 2021. (all items are informational)

Planning & Zoning Director, Tammy Luke presented the following items as recommended by the Planning & Zoning Commission at their April 19, 2021 Regular Meeting:

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

Name: John Greene Jr  
Address: 283 Eves St. Jeanerette, LA

Parcel Id# Sec. 68 T13S R8E;  
Parcel Id# 1845041005.00-Lot 29 Sorrel Acres Subd. Acq. 410 336316.

Zoned: Existing Neighborhood (EN2) Zoned District

PURPOSE: as shown on a plat titled “Plat of Survey Showing the Resubdivision of Lot 29, Sorrel Acres Subdivision owned by John B. Greene, located in: Section 68, Township 13 South, Range 8 East, St. Mary Parish, Louisiana; by Leroy J. Gary, Jr., dated March 16, 2021.”

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

Name: Sandra Freeman  
Address: 266 Pepper Rd., Jeanerette, LA

Parcel Id# Sec. 67/40 T13S R8E;  
Parcel Id# 1725041004.00 & 1725041006.00-  
Parcel Id# 1725041004.00-18.52 ac tract por No. 1 being pot Tract  
"ABCDEFGHJIWXA" per Plat 30T 220701 situated Sec. 67 T13S R8E Acq.  
42V 267894 &  
Parcel Id# 1725041006.00-.15 ac tract por No.1 being por Tract  
"ABCDEFGHJIWXA" per Plat 30T 220701 situated Sec. 40 T13S R8E Acq.  
42V 267894.

Zoned: Agricultural (AG) Zoned District

PURPOSE: as shown on a plat titled “Plan of Land Showing Property donated by Sandra Lynn Pepper Freeman to Tevin James Rodrigue as per C.O.B. 373, Entry No. 830,703 being Tract “ABCDEA” situated in: Sections 40 & 67, T13S-R8E Southwestern Land District, St. Mary Parish, Louisiana; by Miller Engineers & Associates, Inc., dated March 18, 2021.”

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

Name: David Drinkwater  
Address: 10789 Hwy. 182 W., Franklin, LA

Parcel Id# Sec. 13 T15S R10E;  
Parcel Id# 2234524040.00- 3.68 Ac por Tract "QRXUVGTPQ" per Plat 44L  
274870 334 324672 Acq. 44L 274869.

Zoned: Agricultural (AG) Zoned District

PURPOSE: as shown on a plat titled “Preliminary Plat Showing Property Boundary Survey & Partition of “Tract QRXUVGTPQ” belonging to David L. Drinkwater Tracts are herein designated as “Tract QRSXHJQ”, “Tract XWUVGFHX”, and “Tract JHFTPJ” Also showing Property Boundary Survey of “Tract RBYWXS” and “Tract YCDEUWY” belonging to Jason Andrew Deslatte Also showing property Boundary Survey of “Tract AQPTHJA” belonging to Dale Mark Simoneaux, Sr. said property is situated

in Section 13 & 14, T15S-R10E, Parish of St. Mary, State of Louisiana; by S.J. Langlinais & Associates, Inc., dated March 4, 2021.”

**d. Recommend Preliminary & Final Subdivision/Development Approval –**

Name: Ricky Breaux, Marsha Breaux, Patti Breaux, and Vicki Boudreaux, represented by Jeremy Soirez

Address: 2351 Irish Bend Rd, Franklin, LA

Parcel Id# Sec. 31 T14S R10E;  
Parcel Id# 2414781018.00 & 2354764044.00  
Parcel Id# 2414781018.00 - 1.02 ac Tract 3B Breaux part per Plat 23Y 190075 Acq. 25W 200039 &  
Parcel Id# 2354764044.00 - 9.75 ac Tract 3A Breaux part per Plat 23Y 190075 Acq. 25W 200039.

Zoned: Agricultural (AG) and Single Family Residential (SR) Zoned District

PURPOSE: as shown on a plat titled “Preliminary and Final Plat Showing Survey and Partition of Tract 3-A and 3-B of the Heirs of Emile J. Breaux, Sr. creating Tract 1 property to be acquired Kevin A. Breaux & Tract 2 to be acquired by Vicki B. Boudreaux situated in Section 31, T14s-R10E, St. Mary Parish, Louisiana; by Soirez Land Surveying, LLC, dated April 1, 2021.”

**e. Recommend Specific Use -**

Name: Kinetica Deepwater Express, LLC  
Address: 3160 Zenor Rd., Patterson, LA

Parcel Id# Sec. 49 T15S R11E & Sec. 48 T15S R11E;  
Parcel Id# 2714444067.00 & 2714444066.00  
Parcel Id# 2714444067.00-3.00 ac Tract por of 3.471 ac Tract “ABCDA” per Plat 13W 126895 situated Sec. 49 T15S R11E Acq. 268 315297. Acq. 13W 126895. Quit Claim (2013) 10 and OVC.  
-Parcel Id# 2714444066.00-.47 ac tract por of 3.471 ac Tract “ABCDA” per Plat 13W 126895 situated Sec. 48 T15S R11E Acq. 268 315297. Acq. 13W 126895. Quit Claim (2013) 10 and OVC.

