

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

APRIL 22, 2020
FRANKLIN, LOUISIANA

The St. Mary Parish Council met on this date in Regular Session via Video Conference 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, Gwendolyn L. Hidalgo, and Kristi Prejeant Rink, M.D. Five (5) Council Members were physically present and the remaining six (6) were present via video conferencing.

The Invocation was pronounced by Mr. Hebert and the Pledge of Allegiance was led by Dr. Rink.

Mr. Olander moved that the reading of the minutes of the First Regular Meeting, April 8, 2020, be dispensed with and that the same is approved. Dr. Rink seconded the motion, which carried.

Mr. Bennett informed that he is currently receiving text messages from citizens stating that they cannot hear the meeting via video conference. He stated that it is an injustice to the citizens to vote on important issues, give public comment, or vote on the consolidation with these technical issues.

Parish President, David Hanagriff stated that the Council Chambers has the capacity to allow 16 citizens to attend tonight's meeting and still practice social distancing and also explained that this is the first step of the consolidation process.

Rev. Mathews stated due to Covid-19, that in order to continue to conduct Council business, adjustments have to be made as to how we meet and interact.

In response to Mr. Olander's inquiry, Mr. Bennett recommended to postpone the meeting until the stay at home order is lifted by Governor Edwards.

Consolidated Gravity Drainage District No. 2 Chairman, Lee Dragna appeared before the Council in opposition of creating Consolidated Gravity Drainage District No. 2A. He stated that he received calls from citizens stating they are scared to attend a meeting in a small place with an elevator that everyone uses and suggested to have the meeting at the Municipal Auditorium in Morgan City to allow more citizens to attend and still abide by social distancing.

Parish President, David Hanagriff reported that Hanes Clothing Company has donated 25,000 washable masks to St. Mary Parish to be distributed to citizens. Distribution will be based on population. The Parish will receive 9,600 masks to distribute to the unincorporated areas; Baldwin will receive 1,100 masks to distribute; Chitimacha will receive 500 masks to distribute; Berwick will receive 2,200 masks to distribute; Patterson will receive 2,800 masks to distribute; Franklin will receive 3,500 masks to distribute; Morgan City will receive 5,700 masks to distribute; Council on Aging will receive 300 masks to distribute and AARP will receive masks as well.

St. Mary Parish Coroner, Dr. Eric Melancon reported that St. Mary Parish had an increase in the number of COVID-19 positive test results bringing the total to 162. He informed that in the last 14 days there were 37 deaths, 21 deaths were COVID-19 related. In regards to Legacy Nursing Home of Franklin, there are presently 42 residents and 13 staff members that have tested positive; nine (9) deaths; nine (9) are hospitalized, and five (5) tests are pending. He stated that he has contacted Governor Edward's office to seek help with more Personal Protective Equipment (PPE) and seeking help with local physicians to find nurses who can work at Legacy Nursing Home. He also informed that the other three (3) facilities in St. Mary Parish do not have any positive cases.

In response to Rev. Mathews' inquiry relative to whether the Parish Council has the power to close Legacy Nursing Home of Franklin, Dr. Melancon stated that public health officials would have to find places for the COVID-19 residents and the facility would have to be dealt with. He informed that additional hand sanitizing locations have been installed, they are continuing education on proper

PPE use, have quarantined positive residents, isolated wards for dementia patients, and informed that medical personnel will probably be dealing with the situation for another four to six weeks.

Dr. Rink stated that the only way to contain asymptomatic carriers is to do broad testing, have the staff use appropriate PPE's, and have residents wear masks. She questioned whose authority it is to force test everyone at Legacy Nursing Home of Franklin to contain it.

In response to Dr. Rink's inquiry, Dr. Melancon stated that the incubation period for COVID-19 is four (4) to seven (7) days. He said it is not feasible to test everyone and that tests are not available to broad test every person for seven (7) consecutive days.

In response to Mr. Hebert's inquiry, Dr. Melancon stated that this is an extremely contagious disease and currently there is one (1) COVID-19 positive patient in Oschner St. Mary but the numbers are changing daily.

