

**IBERVILLE PARISH COUNCIL MINUTES
PUBLIC HEARING, TUESDAY, OCTOBER 19, 2021
PROPOSED ORDINANCES**

The Parish Council of Iberville Parish, State of Louisiana, held a Public Hearing in the Council Meeting Room, 58050 Meriam Street, Plaquemine, Louisiana, on the 19th day of October, 2021 at 6:00 P.M. pursuant to a Notice of Public Hearing published on the 30th day of September, 2021 in the Plaquemine Post South and posted on the Iberville Parish website.

The Council Chairman, Matthew H. Jewell, called the hearing to order followed by the roll call with the following Council Members in attendance: Shalanda L. Allen, District 1; Chasity B. Easley; District 2; Thomas E. Dominique, Sr., District 3; Steve C. Smith District 5; Raheem T. Pierce, District 6; Hunter S. Markins, District 8; T Louis R. Kelley, Jr., District 10; Matthew H. Jewell, District 12.

Absent: Leonard Jackson, Sr., District 4; Terry J. Bradford, District 9; Timothy J. Vallet, District 11; Bart B. Morgan, District 13.

Chief Administrative Officer- Edward Songy, and Legal Counsel- Scott Stassi were also in attendance.

Mr. Songy read the following ordinances in entirety.

ORDINANCE 1 Ordinance to authorize the sale of two (2) lots, formerly Iberville Parish Police Jury Maintenance Barn located at 24960 and 24970 LA Highway 1, Plaquemine, Louisiana

The floor was opened to comments and questions. There was no opposition to this ordinance from the public.

ORDINANCE 2 Ordinance to purchase fee title to a parcel of land located adjacent to the cul-de-sac at rear of Mendoza Drive for installation of drainage pumps

The floor was opened to comments and questions. There was no opposition to this ordinance from the public.

ORDINANCE 3 Ordinance to abandon unimproved portion of LA. Highway 69 (Augusta Road) from LA. Highway 1 to LA. Highway 405 (River Road) in White Castle area

The floor was opened to comments and questions. There was no opposition to this ordinance from the public.

There being no further business to be conducted, the hearing was adjourned at 6:04 p.m.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN

**IBERVILLE PARISH COUNCIL MINUTES
REGULAR MEETING, TUESDAY, OCTOBER 19, 2021**

The Parish Council of Iberville Parish, State of Louisiana, met in Regular Session, in the Council Meeting Room, 2nd Floor, Courthouse Building, 58050 Meriam Street, Plaquemine, Louisiana, on the 19th day of October, 2021.

The Council Chairman, Matthew H. Jewell, called the meeting to order at 6:30 p.m. followed by the roll call with the following Council Members in attendance: Shalanda L. Allen, District 1; Chasity B. Easley; District 2; Thomas E. Dominique, Sr., District 3; Leonard Jackson, Sr.,

District 4; Steve C. Smith District 5; Raheem T. Pierce, District 6; Hunter S. Markins, District 8; Terry J. Bradford, District 9; T Louis R. Kelley, Jr., District 10; Matthew H. Jewell, District 12; Bart B. Morgan, District 13.

Absent: Timothy J. Vallet, District 11.

Parish President- J. Mitchell Ourso, Jr., Chief Administrative Officer- Edward Songy, and Legal Counsel- Scott Stassi was also in attendance.

A quorum was present and due notice had been posted and published on the Iberville Parish Council website. The Pledge of Allegiance followed.

Council Chairman Jewell called for anyone wanting to make public comments to register with the Clerk. No one registered to speak.

ADDENDUM

None.

EXECUTIVE SESSION

- A) Discussion of Opioid Litigation filed by the Iberville Parish Council – Executive Session
- Executive Session began at 6:31 p.m. and ended at 6:47 p.m.

Upon a motion by Councilman Smith, and seconded by Councilman Pierce, it was moved to add the following memorandum of understanding resolution to the agenda. The motion having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The motion was declared adopted by the Chairman.

RESOLUTION IPC# 2021-018

RESOLUTION TO AUTHORIZE PARISH LEGAL COUNCIL TO SIGN THE LOUISIANA STATE-LOCAL GOVERNMENT MEMORANDUM OF UNDERSTANDING

The following resolution was introduced by Councilman Dominique and seconded by Councilman Pierce.