Currently Zoned: Agricultural (AG) Zoned District

Specific Use Purpose: to construct a communication tower in an Agricultural (AG) Zoned District.

**f. Recommend Rezoning –**

Name: Johnny Chauvin  
Address: 1698 Iberia St., Franklin, LA

Parcel Id# Sec. 62 T14S R9E;  
Parcel Id# 2204701197.00 - .00 - Lot Tract A-B-C-I-A per Plat 24M 192689 Acq. 291 318502.

PURPOSE: to rezone from Single Family Residential (SR) Zoned District to Neighborhood Commercial (NC) Zoned District, to allow for a food truck.

**g. Recommend Rezoning –**

Name: Kelly White  
Address: 890 Hwy 318., Four Corners, LA

Parcel Id# Sec. 5 T14S R8E;  
-Parcel Id# 1814921040.00 - Lot por No. 8 A V Prevost per Plat 3T 45481 Bd  
C B Mclean - C B Mclean - C B Mclean Hwy 318 Acq. 35V 240576.

PURPOSE: to rezone from General Commercial (GC) Zoned District to  
Existing Neighborhood (EN2) Zoned District.

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

Name: John Greene Jr  
Address: 283 Eves St. Jeanerette, LA

Parcel Id# Sec. 68 T13S R8E;  
Parcel Id# 1845041005.00-Lot 29 Sorrel Acres Subd. Acq. 410 336316.

Zoned: Existing Neighborhood (EN2) Zoned District

PURPOSE: as shown on a plat titled "Plat of Survey Showing the  
Resubdivision of Lot 29, Sorrel Acres Subdivision owned by John B. Greene,  
located in: Section 68, Township 13 South, Range 8 East, St. Mary Parish,  
Louisiana; by Leroy J. Gary, Jr., dated March 16, 2021."

Mr. Hebert seconded the motion, which carried.

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

Name: Sandra Freeman  
Address: 266 Pepper Rd., Jeanerette, LA

Parcel Id# Sec. 67/40 T13S R8E;  
Parcel Id# 1725041004.00 & 1725041006.00-  
Parcel Id# 1725041004.00-18.52 ac tract por No. 1 being pot Tract  
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Entry No. 830,703 being Tract "ABCDEA" situated in: Sections 40 & 67,  
T13S-R8E Southwestern Land District, St. Mary Parish, Louisiana; by Miller  
Engineers & Associates, Inc., dated March 18, 2021."

Mr. Hebert seconded the motion, which carried.

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

Name: David Drinkwater  
Address: 10789 Hwy. 182 W., Franklin, LA

Parcel Id# Sec. 13 T15S R10E;  
Parcel Id# 2234524040.00- 3.68 Ac por Tract "QRXUVGTPQ" per Plat 44L  
274870 334 324672 Acq. 44L 274869.

Zoned: Agricultural (AG) Zoned District

PURPOSE: as shown on a plat titled "Preliminary Plat Showing Property  
Boundary Survey & Partition of "Tract QRXUVGTPQ" belonging to David  
L. Drinkwater Tracts are herein designated as "Tract QRSXHJQ", "Tract

XWUVGFHX”, and “Tract JHFTPJ” Also showing Property Boundary Survey of “Tract RBYWXS” and “Tract YCDEUWY” belonging to Jason Andrew Deslatte Also showing property Boundary Survey of “Tract AQPTHJA” belonging to Dale Mark Simoneaux, Sr. said property is situated in Section 13 & 14, T15S-R10E, Parish of St. Mary, State of Louisiana; by S.J. Langlinais & Associates, Inc., dated March 4, 2021.”

Mr. Hebert seconded the motion, which carried.

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

Name: Ricky Breaux, Marsha Breaux, Patti Breaux, and Vicki Boudreaux, represented by Jeremy Soirez

Address: 2351 Irish Bend Rd, Franklin, LA

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Parcel Id# 2414781018.00 & 2354764044.00  
Parcel Id# 2414781018.00 - 1.02 ac Tract 3B Breaux part per Plat 23Y 190075 Acq. 25W 200039 &  
Parcel Id# 2354764044.00 - 9.75 ac Tract 3A Breaux part per Plat 23Y 190075 Acq. 25W 200039.

Zoned: Agricultural (AG) and Single Family Residential (SR) Zoned District

PURPOSE: as shown on a plat titled “Preliminary and Final Plat Showing Survey and Partition of Tract 3-A and 3-B of the Heirs of Emile J. Breaux, Sr. creating Tract 1 property to be acquired Kevin A. Breaux & Tract 2 to be acquired by Vicki B. Boudreaux situated in Section 31, T14s-R10E, St. Mary Parish, Louisiana; by Soirez Land Surveying, LLC, dated April 1, 2021.”

