

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

FEBRUARY 9, 2022  
FRANKLIN, LOUISIANA

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

The Invocation was pronounced by Rev. Mathews and the Pledge of Allegiance was led by Mr. Rulf.

Mr. Olander moved that the reading of the minutes of the Second Regular Meeting, January 26, 2022 be dispensed with and that the same be approved. Mr. Bennett seconded the motion, which carried.

Beverly Domengeaux, Executive Director, St. Mary Council on Aging, appeared before the Council to present its Annual Report and provide an update on its activities and services provided to the elderly.

Mrs. Domengeaux thanked Catholic Charities for providing additional home meal deliveries and also thanked Mr. Ina and the 100 Black Men of St. Mary Parish Organization for preparing and delivering 260 meals to home bound senior citizens in St. Mary Parish. She also informed that the St. Mary Council on Aging will celebrate Mardi Gras on February 12, 2022 at 6:00 p.m. at the American Legion in Patterson.

Several Council Members thanked Mrs. Domengeaux for her hard work and dedication to the senior citizens of St. Mary Parish.

Jennifer Collins Lanceslin, Community of Friends, Inc., appeared before the Council to discuss the upcoming calendar of events and activities highlighting “Disability Awareness Month” for the month of March.

Rev. Mathews moved that the following Proclamation be adopted. The Council seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

**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, and

**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, 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, 2022 as:

**“DEVELOPEMENTAL DISABILITY AWARENESS MONTH”**

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 9<sup>th</sup> day of February 2022.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

Tiffany Wilson, Autism Speaks, appeared before the Council to discuss “Autism Awareness Month” for the month of April and expounded on a calendar of events and activities.

Mr. Adams moved that the following Proclamation be adopted. The Council seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

**PROCLAMATION**

**WHEREAS**, Autism Spectrum Disorder (ASD) is a lifelong developmental disability, resulting in significant impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal, nonverbal, and reciprocal communication; and

**WHEREAS**, ASD is the third most common developmental disability, affecting 1,500,000 individuals nationwide, and 10,388 children in this state; and

**WHEREAS**, persons with an Autism Spectrum Disorder can succeed and reach their highest potential with effective community based supports; accurate, early diagnosis, and the resulting appropriate education and intervention are vital to the future growth and development of the individual; and

**WHEREAS**, Support groups, such as Autism Society Bayou, have dedicated years of service in their ongoing efforts to advocate for the rights, humane treatment, and appropriate education of all persons with ASD; and

**WHEREAS**, these groups remain committed to individuals with ASD and to educating families, professionals, and the general public to better understand ASD; and

**WHEREAS**, autism spectrum disorder is a complex disability that requires and greater recognition and understanding to ensure that individuals with ASD living in Morgan City are afforded a self-determined life full of dignity, respect and fulfillment.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Mary Parish Council, hereby proclaim the month of April 2022 as:

**“NATIONAL AUTISM AWARENESS MONTH”**

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 9<sup>th</sup> day of February 2022.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

Harvey Morgan stated that he resides on Barrow Street in Amelia. He appeared before the Council in favor of re-adopting an Ordinance installing a three-way stop sign at the intersection of Barrow and Tommie and in favor of re-adopting an Ordinance installing a three-way stop sign at the intersection of Barrow and Arnold Street, Amelia, Louisiana.

Mr. Duhon stated that both ordinances were approved at the last meeting but has been vetoed by the Parish President. He asked the Council to consider re-adopting both ordinances.

Mr. Bennett stated that there are no sidewalks and no space between the road and the driveways, which may present a safety hazard for residents.

Mr. Adams wished Mr. Rulf a happy birthday.

Dr. Rink commented regarding recent discussions concerning censure of Council Members and the Parish President. She advised that as Chairperson, she would like the Council so stay on track with the items on the agenda and not deviate. She also stated that meetings should be about the business of the Parish.

Mr. Olander moved that the Parish Council, Attorney Bill Bourgeois, who is the representative for Drainage District, the project manager from T. Baker Smith, Attorney Eric Duplantis, and Chief Administrative Officer, Henry “Bo” LaGrange go into Executive Session to receive an oral report regarding potential litigation and/or for the purpose of providing legal services related to the filing and litigation of a civil action for Pump Station 2 & 2A Drainage Improvements project pursuant to the provisions of R.S. 42:17 that, in pertinent part, read as follows:

A. A public body may hold an executive session pursuant to R.S. 42:16 for one or more of the following reasons:

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(2) Strategy sessions or negotiations with respect to collective bargaining, prospective litigation after formal written demand, **or litigation when an open meeting would have a detrimental affect on the bargaining or litigating position of the public body.**

Mr. Ramsey seconded the motion, which carried. Mr. Adams voted no.

In response to Rev. Mathews' inquiry relative to those attending executive session, Dr. Rink stated that the individuals that are invited into executive session are not in opposition of the Council or the Drainage Board.

Following Executive Session, Mr. Olander moved that the February 9, 2022 Regular Meeting be reconvened. Mr. Rulf seconded the motion, which carried.

Mr. Olander requested to move up Item 16A, "Discussion and action, including adopting Resolution(s), including but not limited to declaring the contractor in default and/or authorizing the filing of a lawsuit, regarding the above noted executive session, including hiring special litigation counsel and authorizing the Parish President to execute any necessary documents and agreements," including a Resolution to accept recommendations from the Legal Counsel.

After discussion, Mr. Duhon moved that the following Resolution be adopted. Mr. Adams seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

## RESOLUTION

Resolution providing the purposes for retaining specialists, experts and consultants and granting the authorization therefore.

**WHEREAS**, St. Mary Parish Government ("PARISH") exists as the governing authority of St. Mary Parish of the State of Louisiana, and

**WHEREAS**, by operation of law, the District Attorney's office (DA) serves as the regular counsel for PARISH in accordance with La. R.S. 16:2 & La. R.S. 42:261, and

**WHEREAS**, DA does not possess the ability to provide construction litigation legal services, which the PARISH urgently requires, and

**WHEREAS**, the PARISH has been and is continuing to be involved in a critical and time sensitive pump station construction contract dispute, which requires urgent legal attention, and

**WHEREAS**, the St. Mary Parish Council has determined that the PARISH must immediately retain appropriate counsel to assist it in properly serving the needs of the PARISH, and

**WHEREAS**, the PARISH, finds that these expenditures to retain and to compensate counsel for the rendition of services to PARISH, are reasonable and necessary and in the public interest.

