

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

MARCH 11, 2020  
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, Gwendolyn L. Hidalgo, and Kristi Prejeant Rink, M.D.

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

Mr. Olander moved that the reading of the minutes of the Second Regular Meeting, February 26, 2020, be dispensed with and that the same is approved. Mr. Ramsey seconded the motion, which carried.

Tim Gilmore appeared before the Council to discuss the upcoming Bayou Horseshoe Pitchers Association tournament season. He informed that the annual “Day in The Park” Tournament will be held March 14, 2020 at Kemper Williams Park. He further informed that Kemper Williams Park will host the 2020 LA State Mixed Doubles and Cajun Coast Classic named the Horseshoe Tour.

Rev. Mathews requested to move up Item 17D, “Discussion and action relative to the Consolidated Gravity Drainage District No. 2 board member including possible removal.”

Rev. Mathews requested to withdraw Item 8, “EXECUTIVE SESSION - Pursuant to the provisions of RS 42:17 (4) Investigative proceedings regarding allegations of misconduct by a Consolidated Drainage District No. 2 Board Member,” and Item 17D, “Discussion and action relative to the Consolidated Gravity Drainage District No. 2 board member including possible removal,” without any objection.

Mr. Bennett stated for the record that he was pleased items 8 and 17D were being withdrawn, and he had no further comment at this time.

Parish President, David Hanagriff reported that the Special Olympics Regional Meeting that was scheduled to be held on March 13, 2020 in New Iberia has been cancelled by the State.

Mr. Hanagriff expounded on the corona virus and the impact it has on stock market and the Country.

Chief Administrative Officer, Henry “Bo” LaGrange, presented his report for a two (2) week period ending March 11, 2020.

Item 1 in Mr. LaGrange’s report stated, “The Property Insurance Association of Louisiana has written to advise that as a continuing program to keep insurance rating classifications current, the PIAL regularly re-surveys all communities and districts in Louisiana. This is done to insure that proper rate recognition is available to individual property owners. The Classification is one of several elements used in developing fire insurance rates for properties in your community. The survey is to gather information to determine property Public Fire Protection Classification for St. Mary Parish Fire District No. 5 which will be used to develop fire insurance premiums. The last survey was in 2015. In addition, Mr. Chuck Bourgeois, Fire Chief, Franklin Fire Department, has written to request that an ordinance be adopted to make the city of limits of Franklin as a separate fire district for fire rating purposes. This request is being made in order to keep the City of Franklin’s rating a Class 5 and the remaining areas of Fire District No. 5 as a Class 6 rating.”

In response to Mr. Hebert’s inquiry regarding mosquito abatement, Mr. Hanagriff expounded on the 2019 mosquito control budget.

In response to Dr. Rink’s inquiry, Mr. LaGrange stated that Fire District 5 boundaries of Ward 3 include the eastern side, which is east of Garden City, east of the Garden City interchange exit, and

the western boundary cuts across Columbia Subdivision, a small area of the Yokely/Genevieve Street area, and Katy Circle area. Irish Bend Road going toward Oaklawn is located in Ward 10. However, the remaining area of Irish Bend Road, St. Joseph Road, Bakertown area, Chatsworth Road, and the unincorporated areas of Ward 3 and the City of Franklin make up the boundaries. The City of Franklin will become Fire District 5A.

Mr. Hebert showed a video of President Hanagriff and several Council Members, on behalf of St. Mary Parish, presenting The Laying of the Wreath at The Tomb of the Unknown Soldiers and also highlighted events they attended at the NACO Legislative Conference in Washington, D.C.

Mr. Ina reported that the Charter Review Committee has completed their review of the Home Rule Charter and will be presenting their recommendations to the Parish Council in the near future.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

#### **ORDINANCE NO. 2215**

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 Single Family Residential (SR) 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 11<sup>th</sup> day of February 2020; having been published in accordance with law; and having been heard in a public hearing at Franklin, Louisiana on the 11<sup>th</sup> day of March 2020; was adopted.

**APPROVED:**

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

**ATTEST:**

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

This ordinance was submitted to the President of St. Mary Parish on this the 13<sup>th</sup> day of March 2020, at the hour of 9:36 a.m.

**APPROVED:**

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

This ordinance was returned to the Clerk of the Council on this the 16<sup>th</sup> day of March 2020, at the hour of 9:30 a.m.