Mr. Hebert seconded the motion, which carried.

Mr. Olander recommended Specific Use for:

Name: Kinetica Deepwater Express, LLC  
Address: 3160 Zenor Rd., Patterson, LA

Parcel Id# Sec. 49 T15S R11E & Sec. 48 T15S R11E;  
Parcel Id# 2714444067.00 & 2714444066.00  
Parcel Id# 2714444067.00-3.00 ac Tract por of 3.471 ac Tract “ABCD” per Plat 13W 126895 situated Sec. 49 T15S R11E Acq. 268 315297. Acq. 13W 126895. Quit Claim (2013) 10 and OVC.  
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Currently Zoned: Agricultural (AG) Zoned District

Specific Use Purpose: to construct a communication tower in an Agricultural (AG) Zoned District.

Mr. Hebert seconded the motion, which carried.

Mr. Olander recommended rezoning for:

Name: Johnny Chauvin  
Address: 1698 Iberia St., Franklin, LA

Parcel Id# Sec. 62 T14S R9E;  
Parcel Id# 2204701197.00 - .00 - Lot Tract A-B-C-I-A per Plat 24M 192689 Acq. 291 318502.

PURPOSE: to rezone from Single Family Residential (SR) Zoned District to Neighborhood Commercial (NC) Zoned District, to allow for a food truck.

Mr. Hebert seconded the motion, which carried.

Mr. Olander stated that he is excited that a new business is opening in St. Mary Parish.

Mr. Olander recommended rezoning for:

Name: Kelly White  
Address: 890 Hwy 318., Four Corners, LA

Parcel Id# Sec. 5 T14S R8E;  
-Parcel Id# 1814921040.00 - Lot por No. 8 A V Prevost per Plat 3T 45481 Bd  
C B Mclean - C B Mclean - C B Mclean Hwy 318 Acq. 35V 240576.

PURPOSE: to rezone from General Commercial (GC) Zoned District to Existing Neighborhood (EN2) Zoned District.

Mr. Hebert seconded the motion, which carried.

Dr. Rink moved that the Public Hearing Report, April 14, 2021 be approved. Mr. Bennett seconded the motion, which carried.

Mr. Ina reported that he attended Water & Sewer Commission No. 4 meeting on April 21, 2021 and commended them for doing a great job.

Mr. Olander introduced the following ordinances:

#### **ORDINANCE NO.**

An Ordinance in compliance with Ordinance No. 1973,  
DIVISION 5.4 General Procedures for Public Hearings,  
Section 5.4.3 Specific Use Permits granting a Specific Use.

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

**WHEREAS**, DIVISION 5.4 General Procedures for Public Hearings, Section 5.4.3 Specific Use Permits 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 to allow construction of a communication tower in an 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 28<sup>th</sup> day of April 2021, having been published in accordance with law.

**Exhibit “A”**

**Name: Kinetica Deepwater Express, LLC**  
**Address: 3160 Zenor Rd., Patterson, LA**

**Parcel Id# Sec. 49 T15S R11E & Sec. 48 T15S R11E;**  
**Parcel Id# 2714444067.00 &2714444066.00**  
**Parcel Id# 2714444067.00-3.00 ac Tract por of 3.471 ac Tract “ABCDA” per Plat 13W 126895 situated Sec. 49 T15S R11E Acq. 268 315297. Acq. 13W 126895. Quit Claim (2013) 10 and OVC.**  
**Parcel Id# 2714444066.00-.47 ac tract por of 3.471 ac Tract “ABCDA” per Plat 13W 126895 situated Sec. 48 T15S R11E Acq. 268 315297. Acq. 13W 126895. Quit Claim (2013) 10 and OVC.**

**Currently Zoned: Agricultural (AG) Zoned District**

**Specific Use Purpose: to construct a communication tower in an Agricultural (AG) Zoned District.**

**ORDINANCE NO.**

An Ordinance in compliance with Ordinance No. 1973, Chapter 5 Procedures, Division 5.4 General Procedures for Public Hearing, Section 5.4.2 Rezonings (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 Rezonings (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 Single Family Residential (SR) Zoned District to Neighborhood Commercial (NC) Zoned District, to allow for a food truck.

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 28<sup>th</sup> day of April 2021, having been published in accordance with law.