**BE IT RESOLVED**, that the PARISH hereby agrees to retain the services of the following firm and persons:

**Bourgeois Law, LLC**  
William E. Bourgeois \$220/hr  
Paralegals \$ 80/hr

**BE IT FURTHER RESOLVED** that Mr. David Hanagriff is authorized, on behalf of the PARISH, to execute agreements with counsel at these rates and to execute all necessary and proper documents in connection therewith.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 9<sup>th</sup> day of February 2022.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON**  
**ST. MARY PARISH COUNCIL**

**ATTEST:**

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

After further discussion, Mr. Adams moved that the following Resolution be adopted. Mr. Duhon seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

### **RESOLUTION**

Resolution approving and authorizing the Parish President to execute any necessary documents and agreements relative to including, but not limited to, declaring the contractor in default and/or authorizing the filing of a lawsuit, including hiring special litigation counsel regarding the civil action suit for Pump Station 2 & 2A Drainage Improvements Project (HMGP DR. No: 1786-101-0005).

**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 act and to execute any necessary documents and agreements relative to including, but not limited to, declaring the contractor in default and/or authorizing the filing of a lawsuit, including hiring special litigation counsel regarding a possible civil action suit relative to Pump Station 2 & 2A Drainage Improvements Project (HMGP DR. No: 1786-101-0005), 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 9<sup>th</sup> day of February 2022.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON  
ST. MARY PARISH COUNCIL**

**ATTEST:**

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

In absence of Parish President, David Hanagriff, Mr. LaGrange informed that Hanagriff's Machine Shop was awarded the Lantern Award by the Louisiana Department of Economic Development, which is an award to companies that demonstrate excellence in manufacturing and provide outstanding service to their communities through the involvement of their businesses and employees.

Chief Administrative Officer, Henry "Bo" LaGrange, presented his report for a two (2) week period ending February 9, 2022. (all items are informational)

Mr. Rulf reminded that the Building a Better America Act will be awarding \$1.5 trillion in grants to states, parishes, and counties for different projects that include broadband, clean water, roads, and bridges. Mr. LaGrange stated that he will research which programs are available to benefit St. Mary Parish.

Planning & Zoning Director, Tammy Luke, presented the following items as recommended by the Planning & Zoning Commission at their January 24, 2022 Regular Meeting:

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

Name: Miller Engineers & Associates-Junius Chauvin  
Address: 86 Main St., Franklin, LA

Parcel Id# Parcel #2264661004.00 & #2264661006.00- Sec. 2 T14S R9E - #2264661004.00-Lot BD Lawless and Self - Teche - Brumby -Hiway ET AL Acq. 413 336845. Improvement on the land of Chauvin Junius L Acq. 413 336845 and #2264661006.00-Lot BD Foster - Bayou Teche -Lawless and Foster – Road Acq. 413 336845. Improvement on the land of Chauvin Junius L Acq. 413 336845. Improvement on the land of Chauvin Junius L Acq. 413 336845

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: as shown on a plat titled "Plan of Land Showing a Portion of Property of JunisL. Chauvin as per C.O.B. 413, Entry No. 336,845 to be Subdivided into Tract "ABCDEFA" situated in Section 2-, T14S-R9E St. Mary Parish, Louisiana; Southwestern Land District by Miller Engineers & Associates, Inc.,DWG No. 14622, dated December ?, 2021."

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

Name: Miller Engineers & Associates- Lawrence Johnson  
Address: 299 Eves St. Jeanerette, LA

Parcel Id# Parcel #1845041002.00- Sec. 68 T13S R8E - Lot 31 Sorrel acres subd. Acq. 175 302393 improvements

Zoned: Existing Neighborhood (EN2) Zoned District

PURPOSE: as shown on a plat titled "Plan of Land Showing a Portion of Lot 31 of Sorrel Acres Subdivision to be Subdivided into Lot 31A & 31B situated in Section 68, T13S-R8E St. Mary Parish, Louisiana; Southwestern Land District by Miller Engineers & Associates, Inc., DWG No. 10278, dated January 4, 2022."

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

Name: Miller Engineers & Associates- Donald Arcemont  
Address: 1098 Victoria Riverside Rd., Patterson, LA

Parcel Id# Parcel #2954364087.00- Sec. 3 T15S R12E - Lot 9C-2 Resub. No. 9C Riverside Est. per Plat 351 327317 Acq. 286 317876

Zoned: Agricultural (AG) Zoned District

PURPOSE: as shown on a plat titled "Plan of Land Showing Lot 9C-2 of Riverside Estates to be Subdivided into Lots 9C-2A & 9C-2B situated in Section 3-, T15S-R12E St. Mary Parish, Louisiana; Southwestern Land District by Miller Engineers & Associates, Inc., DWG No. 14684, dated December 15, 2021."

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

Name: TW Teche LLC  
Address: 5712 Hwy 182 Franklin, LA

Parcel Id# Parcel #2624381048.00- Sec. 6 T15S R11E -Lot 4-B Resub. No. 4 Ricohoc Subd. per Plat 292 318583 Acq. 241 311522. Improvement on the land of TW Teche LLC Acq 241 311522

Zoned: Existing Neighborhood (EN3) Zoned District

PURPOSE: as shown on a plat titled "Survey and Redivision of Lot 4-B and Lot 4-C into Lot4-B-1 and Lot 4-C-1 belonging to TW Teche, LLC., located in Section 6-, T15S-R11E St. Mary Parish, Louisiana; by David A. Waitz Engineering & Surveying, Inc., dated November 1, 2021."

**e. Recommend Specific Use -**

Name: Terry Creel  
Address: 21066 Hwy. 182, Jeanerette, LA

Parcel Id# Sec.40 T13S R8E;  
Parcel Id# 1785101057.00- 8.35 Ac Tract BD Teche - Albania – Hwy. 90 - Albania Acq. 67 286955 Improvements

Currently Zoned: Agricultural (AG) Zoned District

Specific Use Purpose: to operate a Bed & Breakfast in an Agricultural (AG) Zoned District.

Mr. Olander recommended Preliminary & Final Subdivision/Development Approval for:

Name: Miller Engineers & Associates-Junius Chauvin  
Address: 86 Main St., Franklin, LA

Parcel Id# Parcel #2264661004.00 & #2264661006.00- Sec. 2 T14S R9E - #2264661004.00-Lot BD Lawless and Self - Teche - Brumby -Hiway ET AL Acq. 413 336845. Improvement on the land of Chauvin Junius L Acq. 413 336845 and #2264661006.00-Lot BD Foster - Bayou Teche -Lawless and Foster – Road Acq. 413 336845. Improvement on the land of Chauvin Junius L Acq. 413 336845. Improvement on the land of Chauvin Junius L Acq. 413 336845

Zoned: Single Family Residential (SR) Zoned District

PURPOSE: as shown on a plat titled “Plan of Land Showing a Portion of Property of JunisL. Chauvin as per C.O.B. 413, Entry No. 336,845 to be Subdivided into Tract “ABCDEFA” situated in Section 2-, T14S-R9E St. Mary Parish, Louisiana; Southwestern Land District by Miller Engineers & Associates, Inc.,DWG No. 14622, dated December ?, 2021.”