**EXHIBIT "A"**

**Name: Ester Brown  
Address: 4012 Chitimacha Trail, Charenton, LA**

**Parcel Id# Sec. 27 T13S R9E;  
-Parcel Id# 2145021019.00 -  
Parcel #2174721047.00- Lot Rem por No. 1 Joseph Armelin part per Plat CC 21066 being Rem  
por BD Teche - Fields Rd - Grevemberg situated in Sec 27 T13S R9E lying north of Chitimacha  
Trail Acq. 6F 69109.**

**PURPOSE: to rezone from Single Family Residential (SR) Zoned District to Existing  
Neighborhood (EN2) Zoned District to place a manufactured home.**

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

**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, Former Senator Dudley "Butch" Anthony Gautreaux, Jr., and

**WHEREAS**, Senator Gautreaux proudly served his country in the United States Navy from 1968-1972 as a 2<sup>nd</sup> Class Petty Officer, and

**WHEREAS**, Senator Gautreaux was very active in local, professional, and civic organizations, and

**WHEREAS**, Senator Gautreaux will be truly missed by his family and 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 Senator Gautreaux, 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 11<sup>th</sup> day of March 2020.

**APPROVED:**

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

**ATTEST:**

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

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

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. Joe J. Glenn, and

**WHEREAS**, Mr. Glenn served his country in the United States Air Force and was a dedicated business man, and

**WHEREAS**, Mr. Glenn built and started Joe's Boots and was also a vital partner to his brother in law at their company G & G Supply, and

**WHEREAS**, Mr. Glenn will be truly missed by his family and 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. Glenn, 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 11<sup>th</sup> day of March 2020.

**APPROVED:**

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

**ATTEST:**

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

Mr. Hebert 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:** Ramsey, Rulf, Hebert, Bennett, Duhon, Hidalgo, Rink, Adams, Mathews, Ina, and Olander

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

### **RESOLUTION**

A resolution ratifying actions of David Hanagriff, Parish President and authorizing the President of St. Mary Parish to execute the current Federally Funded Public Assistance State Agreement with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) relative to the declaration designated FEMA-DR-4458-LA for the State of Louisiana as a result of Hurricane Barry.

**WHEREAS**, David Hanagriff, Parish President executed a Federal Funded Public Assistance State Agreement on February 26, 2020 with Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) relative to the declaration designated FEMA-DR-4458-LA for the State of Louisiana as a result of Hurricane Barry.

**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 Federal Funded Public Assistance State Agreement with Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), 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 11<sup>th</sup> day of March 2020.

**APPROVED:**

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

**ATTEST:**

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

**RESOLUTION**

A resolution ratifying actions of David Hanagriff, Parish President and authorizing the President of St. Mary Parish to execute the current Federally Funded Public Assistance State Agreement with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) relative to the declaration designated FEMA-DR-4462-LA for the State of Louisiana as a result of Louisiana Flooding.

**WHEREAS**, David Hanagriff, Parish President executed a Federal Funded Public Assistance State Agreement on February 26, 2020 with Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) relative to the declaration designated FEMA-DR-4462-LA for the State of Louisiana as a result of Louisiana Flooding.

**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 Federal Funded Public Assistance State Agreement with Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), 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 11<sup>th</sup> day of March 2020.

**APPROVED:**

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

**ATTEST:**

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

## RESOLUTION

A resolution approving and authorizing Parish President of St. Mary Parish to execute a Facility Participation Agreement and Amendment to the Agreement with Humana Behavioral Health, Inc. relative to reimbursement of services at Fairview Treatment Center.

**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 Facility Participation Agreement and Amendment to the Agreement with Humana Behavioral Health, Inc. relative to reimbursement of services at Fairview Treatment Center, with said Agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 11<sup>th</sup> day of March 2020.

**APPROVED:**

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

**ATTEST:**

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

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

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

NAYS: None

ABSTAIN: Mathews

ABSENT: None

## RESOLUTION

**WHEREAS** acting through the United States Constitution, the people of this Country created a government to be their agent in the exercise of a few defined powers, while reserving to the citizens the right to decide on matters which concern their lives, liberty, and property in the ordinary course of affairs;

**WHEREAS** the Second Amendment of the Constitution of the United States of America states, "A well-regulated Militia being necessary to the security of a free State, the right of the People to keep and bear arms, shall not be infringed";

**WHEREAS** the right of the people to keep and bear arms is further protected from infringement by State and Local Governments under the Ninth, Tenth, and Fourteenth Amendments to the Constitution of the United States of America.

**WHEREAS** the Supreme Court of the United States of America in the District of Columbia v. Heller, 554 U.S. 570 (2008), recognized the individual's right to keep and bear arms, as protected

by the Second Amendment of the Constitution of the United States of America. Justice Antonin Scalia's prevailing opinion in that case stated that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia, and the right to use that firearm for traditionally lawful purposes, such as self-defense within the home;

**WHEREAS** Section 1 of the Fourteenth Amendment to the Constitution of the United States of America states, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws";

**WHEREAS** the Supreme Court of the United States recognized in *McDonald v. City of Chicago*, 561 U.S. 742 (2010), declared that the Second Amendment to the Constitution was incorporated by the Fourteenth Amendment and thereby made applicable to the States;

**WHEREAS** the right to be free from the commandeering hand of government has been recognized by the United States Supreme Court in *Printz v. United States*, 521 U.S. 898 (1997), the Court held: "The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program."