**EXHIBIT “A”**

**Name: Johnny Chauvin**  
**Address: 1698 Iberia St., Franklin, LA**

**Parcel Id# Sec. 62 T14S R9E;**  
**Parcel Id# 2204701197.00 - .00 - Lot Tract A-B-C-I-A per Plat 24M 192689 Acq. 291 318502.**

**PURPOSE: to rezone from Single Family Residential (SR) Zoned District to Neighborhood Commercial (NC) Zoned District, to allow for a food truck.**

**ORDINANCE NO.**

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 General Commercial (GC) Zoned District to Existing Neighborhood (EN2) 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 28<sup>th</sup> day of April 2021, having been published in accordance with law.

**EXHIBIT “A”**

**Name: Kelly White**  
**Address: 890 Hwy 318., Four Corners, LA**

**Parcel Id# Sec. 5 T14S R8E;**  
**Parcel Id# 1814921040.00 - Lot por No. 8 A V Prevost per Plat 3T 45481 Bd C B**  
**Mclean - C B Mclean - C B Mclean Hwy 318 Acq. 35V 240576.**

**PURPOSE: to rezone from General Commercial (GC) Zoned District to Existing Neighborhood (EN2) Zoned District.**

**ORDINANCE NO.**

An Ordinance authorizing the Parish of St. Mary to enter into a Servitude Agreement with St. Mary Parish Water & Sewer Commission No. 3 relative to the construction, establishment, and maintenance of a waterline.

**BE IT ORDAINED** by the St. Mary Parish Council:

**SECTION I.** That the Parish of St. Mary enter into a Servitude Agreement with St. Mary Parish Water & Sewer Commission No. 3 relative to the construction, establishment, and maintenance of a waterline, all in accordance with the basic terms and conditions contained in Exhibit “A”.

**SECTION II.** That David Hanagriff, Parish President, is authorized to execute such servitude agreements on behalf of the Parish Council.

**SECTION III.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.



**SECTION IV.** This Ordinance shall become effective upon adoption.

This ordinance having been offered and read on this the 28<sup>th</sup> day of April 2021; having been published in accordance with law.

Exhibit "A"

**SERVITUDE AGREEMENT**

BE IT KNOWN THAT THE ST MARY GOVERNMENT, owner of property in the Parish of St. Mary, State of Louisiana, whose mailing address is 500 Main Street, Franklin, LA, by their authorized representative \_\_\_\_\_, (herein sometimes referred to as "GRANTOR"), who declared that subject to the conditions and stipulations hereinafter recited, GRANTOR does hereby grant, donate, confirm, transfer and deliver unto ST. MARY PARISH WATER & SEWER COMMISSION NO. 3, STATE OF LOUISIANA (herein sometimes "GRANTEE"), and does hereby dedicate to the public for the construction, establishment and maintenance of a waterline, a servitude and right-way over and across the following described property in the Parish of St Mary, Louisiana:

A permanent right of way and servitude TEN FEET [10'] wide, across property of GRANTOR as shown on a "St. Mary Water & Sewer #3, Proposed 12" Waterline Right-Of-Way, Across the Property of the St. Mary Parish Government, The Parish of St. Mary, Section 37, T15S-R10E, St. Mary Parish, Louisiana, Southwestern Land District", drawn by Miller Engineers & Associates, Inc., dated January 1, 2021, and attached hereto. Also, a temporary or working right of way and servitude THIRTY FEET [30'] wide, over & across property of GRANTOR as shown by reference to the attached survey or plat.

This grant and dedication is conditioned upon the said GRANTEE assuming the obligation of clearing the servitude area, building and constructing the said waterline, restoring the servitude area to a proper condition, and maintaining and operating the said waterline, all at the sole cost and expense of the GRANTEE. This grant is effective upon the acceptance by the GRANTEE of this grant and dedication of the terms and conditions recited.

The said servitude area shall be used by GRANTEE solely for the construction, operation, and maintenance of its proposed 12-inch waterline.

To the fullest extent permitted by law, GRANTEE will protect, defend, indemnify, and hold harmless GRANTOR, its members, agents, officers, and employees (collectively, the "Indemnified Parties") from and against all claims, demands, actions, liabilities, losses and costs, including attorney fees, arising out of or related to any act or omission in connection with this grant of servitude or in any way related to the provisions of this agreement.

GRANTEE shall be liable for and damages or injuries to the property and at all times maintain the said 12-inch waterline at its sole cost and expense. GRANTOR reserves the right to use the servitude area in any manner which is not inconsistent with the rights of the GRANTEE.