Homeland Security Director, David Naquin updated the Council relative to its Covid-19 response activities including the amount of PPE's that have been received and distributed. He also expounded on the distribution of masks to citizens.

President Hanagriff stated that he will meet with the Mayors to discuss a plan of action to move forward.

Chief Administrative Officer, Henry "Bo" LaGrange, presented his report for a two (2) week period ending April 22, 2020.

Item 1 in Mr. LaGrange's report stated, "Mr. Jeff Duhe, U. S. Census Bureau Louisiana Coordinator, has written to provide an update on the response to the 2020 Census in St. Mary Parish. Nationally, there has been a 51% self-response rate and in Louisiana the self-response rate is 46.5%. St. Mary Parish as a whole has a self-response rate of 39.4%. The response rates by municipality are:

- | | |
|----------------|-------|
| a. Morgan City | 44.5% |
| b. Franklin | 45.5% |
| c. Patterson | 33.1% |
| d. Berwick | 49.0% |
| e. Baldwin | 13.4% |

Mr. Duhe asks that we continue to remind colleagues, friends, family and constituents that they can easily respond from home through the mail, computer, smart phone or regular voice phone. The following link can monitor how the parish and the municipalities are responding as it is updated every day at 2 PM: <https://2020census.gov/en/response-rates.html>."

In response to Mr. Hebert's inquiry relative to cutting budget items due to the current economy, Mr. LaGrange expounded on available funds related to the COVID-19 pandemic expenses of the Parish and that revenues are being monitored and major purchases may be delayed.

Mr. Duhon moved that the following Ordinance be adopted. Rev. Mathews seconded the motion.

In response to Mr. Ina's inquiry, President Hanagriff stated that this consolidation was discussed about a year ago with the outgoing Council that passed a letter of intent in December 2019, tabled it twice, and reintroduced it once. He expounded on millage, consolidation, and cost savings suggestions.

President Hanagriff explained the timeline if the ordinance is adopted relative to the formation, organization, and implementation of Consolidated Gravity Drainage District No. 2A.

In response to Mr. Bennett's inquiry, President Hanagriff expounded on millages and stated that Morgan City will benefit from consolidation by utilizing shared resources and improving service.

Dr. Rink expounded on concerns with service improvement, payroll costs, and operation.

In response to several Council Members inquiries, President Hanagriff and Mr. LaGrange expounded on an operational budget and the benefits of consolidation.

Mr. Dragna stated that he is concerned about millages and appointing citizens that can contribute to the board.

After lengthy discussion, Mr. Duhon called for the question. Mr. Olander seconded the motion, which carried by the following 6-5-0-0 Roll Call vote:

YEAS: Mathews, Ina, Olander, Rulf, Hebert, and Duhon

NAYS: Ramsey, Bennett, Hidalgo, Rink, and Adams

ABSTAIN: None

ABSENT: None

Mr. Duhon moved that the following ordinance be adopted. Mr. Olander seconded the motion, which carried by the following 8-3-0-0 Roll Call vote:

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

NAYS: Bennett, Rink, and Adams

ABSTAIN: None

ABSENT: None

ORDINANCE NO. 2216

An ordinance creating Consolidated Gravity Drainage District No. 2A of the Parish of St. Mary, State of Louisiana, describing the territory to compose the district and the boundaries thereof, and providing for other matters in connection therewith.

WHEREAS, the Home Rule Charter of the Parish of St. Mary, State of Louisiana, as well as the provisions of Chapter 22, Title 33 of the Louisiana Revised Statutes of 1950, as amended, (La. R.S. 33:7702 *et seq.*) (the “Act”), and other constitutional and statutory authority supplemental thereto, permit the St. Mary Parish Council (the “Parish Council”) to create one or more consolidated gravity drainage districts in its jurisdiction; and