Mr. Adams seconded the motion, which carried.

Mr. Olander recommended Preliminary & Final Subdivision/Development Approval for:

Name: Miller Engineers & Associates- Lawrence Johnson  
Address: 299 Eves St. Jeanerette, LA

Parcel Id# Parcel #1845041002.00- Sec. 68 T13S R8E - Lot 31 Sorrel acres subd. Acq. 175 302393 improvements

Zoned: Existing Neighborhood (EN2) Zoned District

PURPOSE: as shown on a plat titled “Plan of Land Showing a Portion of Lot 31 of Sorrel Acres Subdivision to be Subdivided into Lot 31A & 31B situated in Section 68, T13S-R8E St. Mary Parish, Louisiana; Southwestern Land District by Miller Engineers & Associates, Inc., DWG No. 10278, dated January 4, 2022.”

Mr. Adams seconded the motion, which carried.

Mr. Olander recommended Preliminary & Final Subdivision/Development Approval for:

Name: Miller Engineers & Associates- Donald Arcemont  
Address: 1098 Victoria Riverside Rd., Patterson, LA

Parcel Id# Parcel #2954364087.00- Sec. 3 T15S R12E - Lot 9C-2 Resub. No. 9C Riverside Est. per Plat 351 327317 Acq. 286 317876

Zoned: Agricultural (AG) Zoned District

PURPOSE: as shown on a plat titled “Plan of Land Showing Lot 9C-2 of Riverside Estates to be Subdivided into Lots 9C-2A & 9C-2B situated in Section 3-, T15S-R12E St. Mary Parish, Louisiana; Southwestern Land District by Miller Engineers & Associates, Inc., DWG No. 14684, dated December 15, 2021.”

Mr. Adams seconded the motion, which carried.

Mr. Olander recommended Preliminary & Final Subdivision/Development Approval for:

Name: TW Teche LLC  
Address: 5712 Hwy 182 Franklin, LA

Parcel Id# Parcel #2624381048.00- Sec. 6 T15S R11E -Lot 4-B Resub. No. 4 Ricohoc Subd. per Plat 292 318583 Acq. 241 311522. Improvement on the land of TW Teche LLC Acq 241 311522

Zoned: Existing Neighborhood (EN3) Zoned District

PURPOSE: as shown on a plat titled “Survey and Redivision of Lot 4-B and Lot 4-C into Lot4-B-1 and Lot 4-C-1 belonging to TW Teche, LLC., located in Section 6-, T15S-R11E St. Mary Parish, Louisiana; by David A. Waitz Engineering & Surveying, Inc., dated November 1, 2021.”

Mr. Adams seconded the motion, which carried.

Mr. Olander recommended Specific Use for:

Name: Terry Creel  
Address: 21066 Hwy. 182, Jeanerette, LA

Parcel Id# Sec.40 T13S R8E;  
Parcel Id# 1785101057.00- 8.35 Ac Tract BD Teche - Albania – Hwy. 90 - Albania Acq. 67 286955 Improvements

Currently Zoned: Agricultural (AG) Zoned District

Specific Use Purpose: to operate a Bed & Breakfast in an Agricultural (AG) Zoned District.

Mr. Adams seconded the motion, which carried.

Mr. Adams reported on the Louisiana National Estuarine Research Reserve (LaNERR) Site Development Committee meeting that he and several Council Members attended last night at the Morgan City Municipal Auditorium.

Mr. Olander introduced the following ordinance:

**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 operate a Bed & Breakfast 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 9<sup>th</sup> day of February 2022, having been published in accordance with law.

**Name: Terry Creel**  
**Address: 21066 Hwy. 182, Jeanerette, LA**

**Parcel Id# Sec.40 T13S R8E;**  
**Parcel Id# 1785101057.00- 8.35 Ac Tract BD Teche - Albania – Hwy. 90 - Albania Acq. 67**  
**286955 Improvements**

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

**Specific Use Purpose: to operate a Bed & Breakfast in an Agricultural (AG) Zoned District.**

Mr. Bennett moved that the following Ordinance be adopted. Mr. Adams seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

**ORDINANCE NO. 2285**

An Ordinance authorizing the Parish of St. Mary to enter into a lease agreement with The United Houma Nation for the lease of office space located within the St. Mary Parish Government Annex Building at 301 Third Street, Morgan City, LA.

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

**SECTION 1.** That the Parish of St. Mary enter into a lease agreement with The United Houma Nation for the lease of office space located within the St. Mary Parish Government Annex Building at 301 Third Street, Morgan City, Louisiana, all in accordance with the basic terms and conditions contained in Exhibit "A" attached hereto.

**SECTION 2.** That David Hanagriff, Parish President, is authorized to execute such lease on behalf of the Parish Council.

**SECTION 3.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

This ordinance shall become effective upon adoption.

This ordinance having been offered and read on this the 12<sup>th</sup> day of January, 2022; having been published in accordance with law; and having been heard in a public hearing at Franklin, Louisiana on the 9<sup>th</sup> day of February 2022; was adopted.

**APPROVED:**

\_\_\_\_\_  
**KRISTI P. RINK, M.D., CHAIRPERSON**  
**ST. MARY PARISH COUNCIL**

**ATTEST:**

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

This ordinance was submitted to the President of St. Mary Parish on this the 14<sup>th</sup> day of February 2022, at the hour of 10:01 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 15<sup>th</sup> day of February 2022, at the hour of 11:44 a.m.

Exhibit "A"

**LEASE AGREEMENT**

**UNITED STATES OF AMERICA**

**BETWEEN ST. MARY PARISH AND**

**STATE OF LOUISIANA**

**THE UNITED HOUMA NATION**

**PARISH OF ST. MARY**

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**BE IT KNOWN**, that the St. Mary Parish Government, (hereinafter, "Lessor"), represented by David Hanagriff, Parish President, as authorized by Ordinance No. \_\_\_\_\_ of the St. Mary Parish Council, whose address is Fifth Floor, Courthouse Building, Franklin, LA 70538-6198, hereby leases to The United Houma Nation (hereinafter, "Lessee"), whose address is 991 Grand Caillou Road, Building 2, Houma, LA 70363, represented herein by Lanor Curole, its Director, as authorized by a Resolution of its Council, the following described property:

A certain office containing 144 square feet located within the St. Mary Parish Government Annex Building, 301 Third Street, Morgan City, LA 70380, under the following terms and conditions:

1. This lease shall be for a primary term of five (5) years beginning on January 1, 2022, at a monthly rental of \$175 (One Hundred and Seventy-Five Dollars per month), payable in advance. Either party may cancel the lease at any time by providing at least a ninety-day (90-day) advance written notice of cancellation.
2. Lessor shall deliver and maintain the premises in good condition; thereafter, Lessor shall be responsible for general maintenance of the premises provided that Lessee shall be responsible for all minor repairs (those costing under \$50.00) and for all damages caused by Lessee.
3. Lessor shall provide: (a) Utilities (electricity, water, gas, and waste management) based upon use and occupancy of the premises for a five-day

work week; (b) Janitorial Services based upon use and occupancy of the premises for a five-day work week; and (c) Pest Control on a monthly basis.