WHEREAS, the Iberville Parish Council previously authorized Patrick W. Pendley, Attorney at Law, to represent the interest of Iberville Parish in the class action opioid litigation filed against Pharmaceutical Supply Chain Participants to hold them accountable for the damage caused by their misfeasance, nonfeasance and malfeasance.

WHEREAS, a settlement has been reached regarding some of the Pharmaceutical Companies in the matter entitled “In Re National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio).

WHEREAS, the Iberville Parish Council approves the settlement(s) negotiated so far against the Opioid Manufacturers by the States, including the Louisiana Attorney General, and Parish Attorney, and the Iberville Parish Council desires to “opt in” on the negotiated settlements with the Opioid Manufacturers who have agreed to the proposed settlements.

WHEREAS, the Iberville Parish Council does hereby authorize Patrick W. Pendley, Attorney at Law, who serves as the Parish’s legal council in the opioid litigation proceedings to execute

the Memorandum of Understanding related to the Louisiana – State Government Opioid Litigation.

The above resolution was duly adopted in regular session this 19th day of October, 2021 by the following vote on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The resolution was declared adopted by the Chairman on 19th day of October, 2021.

PRESENTATIONS AND APPEARANCES

A) Proclamation for 2021 Evangeline Queen- Miss Isabella Maria LoBue

- Evangeline Miss Isabella LoBue was unable to attend tonight and will be presented at the next Council meeting. Chairman Jewell wanted to acknowledge that the International Acadian Festival will be held this weekend, October 22-24, 2021.

B) Discuss the Council's Malapportionment Plan – Strategic Demographics

- Mr. Dannie Garrett representing Strategic Demographics came before the Council to speak. Mr. Garrett stated the Council's next election is in 2023, and has over a year to work on reapportionment. The first step is to adopt a resolution stating the Council is malapportioned. Malapportionment is essentially one person one vote. Each council district should have approximately equal populations based upon the federal government's census. He discussed the ideals for each Council District.
- Statistics for each district were presented in a report to the Council members.

APPROVAL OF MINUTES

Upon a motion by Councilman Arnold, and seconded by Councilman Dominique, it was moved to wave the reading of the minutes of September 21, 2021 and approve as written. The motion having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The motion was declared adopted by the Chairman.

PRESIDENT'S REPORT

- President Ourso stated Mr. Randy Ware is very sick and he asking for prayers for his family.
- There is a letter from the Office of the Governor addressed to President Ourso. The Parish has been awarded \$545,000 to replace the HVAC systems in the Council on Aging facilities in Plaquemine, White Castle, and Maringouin. The funds will be used to improve the air quality and circulation to help the senior citizens feel safer in the Council on Aging facilities during COVID-19. Hopefully the improved air quality and mitigation of viruses through needlepoint bipolar ionization (NPBI) will also encourage their attendance at the facilities. The Parish will fund the remaining costs for these improvements.
- A letter from DOTD referencing the new NFIP flood elevation requirements was sent to the Parish. These changes are only for the Parish's jurisdiction of unincorporated areas. Now the NFIP is requesting a final closeout, in which the constituent may have to pay twice for the surveyor to go back and provide the

final inspection ensuring that the lowest floor is elevated to or above the base flood elevation (BFE) for development in the Special Flood Hazard Area to receive the permit to begin construction. The permit must show the flood zone and Base Flood Elevation (BFE). The only deterrent the Parish has is to deny an electrical permit if they haven't complied with the final inspection.