WHEREAS, pursuant to and in compliance with the provisions of the Act, the Parish Council, acting as the governing authority of the Parish of St. Mary, State of Louisiana (the “Parish”), adopted a resolution on January 8, 2020, declaring the intent of the Parish Council to create Consolidated Gravity Drainage District No. 2A of the Parish of St. Mary, State of Louisiana (the “District”), describing the territory to compose the District and the proposed boundaries thereof, ordering and directing the publication of a notice of intention to create said District, and providing for the hearing of any and all objections to the creation thereof; and

WHEREAS, notice of the intent of the Parish Council to create the District was published one time pursuant to the Act in the *Franklin Banner-Tribune*, the official journal of the Parish, with said publication occurring on January 15, 2020; and

WHEREAS, the Parish Council, acting as the governing authority of the Parish, hereby determines that the creation of the District is in the best interests of the Parish and the inhabitants of the area affected;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council, acting as the governing authority of the Parish, that:

SECTION 1. In accordance with the provisions and authority conferred the Act, and other constitutional and statutory authority, there is hereby created Consolidated Gravity Drainage District No. 2A of the Parish of St. Mary, State of Louisiana (the “District”), which shall comprise and embrace all of that territory within the boundaries of Consolidated Gravity Drainage District No. 2 (“CGDD2”) and Gravity Drainage District No. 6 (“GDD6”) as those boundaries are presently constituted.

SECTION 2. Pursuant to the Act, the governing body of the District shall be the Parish Council. The Parish Council shall appoint a Board of Commissioners (the “Board”) for the District to assist in the operation and administration of the affairs of the District pursuant to all powers and responsibilities provided for in the Act. The Board shall consist of five (5) members appointed by the Parish Council. Three (3) of the members shall be a resident of the City of Morgan City (the “Municipality”), and two (2) of the members shall be a resident of the unincorporated area of the District. Each member of the Board shall be a resident property taxpayer and registered voter of the District and shall serve a four (4) year term, or until a successor is appointed by the Parish Council. No member of the Board shall serve more than three (3) consecutive terms. If an individual serves any portion of a term, such time is to be considered one full term for the purposes of calculating the aforementioned term limitation. The individual shall be eligible for reappointment after one full four-year term has passed since the individual’s removal from office or the expiration of his or her third consecutive term. The initial terms of the newly appointed board members shall be staggered at the discretion of the Parish Council.

SECTION 3. The domicile of the District is hereby designated as the St. Mary Parish Council Office, St. Mary Parish Courthouse, 500 Main Street, Franklin, Louisiana. The Board shall meet once a month, at a date and time to be designated by the Parish Council, consistent with all state and parish laws and ordinances.

SECTION 4. The Board shall take any and all actions required by the Act, and any other constitutional and/or statutory authority, in order to secure, account for, and allocate all funds collected or otherwise received by the District, including but not limited to maintaining appropriate accounting records for the District.

SECTION 5. CGDD2 and GDD6 shall continue in existence. Any existing taxes and service charges in both CGDD2 and GDD6 will remain in effect and continue to be collected. Such taxes and service charges shall be paid to the District and administered by the Board; however the Board shall

allocate all of the revenues from the existing taxes and service charges to the specific districts from which said revenues were derived.

SECTION 6. The entire proceeds of all funds collected or otherwise received by the District shall be used by the Board for gravity drainage purposes within the District as permitted pursuant to the Act.

All funds received shall be promptly deposited in bank account(s) established and maintained with the regularly designated fiscal agent of the District, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Board pending the final determination of the protest or litigation.

SECTION 7. Pursuant to applicable authority, the District will assume the rights and responsibilities surrounding any cooperative endeavor agreements entered into by CGDD2 and/or GDD6, to the extent they exist, and the Board shall have the power to act pursuant to said agreements on behalf of the District. In the event any cooperative endeavor agreement exists exclusively by and between the CGDD2 and GDD6, the Board shall have the ability to accept, amend, or abolish said agreement(s).

SECTION 8. The Chairman and Clerk of the Governing Authority are hereby authorized to do any and all things necessary and incidental to carry out the provisions of this Ordinance.