4. Lessee shall provide insurance as follows: A policy of Commercial General Liability Insurance with a combined single limit of \$1,000,000 per occurrence for bodily injury, personal injury, and property damage and shall name as additional insureds, the Parish of St. Mary, all Parish Departments, Agencies, and volunteers as respects to liability arising out of activities performed by or on behalf of The United Houma Nation's operation, and as respects to products and completed operations of the Lessee, and premises owned, occupied, or used by Lessee. The coverage shall contain no special limitations on the scope of protection afforded to the "additional insured". Lessee shall provide copies of certificates and endorsements to the Lessor for each such insurance policy.
5. Lessee shall use the premises solely for the operation of an Outreach Office for its Vocational Rehabilitation Service operations and shall be prohibited from sub-leasing the premises without prior written consent of Lessor.

**THUS, DONE AND SIGNED** at Franklin, St. Mary Parish, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**WITNESSES:**

**ST. MARY PARISH GOVERNMENT  
BY:**

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

\_\_\_\_\_  
**DAVID HANAGRIFF  
PARISH PRESIDENT**

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

**THUS, DONE AND SIGNED** at Houma, Terrebonne Parish, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**WITNESSES:**

**UNITED HOUMA NATION  
BY:**

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

\_\_\_\_\_  
**LANOR CUROLE  
DIRECTOR**

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

Mr. Olander moved that the following Ordinance be adopted. Mr. Bennett seconded the motion, which carried by the following 10-0-0-1 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

**ORDINANCE NO. 2286**

An Ordinance authorizing the Parish of St. Mary to enter into Servitude Agreements with Cleco Power, LLC granting a Right-of-Way for construction and maintenance of electric distribution and/or transmission facilities.

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

**SECTION I.** That the Parish of St. Mary enter into a Servitude Agreement with CLECO POWER LLC for electric distribution and/or transmission facilities, all in accordance with the basic terms and conditions contained in Exhibit "A", attached hereto.

**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 12<sup>th</sup> day of January 2022; having been published in accordance with law; and having been heard in a public hearing at Franklin, Louisiana on the 9<sup>th</sup> day of February 2022; was adopted.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON  
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 14<sup>th</sup> day of February 2022, at the hour of 10:01 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 15<sup>th</sup> day of February 2022, at the hour of 11:44 a.m.

**CLECO POWER LLC  
SERVITUDE AGREEMENT**

Recorded \_\_\_\_\_  
# \_\_\_\_\_  
COB \_\_\_\_\_ Pg. \_\_\_\_\_  
Project No. \_\_\_\_\_  
Agent No. \_\_\_\_\_

STATE OF LOUISIANA  
PARISH OF ST. MARY

BE IT KNOWN, that GRANTOR(S), ST. MARY PARISH COUNCIL, represented herein by David Hanagriff, Parish President, of lawful age, whose mailing address is 500 Main Street, 5<sup>th</sup> Floor Courthouse Building, Franklin, State of Louisiana 70538, for and in consideration of one dollar (\$1.00) paid and other good and valuable consideration, receipt of which is acknowledged, has and by these presents does grant and convey unto CLECO POWER LLC, a Louisiana limited liability company, with offices at 2030 Donahue Ferry Road, Pineville, Louisiana 71360, its associated and allied companies and their respective successors and assigns, herein referred to as GRANTEE, a perpetual servitude over, under, and through a part of the following described property:

**A certain tract of land located in Section(s) 14, Township 15 South, Range 10 East, Parish of St. Mary, Louisiana, hereinafter referred to as "Right of Way."**

**Right of Way is shown on Exhibit "A" attached hereto and made a part hereof.**

GRANTOR(S) grants to GRANTEE the right to place, construct, reconstruct, repair, replace, add, modify, relocate, change the size and capacity of, operate, maintain, inspect, and/or remove underground and/or overhead electrical line(s) and/or system(s), including but not limited to poles, structures, wires, cables, conduits, guys, anchors, and other fixtures and equipment as the GRANTEE may from time to time require for the transmission and/or distribution of electric current and other forms of energy (the "Facilities"). GRANTEE may construct, operate, and maintain said overhead and underground electric distribution and/or transmission facilities anywhere on, under, along, and above the said Right of Way, and locate its facilities and other appurtenances at any places on and within the said Right of Way that GRANTEE selects, in its sole discretion. GRANTOR(S) further grants to GRANTEE the right of ingress and egress to and from said Right of Way at all times with equipment and personnel across GRANTOR(S)'s lands for the purpose of constructing, operating, and maintaining said lines and related facilities and making all necessary repairs, alterations, additions, or removal of any of its property placed thereon.

All of the Facilities and the construction, operation, and maintenance thereof, shall at all times be subject to inspection by St. Mary Parish Government (hereinafter sometimes referred to as "St. Mary Parish") who reserves the right to require such changes, additions, repairs and relocations, be made as may be considered necessary by St. Mary Parish to aid, assist or permit the relocation, reconstruction, widening and maintaining of the highway, public road, levee, right-of-way, ditch, canal, bayou, lake, stream or other such body of water located near or adjacent thereto (hereinafter sometimes referred to as "Parish Infrastructure"), and to provide proper, safe and improved protection to life and property on, near or adjacent to such Parish Infrastructure and the cost of making such changes, additions, repairs, and relocations shall be borne by GRANTEE.

GRANTOR(S) retains the right to use for GRANTOR's own purpose the land covered by the Right of Way as long as such use does not interfere with the servitude and rights granted herein. The rights and privileges granted herein shall be non-exclusive as to GRANTEE and shall not be construed to be any broader than those expressly provided for in Louisiana law, regardless of the language used in this permit, and any Facilities placed in the Right-of-Way shall be constructed, operated, and maintained in accordance with all federal, state and local laws, rules and regulations. GRANTOR(S) shall not construct nor permit to be constructed any structure, obstacle, or building of any type or nature, on, across, above, below, overhanging, or adjacent to said Right of Way that would prevent the use or endanger the said facilities or that would cause a violation of the National Electrical Safety Code.

No construction, maintenance, or operation conducted in connection with this Right of Way shall interfere with the maintenance and upkeep of the Right of Way and Parish Infrastructure by St. Mary Parish and all Right of Way affected by construction, operation, or maintenance of the Facilities of GRANTEE must be restored to as good a condition as existed prior to beginning said work and to the reasonable satisfaction of the St. Mary Parish Director of Public Works.