THUS, DONE AND SIGNED in the presence of the undersigned competent witnesses on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

WITNESSES:

GRANTOR:

ST. MARY PARISH GOVERNMENT

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
By: David Hanagriff, Parish President

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

Print Name: \_\_\_\_\_

Bar/Notary No.: \_\_\_\_\_

THUS, DONE AND SIGNED in the presence of the undersigned competent witnesses on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ST. MARY PARISH WATER & SEWER  
COMMISSION NO. 3, STATE OF LOUISIANA

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

By: \_\_\_\_\_  
Name: Glenn Blood  
Its: President

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

ACKNOWLEDGMENT OF ACT UNDER PRIVATE SIGNATURE,  
BY SUBSCRIBING WITNESS

Pursuant to La. R.S. 13:3720

Before me, the undersigned authority, this day personally came and appeared:

BECKY SOPRANO,

appearer, to me personally known to be the identical person whose name is subscribed to the foregoing SERVITUDE AGREEMENT as an attesting witness who, being first duly sworn, acknowledged that she subscribed her name to the foregoing instrument as a witness and that she knows \_\_\_\_\_ to be the identical person who executed the same and saw \_\_\_\_\_ sign his name as his voluntary act and deed, and for the purposes and considerations therein expressed, in her presence and in the presence of the other subscribing witness.

\_\_\_\_\_  
BECKY SOPRANO

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
NOTARY PUBLIC

**ORDINANCE NO.**

An Ordinance authorizing the Parish of St. Mary to enter into an Agreement with the Louisiana Department of Wildlife and Fisheries relative to construction within the servitude of Bayview Drive.

**BE IT ORDAINED** by the St. Mary Parish Council:

**SECTION I.** That the Parish of St. Mary enter into an Agreement with the Louisiana Department of Wildlife and Fisheries relative to construction within the servitude of Bayview Drive, all in accordance with the basic terms and conditions contained in Exhibit "A".

**SECTION II.** That David Hanagriff, Parish President, is authorized to execute such servitude agreements on behalf of the Parish Council.

**SECTION III.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION IV.** This Ordinance shall become effective upon adoption.

This ordinance having been offered and read on this the 28<sup>th</sup> day of April 2021; having been published in accordance with law.

Exhibit "A"

**CONSENT TO CONSTRUCT WITHIN A SERVITUDE OF PASSAGE AND  
IMMEDIATELY ADJACENT TO A DEDICATED PUBLIC ROAD**

**PARISH OF ST. MARY**

**STATE OF LOUISIANA**

**BE IT KNOWN**, that the Parish of St. Mary, a political subdivision of the State of Louisiana, represented herein by David Hanagriff, Parish President, who is duly authorized to sign and execute this agreement on behalf of the Parish of St. Mary, State of Louisiana, pursuant to the St. Mary Parish Ordinance No. \_\_\_\_\_, (Grantor) declared that:

1. The Louisiana Department of Wildlife & Fisheries (Grantee) is the owner of property located southwest of the intersection of Bayview Drive and Beacon Lane and previously consented to a relocation of the original Bayview Drive and granted a servitude for the purpose of creating a public road for the use and benefit of property owned or occupied south of Beacon Lane. Grantee's property is:

Tract 14 according to the partition of land between James P. Cross and Nathan A. Levy Sr. dated June 27, 1964 by Robert E. Miller, P.E. as recorded in Conveyance Book 13-K, Entry 123090 and lying in Section 30, Township 15 South, Range 6 East in the Southwestern Land District and all being in St. Mary Parish, Louisiana and being more particularly described as follows:

Beginning at a ½" iron rod marking the northeasterly most corner of Lot 2A as shown of a plan of land showing a portion of property of Legnon Enterprises, Inc... Shown as Tract "ABCDEFA" Partitioned into Lots 1A, 1B, & 2A, said point is also on the southern right-of-way line of Beacon Lane; thence north 57°04'04" east along the southern right-of-way line of Beacon Lane, a distance of 131.46 feet to the southeast corner of the intersection of Beacon Lane and Bayview Drive; thence south 02°54'54" east along the easterly right-of-way line of Bayview Drive a distance of 131.40 feet; thence south 87°05'06" west a distance of 113.83 feet; thence north 02°54'54" west a distance of 65.63 feet back to the point of beginning.

Said parcel contains 11,214 square feet or 0.257 acres, more or less.

2. Bayview Drive is a public road located in St. Mary Parish, Louisiana, south of Louisiana Highway 319, constructed and maintained by Grantor;
3. Bayview Drive is situated upon a permanent servitude fifty feet (50') wide that encumbers several servient estates, including the eastern portion of Grantee's property;
4. Grantee desires to construct a boathouse partially within Grantor's servitude, as shown in Exhibit 1.

Grantor grants permission for the Grantee to construct within the Grantor's servitude as follows:

1. To remove a small portion of asphalt on Bayview Drive to access a previously-driven bearing pile on the northeast side of Grantee's boathouse;
2. To remove a two small portions of the gravel shoulder on Bayview Drive to access two previously-drive bearing piles on the east side of Grantee's boathouse;
3. To construct the eastern side of Grantee's boathouse within Grantor's servitude;
4. To erect bollards or a similar barrier, in accordance with DOTD standards and

Grantor's permission and prior approval, along the eastern side of Grantee's boathouse to protect the structure from traffic on Bayview Drive;

5. To use and maintain the portion of the boathouse within Grantor's servitude.

Grantor reserves the right to fully use and enjoy the servitude, subject to the rights herein granted to Grantee.