SECTION 9. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. If any provision of this ordinance shall be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 11. This Ordinance shall be in full force and effect immediately upon execution by the Parish President.

This Ordinance having been offered and read on this the 26th day of February, 2020; having been published in accordance with law; and having been heard in a public hearing held at Franklin, Louisiana on the 22nd day of April 2020; was adopted.

APPROVED:

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

ATTEST:

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

This Ordinance was submitted to the President on this, the 24th day of April 2020, at the hour of 8:49 a.m.

APPROVED:

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

This Ordinance was returned to the Clerk of the Council on this, the 24th day of April 2020 at the hour of 11:55 a.m.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION

A resolution authorizing David Hanagriff, the President of St. Mary Parish to execute a Cooperative Endeavor Agreement with the Town of Berwick relative to its GOMESA bond allocation.

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 Cooperative Endeavor Agreement with the Town of Berwick relative to its GOMESA bond allocation, 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 22nd day of April 2020.

APPROVED:

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

ATTEST:

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

In response to Mr. Bennett's inquiry, Mr. LaGrange expounded on the agreement with the Town of Berwick and explained that additional funds are not required.

RESOLUTION

A resolution authorizing David Hanagriff, the President of St. Mary to execute a contract with Frisco Industrial Contractors, LLC relative to the Concrete Roadway Improvements to Airport & Zenor Roads.

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 contract with Frisco Industrial Contractors, LLC, 210 Willow Street – Suite 1, Franklin, Louisiana 70538 relative to the to the Concrete Roadway Improvements to Airport & Zenor Roads, 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 22nd day of April 2020.

APPROVED:

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

ATTEST:

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

RESOLUTION

A resolution authorizing David Hanagriff, the President of St. Mary to execute a contract with Frisco Industrial Contractors, LLC relative to the Concrete Roadway Improvements to Baxter, Garber, Ford Industrial, & Degravelle Roads.

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 contract with Frisco Industrial Contractors, LLC, 210 Willow Street – Suite 1, Franklin, Louisiana 70538 relative to the Concrete Roadway Improvements to Baxter, Garber, Ford Industrial, & Degravelle Roads, 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 22nd day of April 2020.

APPROVED:

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

ATTEST:

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

RESOLUTION

A resolution authorizing David Hanagriff, the President of the Parish of St. Mary to execute a contract with Glenn Lege Construction, Inc. relative to the Asphaltic Roadway Improvements within Caffery, Chatsworth, & Columbia Subdivisions.

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 contract with Glenn Lege Construction, Inc., 1339 Fortune Road, Youngsville, Louisiana 70592, relative to the Asphaltic Roadway Improvements within Caffery, Chatsworth, & Columbia Subdivisions, with said contract to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of April 2020.

APPROVED:

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

ATTEST:

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

RESOLUTION

A Resolution authorizing David Hanagriff, the President of the Parish of St. Mary to execute an Original Entity/State Agreement, State Project No. H.011723, Federal Aid Project No. H011723, with La. DOTD, St. Mary Recreation District No. 4 and the Louisiana State Museum and BNSF Railroad Company, relative to the Cotten Road/Silo Road BNSF Railroad crossings.

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 Original Entity/State Agreement, State Project No. H.011723, Federal Aid Project No. H011723, with La. DOTD, St. Mary Recreation District No. 4 and the Louisiana State Museum and BNSF Railroad Company, relative to the Cotten Road/Silo Road BNSF Railroad crossings, 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 22nd day of April 2020.

APPROVED:

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

ATTEST:

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

NEW BUSINESS:

- A. Natalie Bourgeois, Training Specialist, Office of Attorney General Jeff Landry has written enclosing the Compliance History Report for St. Mary Parish which states every justice of the peace and constable shall attend at least one of the Justice of the Peace Training Courses offered by the attorney general pursuant to R.S. 49:251.1 every other year, and a justice of the peace or constable who fails to do so shall not earn or receive the compensation provided in this Section, until he attends a course and receives a certificate of completion from the attorney general.

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

Lisa C. Morgan, Clerk

Dean S. Adams, Chairman