The installations within the Right-of-Way shall be in accordance with the following: AASHTO Guide for Accommodating Utilities Within Highway Right of Way, Code of Federal Regulations 23 (CFR23), National Electrical Safety Code C2 and 1996 Federal Communications Act. The Facilities not included in

those directives and guides shall be constructed, operated and maintained in accordance with generally accepted industry practices.

Any construction, maintenance, or operation, that is deemed an “emergency” may be performed without the necessity of any additional permit being issued by St. Mary Parish, provided the Parish Director of Public Works is notified as soon as possible as to the “emergency”. An “emergency” is defined as a sudden unexpected condition, a significant danger to persons or property, or happening resulting in an interruption of services or other condition rendering the Facilities insufficient for their intended purposes. Further, this is not applicable to drop wires used in the construction, operation or maintenance of aerial power lines.

GRANTOR(S) further grants to GRANTEE the right and privilege to open the Right of Way and thereafter keep the Right of Way clear of any and all obstacles which, in GRANTEE’s sole discretion, might interfere with or constitute a hazard to the operation and/or maintenance of said electric facilities. In addition, the GRANTEE may trim, treat, cut down, or remove any trees, growth, and vegetation without incurring damages (within the Right of Way or which could grow into the Right of Way) which may interfere with GRANTEE’s lines and other facilities, or with ingress and egress thereto.

This servitude does not convey any interest whatsoever in any oil, gas, or other minerals in, on, or under the Right of Way.

All above ground Facilities constructed, operated, or maintained by GRANTEE within the Right of Way shall be removed and disposed of by GRANTEE as soon as they cease serving their intended purpose. Encased cables, lines, electrical, and communication facilities shall be removed from abandoned casings whenever possible. Facilities that are located such that their removal would likely cause damage to Parish Facilities or other facilities may be abandoned in place if recommended by the St. Mary Parish Director of Public Works who shall also recommend the procedure for such abandonment. In all cases, the Right of Way shall be restored by GRANTEE to as good a condition as existed prior to beginning said work and to the reasonable satisfaction of the St. Mary Parish Director of Public Works.

GRANTOR(S) agrees that it will release and hold GRANTEE harmless from any claims for damage to the property and/or its improvements, except actual damages directly caused by GRANTEE as a result of construction, maintenance, and operations of its facilities.

GRANTEE agrees to defend, indemnify and hold harmless, St. Mary Parish Government and its duly appointed agents, employees and elected officials against any and all claims, suits, liabilities, losses, damages, costs or expenses including reasonable attorneys’ fees sustained by reason of the exercise of this permit and/or the construction, operation and maintenance thereof, to the extent caused by the negligence or intentional acts or omissions of GRANTEE, its agents, employees and contractors.

The servitude and rights granted herein are not exclusive, and GRANTOR(S) reserves the right to grant servitudes to others affecting the Right of Way, provided that in the reasonable judgment of GRANTEE such servitudes and rights so granted do not conflict with the rights of GRANTEE. The proposed Facilities or the construction, operation or maintenance thereof shall not unreasonably interfere with the facilities, fixtures or operations of other persons, firms, or corporations previously issued permits of use and occupy the Right of Way, and the proposed Facilities or operations and maintenance thereof shall not be unreasonably dangerous to persons or property using or occupying the Parish Right of Way under previously granted permits of use and occupancy.

To have and hold the above described servitude and rights unto the GRANTEE, its successors and assigns, forever or until said servitude is finally abandoned.

Recorded \_\_\_\_\_  
# \_\_\_\_\_  
COB \_\_\_\_\_ Pg. \_\_\_\_\_  
Project No. \_\_\_\_\_  
Agent No. \_\_\_\_\_

STATE OF LOUISIANA  
PARISH OF ST. MARY

IN WITNESS WHEREOF, the undersigned set his/her hand and seal, at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, in the presence of the undersigned witnesses, who sign as such with GRANTOR(S) after due reading.

Witnesses:

**GRANTOR(S)**  
**ST. MARY PARISH COUNCIL**

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

Signed: \_\_\_\_\_  
Print Name: David Hanagriff, Parish President  
Last 4 of SSN/TIN: XX-XXX1283

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

**NOTARY SIGNATURE**  
(when Grantor signs in front of Notary)

**THUS DONE AND SIGNED** at \_\_\_\_\_ (place of execution) in the presence of the above-signed competent witnesses who hereunto sign their names together with the appearers and me, Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

Print Name: \_\_\_\_\_  
Notary/Bar Roll No. \_\_\_\_\_  
My Commission expires \_\_\_\_\_

**OR**

**WITNESS ACKNOWLEDGEMENT**  
(when Notary not present for Grantor's signature)

BEFORE ME, the undersigned notary public, duly commissioned and qualified in and for the parish and state aforesaid, personally came and appeared \_\_\_\_\_ (must be one of the witnesses above), who, having first being duly sworn, did say and acknowledge to me, notary, that appearer subscribed his/her name to the foregoing instrument as an attesting and subscribing witness thereunto, and that he/she knows David Hanagriff, Parish President (Grantor(s)) to be the identical person(s) who executed the foregoing instrument as GRANTOR(S) and he/she witnessed David Hanagriff, Parish President, (Grantor(s)) sign his/her name as a voluntary act and deed, for the purposes and consideration therein expressed in his/her presence and the other witness.

ACKNOWLEDGING WITNESS:

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

Sworn to and subscribed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

Print Name: \_\_\_\_\_  
Notary/Bar Roll No. \_\_\_\_\_  
My Commission expires \_\_\_\_\_

Recorded \_\_\_\_\_  
# \_\_\_\_\_  
COB \_\_\_\_\_ Pg. \_\_\_\_\_  
Project No. \_\_\_\_\_  
Agent No. \_\_\_\_\_

STATE OF LOUISIANA  
PARISH OF RAPIDES

IN WITNESS WHEREOF, the undersigned has set his/her hand and seal, at \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, in the presence of the undersigned witnesses,  
who sign as such with GRANTEE after due reading.

Witnesses: Cleco Power LLC, **GRANTEE**

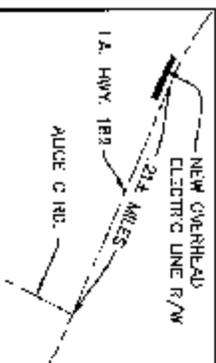
Signed: \_\_\_\_\_ By: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Justin G. Fontenot, Manager of Right of Way and Real Estate  
T.I.N.: XX-XXX4480

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

**THUS, DONE AND SIGNED** at Pineville, Louisiana, in the presence of the above-signed competent  
witnesses who hereunto sign their names together with the appearers and me, Notary Public, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022.