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Mary Parish Council does determine that the legal, historic, and patriotic words of the Second Amendment of the United States Constitution: "A well-regulated Militia being necessary to the security of a free State, the right of the People to keep and bear arms, shall not be infringed", is hereby declared to be the public policy of the St. Mary Parish Government and that St. Mary Parish is hereby declared to be a Second Amendment Sanctuary Parish.

**ADOPTED AND APPROVED** by the St. Mary Parish Council in regular session convened on this the 11<sup>th</sup> day of March 2020.

**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. Ina's inquiry, Mr. Ramsey stated that this resolution will allow St. Mary Parish to enforce the second amendment.

**NEW BUSINESS:**

- A. James L. Moffett, III, Cox Manager, Government and Regulatory Affairs, has written – Cox writes, "The following channel changes will occur for Cox Communications and Cox business customers on April 1, 2020, Circle-WAFB will launch in TV starter on channel 125 in Baton Rouge, Franklin, and Patterson areas. KLWB - Telemundo will launch in TV starter on channel 19 in the Acadiana areas. Cleo TV HD will launch to Variety Pack on channels 239 & 1239. CCTV-4 will launch on channel 412, DW (Deutche+) on channel 413, RTN on channel 414, Aapka Color on channel 415, Zee TV on channel 416, and Set Asia on channel 417 and requires a separate subscription. Lastly, Fusion on channels 278 and 1278, and El Rey on channels 210 and 1210 will be removed for our channel lineup."

Mr. Bennett moved to expand the agenda to nominate Kenneth Arceneaux, Jr. and Charlie Solar, Jr. to the Governor for the St. Mary Levee District Board of Commissioners. Mr. Hebert seconded the motion, which carried.

- B. As per LA RS 38:291 (Z), the St. Mary Parish Council is responsible for submitting a list containing three nominations from each of the eight single member parish council districts. The Governor shall appoint one member to represent each District.

Applications for nomination to the St. Mary Levee District:

<b><u>District I</u></b> Wilson Terry	<b><u>District II</u></b> Luther Smith	<b><u>District III</u></b> Junius Hebert, Jr. Roy Martin John Simon	<b><u>District IV</u></b> Jeremy Chesteen Daniel Lipari
<b><u>District V</u></b> Miranda Weinbach Gerald C. Foulcard Mike Ortiz	<b><u>District VI</u></b> Barry Broussard	<b><u>District VII</u></b> No nominations received	<b><u>District VIII</u></b> Janice Richard Aucoin Edna Mae Woods Norris J. Crappell

Mr. Ramsey stated that nominations were closed on March 6, 2020 and that Mr. Duhon was informed by the State that it can be reopened for all new nominations. He stated that three nominations are needed in order for the State to accept the applications.

Mr. Ramsey moved to table this item. Rev. Mathews seconded the motion, which failed by the following 4-7-0-0 Roll Call Vote:

YEAS: Duhon, Mathews, Ina, and Ramsey

NAYS: Hebert, Bennett, Hidalgo, Rink, Adams, Olander, and Rulf

ABSTAIN: None

ABSENT: None

Council Clerk, Lisa C. Morgan informed that Miranda Weinbach withdrew her application

Mr. Hebert moved to nominate the following applicants to the Governor for the St. Mary Levee District Board of Commissioners, with the understanding that additional applicants can be nominated to the Governor to meet the required three (3) applicants at a later date: Wilson Terry, District I; Luther Smith, District II; Junius Hebert, Roy Martin, Jr., and John Simon, District III; Jeremy Chesteen and Daniel Lipari, District IV; Gerald C. Foulcard and Mike Ortiz, District V; Barry Broussard, District VI; Kenneth Arceneaux, Jr. and Charlie Solar, Jr., District VII; and Janice Richard Aucoin, Edna Mae Woods, and Norris J. Crappell, District VIII. Mr. Bennett seconded the motion, which carried by the following 11-0-0-0 Roll Call Vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

- C. Dr. Prejeant Rink to request an allocation of \$3,000 from Wards 1, 2, 3, 4, 7, & 10 3/10% Sales Tax Fund to the City of Franklin, for recreational equipment for the Franklin Youth Baseball Organization.

After lengthy discussion, Dr. Rink moved that funds in the amount of \$3,000 be allocated from Wards 1, 2, 3, 4, 7, & 10 3/10% Sales Tax Fund to the City of Franklin for the purchase of dirt for four (4) infields for the recreational use of facilities for the Franklin Youth Baseball Organization. Mrs. Hidalgo seconded the motion, which carried.

D. Discussion and action relative to the Consolidated Gravity Drainage District No. 2 board member including possible removal. (Rev. Mathews)

This item was discussed earlier.

Mr. Bennett asked the Council to be more mindful and considerate when calling Mrs. Lisa Morgan. He reminded them that she is very busy and commended her for all her hard work.

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

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Lisa C. Morgan, Clerk

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Dean S. Adams, Chairman