The rights herein granted unto Grantee are given without warranty of title.

All terms and expressed or implied covenants of this agreement shall be subject to all applicable Federal and State laws.

The provisions of this agreement shall extend to and be binding upon the Grantor and Grantee as long as the Grantee's boathouse remains within the servitude.

To the fullest extent permitted by law, Grantee will protect, defend, indemnify and hold harmless the Grantor, its members, agents, officers, and employees (collectively, the "Indemnified Parties") from and against all claims, demands, actions, liabilities, losses and costs, including attorney fees, arising out of or related to any act or omission in the performance of this Agreement or in any way related to the provisions of this agreement.

This instrument may be executed in counterparts, and if counterparts of this document are executed, the signatures of the parties, as affixed to each counterpart, may be combined into and used as a single document.

**THUS, DONE AND SIGNED** in the presence of the undersigned competent witnesses and me, Notary, after a due reading of the whole, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_

**Louisiana Department of Wildlife and Fisheries, appearing herein by and through its Secretary, Jack Montoucet - Grantee**

\_\_\_\_\_  
**Notary Public**

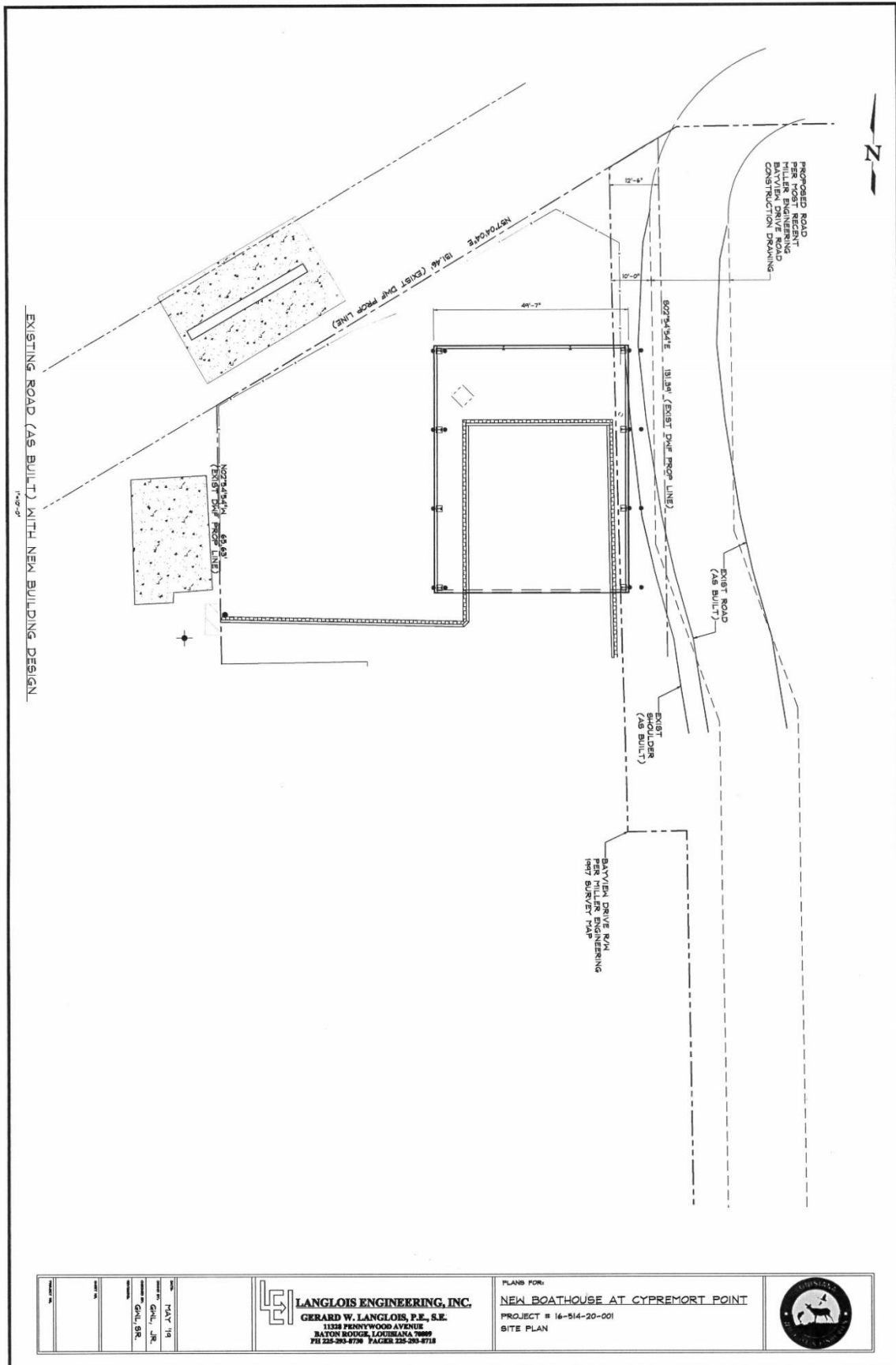
**THUS, DONE AND SIGNED** in the presence of the undersigned competent witnesses and me, Notary, after a due reading of the whole, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_