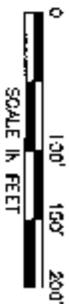
\_\_\_\_\_  
NOTARY PUBLIC

Print Name: \_\_\_\_\_  
Notary/Bar Roll No. \_\_\_\_\_  
My Commission expires \_\_\_\_\_



**PLAT OF RIGHT OF WAY**  
**NEW ELECTRICAL LINE RIGHT OF WAY**  
 ACROSS THE PROPERTY OF  
**SNMP COUNCIL,**  
 LOCATED IN SECTION 4, T155-N10E,  
 8TH WARDY PARISH, LOUISIANA

**EXHIBIT "A"**



**VICINITY MAP**

N.T.S.

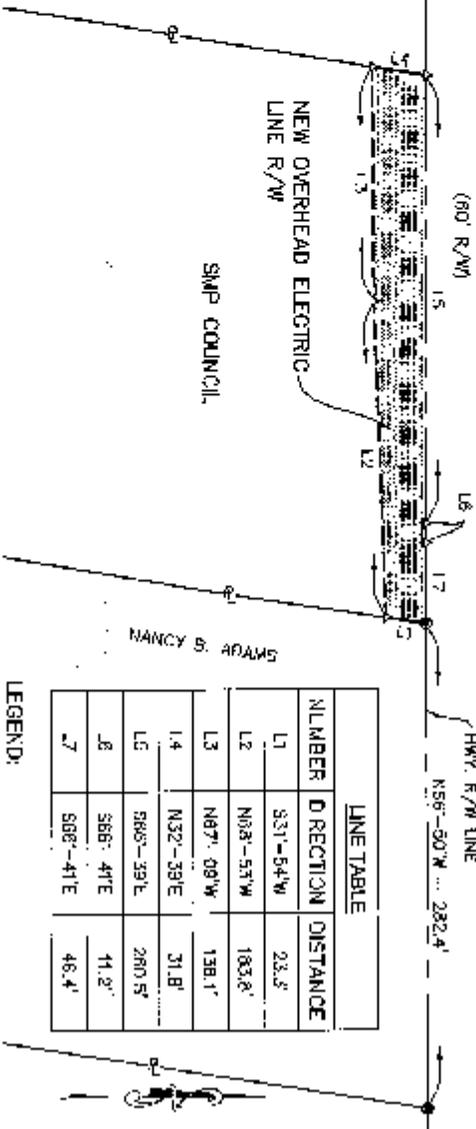
HWY. R/W LINE

LA. HWY. 182  
(60' R/W)

NEW OVERHEAD ELECTRIC  
LINE R/W

SNMP COUNCIL

MARGARET D. BERGAND



LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	S31°-54'W	23.4'
L2	N03°-57'W	103.8'
L3	N87°-09'W	138.1'
L4	N32°-39'E	31.8'
L5	S85°-39'E	280.5'
L6	S66°-41'E	41.2'
L7	S68°-41'E	48.4'

**LEGEND:**

- FOUND 3/4" RON PPE (UNLESS OTHERWISE NOTED)
- ▲ CALCULATED POINT (NOW-MONUMENTED)
- APPARENT PROPERTY LINE (SHOWN FOR INFORMATION PURPOSES ONLY)



**REFERENCE PLAT:**  
 PLAT OF SURVEY SHOWING TRACTS "ABOCCA" &  
 "DORSET" BELONGING TO JAMES J. SMILEY, III DATED  
 FEBRUARY 28, 1999 BY STEPHEN J. LONGJUMON.

**BASIS OF BEARING:**  
 LOUISIANA STATE PLANE COORDINATE SYSTEM, GRID  
 BEARINGS, NAD 83, SOUTH ZONE (1702).

**GENERAL NOTE:**  
 NO ATTEMPT HAS BEEN MADE BY PAN AMERICAN  
 ENGINEERS, I.L.C. TO VERIFY THE ACTUAL  
 OWNERSHIP, SERVICICES, CASUALTIES,  
 RIGHTS-OF-WAY OR OTHER REQUIREMENTS ON THE  
 PROPERTY OTHER THAN THAT FURNISHED BY THE  
 CLIENT OR HIS REPRESENTATIVE.



**OVERHEAD PRIMARY**

R/W WIDTH: 318'±  
 R/W LENGTH: 318'±

**CERTIFICATION**

I, **THOMAS C. DAVIS, JR.**, LICENSED PROFESSIONAL ENGINEER, NO. 46339, STATE OF LOUISIANA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE PROJECT AS SHOWN ON THE PLANS AND SPECIFICATIONS.

*Thomas C. Davis, Jr.*  
 THOMAS C. DAVIS, JR., P.E., 12475 W. HWY. 4579

DATE	REVISION	BY	REASON
12/15/2023	01	TD	ISSUE FOR PERMIT

**PAN AMERICAN ENGINEERS, I.L.C.**  
 P.O. BOX 40881 1777 JACKSON STREET  
 ALEXANDRIA, LA 71308  
 (504) 473-2100

Mrs. Hidalgo moved that the following Ordinance be adopted. Mr. Olander seconded the motion, which carried by the following 6-3-1-1 Roll Call vote:

YEAS: Bennett, Adams, Hidalgo, Rink, Olander, and Rulf

NAYS: Duhon, Ina, and Ramsey

ABSTAIN: Mathews

ABSENT: Hebert

### **ORDINANCE NO. 2287**

#### **AN ORDINANCE ESTABLISHING A ONE HUNDRED TWENTY DAY WAITING PERIOD BEFORE RE-INTRODUCING AN ORDINANCE WHICH HAS FAILED**

**WHEREAS**, The St. Mary Parish Council hereby adopts a policy providing that a proposed Ordinance placed on the agenda for adoption which fails to receive a favorable vote of the members of the Parish Council may not be placed upon the agenda of a future meeting of the council until more than one hundred twenty (120) days have passed since its failure to pass unless substantial amendments or changes have been made to the item as initially proposed.

**WHEREAS**, for purposes of this policy, where a member of the St. Mary Parish Council wishes to place a proposed Ordinance on the agenda for adoption prior to the passage of more than one hundred twenty (120) days since its failure to pass upon initial consideration, the Chairman of the Parish Council shall make a determination as to whether or not substantial amendments or changes have been made to the item as initially proposed. However, the Parish Council, by a favorable vote of a majority of its members, may override the determination of the Chairman of the Council.

**NOW, THEREFORE, BE IT ORDAINED** by the St. Mary Parish Council, acting as the governing authority of the Parish of St. Mary, State of Louisiana, hereby adopts Ordinance No. 2287 which reads as follows:

The St. Mary Parish Council hereby adopts a policy providing that a proposed Ordinance placed on the agenda for adoption which fails to receive a favorable vote of the membership of the Parish Council may not be introduced at a future meeting of the council until more than one hundred twenty (120) days have passed since its failure to pass unless substantial amendments or changes have been made to the Ordinance as initially proposed.