**St. Mary Parish, appearing herein by and through its Parish President, David Hanagriff - Grantor**

\_\_\_\_\_  
**Notary Public**



DATE	1/14/14
BY	PAV
CHECKED BY	GILL, JR.
DESIGNED BY	GILL, SR.

**LANGLOIS ENGINEERING, INC.**  
 GERARD W. LANGLOIS, P.E., S.E.  
 1338 FERRYWOOD AVENUE  
 BATON ROUGE, LOUISIANA 70809  
 PH 225-283-8798 FAX 225-283-8718

PLANS FOR:  
**NEW BOATHOUSE AT CYPREMORT POINT**  
 PROJECT # 16-514-20-001  
 SITE PLAN



Mr. Bennett 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

### **RESOLUTION OF RESPECT**

**WHEREAS**, the Lord Almighty in His Infinite mercy and goodness has seen fit to remove from our midst, Mr. Eulice William Adams, Father of Chairman Dean S. Adams, St. Mary Parish Council; and

**WHEREAS**, Mr. Adams was a lifelong resident and business owner in Morgan City, Louisiana and; and

**WHEREAS**, Mr. Adams loved his family and cherished every moment that he was able to spend with them and was known as jokester who loved playing pranks on people; and

**WHEREAS**, Mr. Adams was a beloved husband, father, grandfather, and great-grandfather and was cherished by his entire family; and

**WHEREAS**, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. Adams; and

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

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

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 28<sup>th</sup> day of April 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**

Item 13B, "Resolution providing for the approval and authorization for Change Order No. 4 relative to the Boudreaux Street to Gilmore Drive Project," was withdrawn.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

### **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 Volute, Inc., 313 Venture Blvd., Houma, Louisiana 70360 relative to the Boudreaux to Gilmore Drainage Project.

**WHEREAS**, Volute, Inc., 313 Venture Blvd., Houma, Louisiana 70360, has substantially completed the Boudreaux to Gilmore Drainage Project.

**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 Boudreaux to Gilmore Drainage Project.

**BE IT FURTHER RESOLVED**, that he shall 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 28<sup>th</sup> day of April 2021.

**APPROVED:**

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

**ATTEST:**

---

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

### **RESOLUTION**

A resolution approving the holding of an election in Recreation District No. 4 of the Parish of St. Mary, State of Louisiana, on Saturday, October 9, 2021, to authorize the levy of a special tax therein.

**WHEREAS**, the Board of Commissioners of Recreation District No. 4 of the Parish of St. Mary, State of Louisiana (the "Governing Authority"), acting as the governing authority of Recreation District No. 4 of the Parish of St. Mary, State of Louisiana (the "District"), adopted a resolution on April 21, 2021, calling a special election in the District on Saturday, October 9, 2021, to authorize the levy of a special tax therein; and

**WHEREAS**, the Governing Authority 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 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 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. 4 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 9, 2021, at which election there will be submitted the following proposition, to-wit:

**PROPOSITION  
(MILLAGE)**

Shall Recreation District No. 4 of the Parish of St. Mary, State of Louisiana (the "District"), levy a tax of two and twenty-four hundredths (2.24) mills (an estimated \$128,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) on all the property subject to taxation in the District for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, 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 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 28<sup>th</sup> day of April 2021.

**APPROVED:**

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

**ATTEST:**

---

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

**RESOLUTION**

A resolution ratifying actions of David Hanagriff, Parish President and authorizing the President of St. Mary Parish to execute a previously executed grant agreement with the Federal Aviation Administration relative to the Airport Coronavirus Relief Grant Program (ACRGP) – Harry P. Williams Memorial Airport.



**WHEREAS**, David Hanagriff, Parish President executed a grant agreement on April 14, 2021 with the Federal Aviation Administration relative to the Airport Coronavirus Relief Grant Program (ACRGP) – Harry P. Williams Memorial Airport.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Mary Parish Council does hereby ratify the actions of David Hanagriff, President of the Parish of St. Mary, and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute the current grant agreement with the Federal Aviation Administration relative to the Airport Coronavirus Relief Grant Program (ACRGP) – Harry P. Williams Memorial Airport, 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 28<sup>th</sup> day of April 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**

**WHEREAS**, the resignation of Robert “Bobby” Darce, Sr. has created a vacancy in Ward Six Marshal Office position of St. Mary Parish effective April 9, 2021, and

**WHEREAS**, St. Mary Parish Council hereby does accept the resignation of Marshal Robert P. Darce, Sr., and

**WHEREAS**, Pursuant to R.S. 18:604, Mr. Ronald C. Kinchen, Chief Deputy Marshal, P.O. Box 1577, Morgan City, Louisiana 70381 has filled the vacancy created by Marshal Darce’s resignation, in accordance with law.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Mary Parish Council does hereby call a special election to fill the vacancy with the primary election to be held on October 9, 2021 and the general election to be held on November 13, 2021.