For purposes of this policy, where a member of the St. Mary Parish Council wishes to introduce a proposed Ordinance for adoption prior to the passage of more than one hundred twenty (120) days since its failure to pass upon initial consideration, the Chairman of the Parish Council shall make a determination as to whether or not substantial amendments or changes have been made to the item as initially proposed. However, at the meeting at which the amended or changed ordinance is introduced, the Parish Council, by a favorable vote of a majority of its membership, may override the determination of the Chairman of the Council.

Notwithstanding, the original Ordinance may be introduced at a Council Meeting sooner than the established one hundred twenty (120) day waiting period upon a favorable two-thirds vote of the Council Membership, which vote shall be taken at the meeting of and prior to its introduction.

The provisions of this Ordinance shall not supersede or apply to the waiting period requirements in Ordinance No. 1973 (St. Mary Parish Unified Development Code).

This ordinance shall become effective upon the signature of the President of St. Mary Parish.

This ordinance having been offered and read on this the 12<sup>th</sup> day of January, 2022; having been published in accordance with law; and having been heard in a public hearing at Franklin, Louisiana on the 9<sup>th</sup> day of February 2022; was adopted.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON  
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 14<sup>th</sup> day of February 2022, at the hour of 10:01 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 \_\_\_\_ day of \_\_\_\_\_ 2022, at the hour of \_\_\_\_\_.

Per Mr. Ina's inquiry relative to re-introducing an ordinance, Legal Counsel, Eric Duplantis, stated that the change would have to be a substantial change that would make it a different ordinance. He also stated that the substantial change is determined by the Chairman and that the Council could override the determination of the Chairman.

In response to Mr. Olander's inquiry, Dr. Rink stated that according to the Home Rule Charter, when an ordinance is vetoed, it is not a failure and it can be placed on the agenda for re-adoption no later than the second regular meeting after receipt of the vetoed ordinance.

Per Rev. Mathews' inquiry relative to the time frame a failed ordinance can be re-introduced, Mrs. Hidalgo stated that there is nothing in place to specify a time frame.

Dr. Rink stated that the Home Rule Charter does not specify a time frame that an ordinance can be re-introduced and she expounded on the State Legislature procedures.

Mr. Ramsey stated that his concern is that the Council is giving up part of its authority and responsibilities.

In response to Mr. Duhon's inquiry relative to Robert's Rules of Order and the prevailing party, Dr. Rink stated that Robert's Rules of Order defaults if the State does not have guidance.

After lengthy discussion, Mr. LaGrange stated that the proposed ordinance has a provision that states, "Notwithstanding, the original ordinance may be introduced at a Council Meeting sooner than the established 120 day waiting period upon a favorable two-thirds vote of the Council membership, which vote shall be taken at the meeting of and prior to its introduction."

Mr. Duhon moved that Item 14D, "FOR RE-ADOPTION - An Ordinance installing a three-way stop sign at the intersection of Barrow and Tommie Streets, Amelia, Louisiana," and Item 14E, "FOR RE-ADOPTION - An Ordinance installing a three-way stop sign at the intersection of Barrow and Arnold Street, Amelia, Louisiana," be adopted. Mr. Adams seconded the motion.

Mr. Adams stated that he has spoken to residents and informed that the Sheriff's Department conducted a traffic study approximately a year ago and the results showed that in one day there were 391 speeders, another day showed 387 speeders and 392 speeders on another day. He encouraged the Council to adopt Items 14D and 14E.

Mr. Rulf stated that he worked for the Sheriff's Department in the 1980's and was sent to work radar on Barrow Street from 8:00 a.m. to 12:00 p.m. He was told stop writing tickets because he had written a substantial amount of tickets in a short time frame.

Mr. Duhon stated that the radar cameras survey resulted in 1400 speeders in five (5) days for a period of 12 hours per day. He stated that the proposed installation of the stop signs will help the residents.

Per Rev. Mathews' inquiry relative to a study that can be done to determine whether a stop sign is needed, Mr. Ramsey expounded on the Louisiana Traffic Control Handbook for stop signs and stated that he is in favor of Items 14D and 14E but asked to be re-adopted after the adoption of the traffic control ordinance.

In response to several Council Members' inquiry, Mr. Duplantis stated that by adopting a stop sign ordinance before a study is done is a violation of State Statue but has been done before. He informed that nine (9) votes in favor of adopting the ordinances are needed in order for it to be re-adopted.

In response to Dr. Rink's inquiry relative to a free study that was done in the past by BlueLine, Mr. Duplantis stated that he is not aware of that study.

Per Mr. Bennett's inquiry, Dr. Rink stated that the State Statue pertains to any road.

In response to Mr. Duhon's inquiry relative to illegal stop sign installation in the past, Mr. Duplantis stated that the State Statue has only been in effect for the last couple of years.

Per Mr. Duhon's inquiry relative to relinquishing rights as a Parish Council to State Statues when we have a Home Rule Charter and stated that he is not relinquishing any of his rights to the administration, Mr. Duplantis stated that the State of Louisiana says the Home Rule Charters cannot be in conflict with State Law and he expounded on the State Statue relative to stop signs.

After lengthy discussion, Mr. Duhon moved to table Item 14D, "FOR RE-ADOPTION - An Ordinance installing a three-way stop sign at the intersection of Barrow and Tommie Streets, Amelia, Louisiana," and Item 14E, "FOR RE-ADOPTION - An Ordinance installing a three-way stop sign at the intersection of Barrow and Arnold Street, Amelia, Louisiana." Mr. Adams seconded the motion, which carried.

Rev. Mathews moved that the following Resolution be adopted. The Council seconded the motion, which carried by the following 9-0-0-2 Roll Call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Hidalgo and Hebert

## RESOLUTION OF RESPECT

**WHEREAS**, the Lord Almighty in His Infinite mercy and goodness has seen fit to remove from our midst, Mr. Robert Charles McCurtis, Jr., and

**WHEREAS**, Mr. McCurtis was a longtime resident and native of Franklin, Louisiana, and a dedicated husband, father, and worker, and

**WHEREAS**, Mr. McCurtis was a loyal and trustworthy Employee with the St. Mary Parish Courthouse for 38 years of service from 1979 till 2017, and

**WHEREAS**, Mr. McCurtis served in the United States Navy and served during the time of World War II, and was later discharged, receiving an Honorable Discharge, and while enlisted received the Victory Medals, and

**WHEREAS**, Mr. McCurtis received the Council on Aging's "Legacy of Achievement Award" in 2006, and

**WHEREAS**, Mr. McCurtis will be truly missed by his wife of seventy-three years, his beautiful family, and a host of friends who loved him dearly, and

**WHEREAS**, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. McCurtis, 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 9<sup>th</sup> day of February 2022.

**APPROVED:**

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**KRISTI P. RINK, M.D., CHAIRPERSON  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

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

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

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

NAYS: None

ABSTAIN: None

ABSENT: Hebert

## RESOLUTION

A Resolution approving and adopting the St. Mary Parish RESTORE Act Multiyear Plan and authorizing Parish President to execute any and all documents related thereto.

**WHEREAS**, on July 6, 2012, the President signed into law the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act), and

**WHEREAS**, RESTORE Act established the Gulf Coast Restoration Trust Fund in the U.S. Treasury Department which allocates administrative and civil penalties paid after July 6, 2012—by responsible parties pursuant to a court order, negotiated settlement, or other instrument, under section 311 of the Federal Water Pollution Control Act in connection with the Deepwater Horizon oil spill—for programs, projects, and activities that restore and protect the environmental and economy of the Gulf Coast Region, and

**WHEREAS**, RESTORE Act requires local governments to develop and submit multiyear implementation plans as a condition of receiving RESTORE Act funds, and

**WHEREAS**, the St. Mary Parish Government participated in preparation of the plan narrative and supports the plan as it pertains to the entire parish,

**NOW, THEREFORE, BE IT RESOLVED**, by the St. Mary Parish Council that the Parish President and council does hereby adopt the overall RESTORE Act Direct Component Multiyear Plan dated February 2022.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 9<sup>th</sup> day of February 2022.

**APPROVED:**

---

**KRISTI P. RINK, M.D., CHAIRPERSON  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

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

Per several Council Members' inquiries, Mr. LaGrange expounded on the RESTORE Act Fund qualifications, proposed fund amount, projects costs, and approximate completion dates.

## RESOLUTION

Resolution approving and authorizing the Parish President to execute a Cooperative Endeavor Agreement between Town of Berwick and St. Mary Parish relative to housing parish pre-trial detainees.

**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 between Town of Berwick and St. Mary Parish relative to housing parish pre-trial detainees, 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 9<sup>th</sup> day of February 2022.

**APPROVED:**

---

**KRISTI P. RINK, M.D., CHAIRPERSON  
ST. MARY PARISH COUNCIL**

**ATTEST:**

---

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

**OLD BUSINESS:**

- A. Discussion and action, including adopting Resolution(s), including but not limited to declaring the contractor in default and/or authorizing the filing of a lawsuit, regarding the above noted executive session, including hiring special litigation counsel and authorizing the Parish President to execute any necessary documents and agreements.

This item was discussed earlier.

- B. Referred from the January 26, 2022 Regular Meeting – Appointments to the following Boards and Commissions:

**Recreation District No. 6 (Baldwin, Jeanerette, & Charenton Area) – 1 Vacancy**

Benny Druilhet – Present Member

Rev. Mathews moved that Benny Druilhet be reappointed to Recreation District No. 6. Mr. Ina seconded the motion, which carried.

- C. Referred from the January 26, 2022 Regular Meeting - Discussion and approval as per Article V., Section 5.1 of Ordinance No. 2151 approving the fee for services to reimburse the Parish for employee Payroll and Human Resource services and functions provided to various Parochial Subdivisions of St. Mary Parish.

Mr. LaGrange reminded the Council of a discussion at the last Council Meeting relative to payroll fees to districts. He stated that Ordinance No. 2151 states that the Parish “may collect a fee,” it states “a reasonable fee”, and also states “at the sole discretion of the Council.” He expounded on the spreadsheet he presented relative to the revised formula that was used to calculate proposed payroll fees to districts. He asked the Council to consider approving this proposed fee rate.

In response to several Council Members’ inquiries, Mr. LaGrange expounded on services performed by the Parish and the payroll cost per number of employees.

Rev. Mathews moved to approve the fee for services to reimburse the Parish for employee Payroll and Human Resource services and functions provided to various Parochial Subdivisions of St. Mary Parish. Mr. Olander seconded the motion, which failed by the following 5-5-0-1 Roll Call vote:

YEAS: Hidalgo, Mathews, Ina, Olander, and Ramsey

NAYS: Rink, Rulf, Bennett, Duhon, and Adams

ABSTAIN: None

ABSENT: Hebert

In response to Rev. Mathews' inquiry, Mr. LaGrange stated that a rate was not adopted. He informed that if there is no change, the entities that have paid fees to the Parish under the previous formula will be reimbursed and that the Parish will continue to provide services as per the ordinance.

Per Mr. Olander's inquiry relative to how much it will cost the Parish per year to provide these services to each district, Mr. LaGrange stated that he does not have that cost at this time.

Rev. Mathews stated that the districts are collecting revenue and that he would like to know how much it will cost the Parish to process their payroll.

Mr. Adams stated that the ordinance states that the Parish does not have to collect any money and the people that are doing payroll are already employed by the Parish.

In response to Mr. Duhon's inquiry relative to the current payroll program and its cost, Mr. LaGrange stated that financial management software is used and that the cost is included in the budget.

- D. Mr. Hanagriff has issued a veto statement dated January 26, 2022, vetoing Ordinance No. 2283 - An Ordinance installing a three-way stop sign at the intersection of Barrow and Tommie Streets, Amelia, Louisiana.
- E. Mr. Hanagriff has issued a veto statement dated January 26, 2022, vetoing Ordinance No. 2284 - An Ordinance installing a three-way stop sign at the intersection of Barrow and Arnold Street, Amelia, Louisiana.

**NEW BUSINESS:**

- A. We received the following financial statements:

Claire House – year ended June 30, 2021  
St. Mary Community Action Committee Association, Inc. - year ended March 31, 2021

- B. Byron Stelly, Registrar of Voters writes in compliance with LSA-RS 42:282-286, he submitted the Report of Expenditures for the St. Mary Parish Registrar of Voters Office for the fiscal year ending December 31, 2021.
- C. Jerry Red, Jr., St. Landry Parish Council, District I, has written to formally announce his candidacy for 3<sup>rd</sup> Vice President on PJAL Executive Board.

He looks forward to the meeting in March and thanks you for your support.

- D. Discussion relative to keeping comments of Council Members and the Parish President, during discussions concerning keeping Parish matters 'on topic' and to refrain from personal opinions. (Mr. Bennett)

Mr. Bennett stated Dr. Rink explained this item earlier.

- E. Discussion and action to move the Wednesday, March 9, 2022 St. Mary Parish Regular Council meeting to Tuesday, March 8, 2022. (Dr. Rink)

Rev. Mathews moved that the March 9, 2022 meeting be held on March 8, 2022. Mrs. Hidalgo seconded the motion, which carried.

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