**BE IT FURTHER RESOLVED**, that the St. Mary Parish Council does hereby establish July 14, 15, and 16, 2021, as the qualifying dates for the special election.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 28<sup>th</sup> day of April 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**

In response to Mr. Bennett's inquiry, Legal Counsel, Eric Duplantis explained that in the event that a marshal of a city or municipal court resigns and there is a chief deputy, the chief deputy will serve as interim and a special election must be held. He further explained that the Secretary of State mistakenly wrote that there was not a current chief deputy when in fact, there is. He also informed that because there is a small portion of the unincorporated area of Siracusaville that is included in Ward Six, St. Mary Parish is the proper authority to call the special election.

In response to Mr. Ina's inquiry, Clerk Council, Lisa C. Morgan informed of the qualifying dates, primary election date, and general election date.

In response to Mr. Ina's inquiry, Mr. Hanagriff stated that the City of Morgan City and the Parish will share the cost of the election.

**OLD BUSINESS:**

- A. Referred from the December 16, 2020 Regular Meeting - Appointment to the following Boards and Commissions:

**Fire Protection District No. 11 (Four Corners) – 1 Vacancy**

Russell J. Viator

Rev. Mathews moved that Russell J. Viator be appointed to Fire Protection District No. 11. Dr. Rink seconded the motion, which carried.

- B. Roz Moore, Director, Boards & Commissions Office of Governor John Bel Edwards has emailed "Thank you for the nominations submitted by St. Mary Parish for the Morgan City Harbor District. Unfortunately, Mr. Dufrene has withdrawn his name as a nominee. Please submit a new list of three nominees for the seat currently held by Lee A. Dragna, which expired on March 30, 2021. For each nominee please include their full and proper name, a brief bio, cell phone number, and email. Thank you for your assistance. Please contact me with any questions."

President Hanagriff stated that he will have a list submitted at the May 11, 2021 Parish Council Meeting.

**NEW BUSINESS:**

- A. Ray Wood, Attorney has written in accordance with La. R.S. 18:653, I am enclosing a copy of the notification of resignation received from the Honorable Robert "Bobby" Darce, Sr., City Marshal, City Court, City of Morgan City, Parish of St. Mary.

Pursuant to La. R.S. 18:604, the governing authority shall within twenty (20) days from the date of the vacancy (on or before April 29, 2021):

- Make an appointment to fill the vacancy as records do not indicate that there is a current Chief Deputy.
- Call a special election. The next available election is October 9, 2021 and November 13, 2021 with qualifying dates of July 14, 15, & 16, 2021.

After a proclamation is issued calling the election and an appointment has been made, a certified copy of the proclamation calling the special election as well as the certified minutes of the meeting in which the appointment was made or certified resolution, are to be mailed to our office. A Commission will be issued to the person appointed to fill the vacancy.

If the governing authority does not timely call the special election and/or make an appointment, we will forward a request to the Governor to do so pursuant to La. R.S. 18:604.

- B. Gregory A. Price, President of Allens Communications has written to reference to notification of change of Franchise from Parish to State status in accordance with R.S. 45:1361. In accordance with State Law, Allens submitted its application to the Secretary of State for the renewal of its cable franchise to continue providing service to your parish. Under the previous Parish's franchise agreement last renewed, Allens has been collecting from its subscribers and paying to the Parish (semiannually) a franchise fee of 3% based on gross regular basic subscriber revenues.

Transitioning to the State authorization will require you to adopt an ordinance to address the continuance of your franchise fee. Subsection D of the State law allows the local authority to collect whatever percentage they deem necessary; but, no more than 5% of gross revenues received from the provision of cable video service and/or any locally inserted advertising disseminated through video services. Be advised however, Allens currently does not locally insert any advertising on its system servicing the Parish.

Subsection D also allows for the payment of the fees collected from subscribers on a quarterly basis unless otherwise specified. I also ask that unless you deem it necessary to change to the quarterly schedule, Allens would prefer, if possible, to retain its current accounting procedures and maintain its semiannual payment as has been utilized since Allens first began providing service to the Parish.

I thank you in advance for your consideration and understanding during this transition.

Mr. LaGrange expounded on the cable service that is provided to the unincorporated areas, the franchise fee, and the franchise agreement with Allens Communications.

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