- Pictures from Fusion Architect were presented of the maintenance facility that is being constructed by the Elks Club. A progress report and pictures of the work that is going on at the Civic Center was also presented.
- A correspondence letter from Secretary of State Kyle Ardoin was received with the new dates of the upcoming elections due to Hurricane Ida.
- The Animal Control Report was presented to the Council. President Ourso stated it takes a lot of money to run the animal shelter. The animals that are not being adopted out are eventually flown to other states to be adopted. A grant provides for the cost of their transportation. The Parish was given an 18 wheeler full of dog food and it was then given out by the Parish to residents. President Ourso stated he is galled by the amount of animals that people surrender in this parish.
- The election date for the constitutional amendment regarding the centralized sales tax collection is November 13, 2021. President Ourso stated back sometime in the 1970s it was voted to allow the parishes to collect their own sales tax but now they are trying to pass a bill allowing the State to collect all sales taxes for all parishes. The parishes will not have any input with audits, the Speaker of the House stopped funding Iberville Parish through Representative Chad Brown since President Ourso was against this bill.
- A slideshow of pictures of two drainage ditches within the Syngenta Industrial Area in St. Gabriel to be considered for abandonment. The Parish is not responsible for the industries' drainage ditches.
- A picture of the White Castle boat landing's parking lot was presented. The boat landing parking lot can either be bought from the property owner from the Parish or he is going to get rid of it because he does not want the liability of it. Councilman Kelley asked how big is it, and President Ourso answered its 9/10th of an acre. President Ourso said he can only buy the property with the Council's permission to get an appraisal and purchase it.
- Councilman Markins asked about the low bid for the dredging of the Grosse Tete clean up. Mr. John Clark came up to answer the question. He stated there is a meeting next week to verify the company can fulfill the contract.
- The Veterans Ceremony will be on Thursday, November 11th from 11 a.m. to 1 p.m.

MOTION TO AUTHORIZE THE PARISH PRESIDENT TO GET AN APPRAISAL TO PURCHASE THE WHITE CASTLE BOAT LANDING PARKING LOT

Upon a motion by Councilwoman Easley, and seconded by Councilman Kelley, it was moved to authorize the Parish President to get an appraisal to purchase the White Castle Boat Landing parking lot. The motion having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The motion was declared adopted by the Chairman.

FINANCIAL REPORT

Finance Director, Randall Dunn stated there was a discrepancy between what was budgeted versus the lowest bid that was received for the dredging in Grosse Tete. A meeting will be held with the company this week. He also talked about the importance of voting no for the amendment regarding the centralized sales tax collection by the State. He talked about the State's lack of auditing. He also stated he would have the budgets hand delivered to the council members.

OLD BUSINESS

ORDINANCE IPC# 014-21

**ORDINANCE TO AUTHORIZE THE SALE OF TWO (2) LOTS, FORMERLY
IBERVILLE PARISH POLICE JURY MAINTENANCE BARN LOCATED AT 24960
AND 24970 LA. HIGHWAY 1, PLAQUEMINE, LOUISIANA**

WHEREAS, the former Iberville Parish Police Jury purchased a maintenance facility located at the intersection of LA Highway 1 and Belaire Street having municipal addresses of 24960 and 24970 LA Highway 1, Plaquemine, Louisiana 70764 on March 15, 1954.

WHEREAS, the property description for the old Iberville Parish Police Jury Maintenance Facility is contained at Conveyance Book 116, Entry 50 of the Iberville Parish Clerk of Court's Office, a true copy of which is annexed to this ordinance and incorporated by reference.

WHEREAS, upon the completion of the new Iberville Parish Maintenance Facility located at 59705 Bayou Road, Plaquemine, LA 70764, the old Parish Maintenance Barn facility became the maintenance facility for Iberville Parish Parks & Recreation District. IPRD constructed a metal storage facility of the property thereafter.

WHEREAS, a new modern maintenance facility is being constructed by the Iberville Parish Parks & Recreation District at the site of the "Bellevue Park" located on Bellevue Road, Plaquemine, LA to house the entire maintenance department of the District upon its completion.

WHEREAS, the Iberville Parish Council no longer has a use for the old Parish Maintenance Barn located on LA Highway 1, Plaquemine, LA and the land/buildings should be declared as surplus property and offered for public sale in accordance with Louisiana law to ensure that the property can remain in commerce.

WHEREAS, a certified appraisal dated October 18, 2021 was prepared for this old Maintenance Barn Facility and is attached hereto and incorporated by reference. The estimated fair market value of the old Maintenance Barn Facility, including the land and attached buildings, is the sum of Three Hundred Thirty Thousand Dollars (\$330,000). The Iberville Parish Council herein sets the minimum bid acceptable for this land/buildings at the sum of \$330,000, and said property shall not be sold for less than this appraised value.

WHEREAS, the sale of this Maintenance Barn Facility, including all land and buildings, shall be sold by sealed bid process and shall be conducted by the Parish's auditing firm of Baxley & Associates, CPA and public notice of said surplus sale shall be in accordance with Louisiana law, said sale advertisement being published in the Parish Council's official journal.

NOW, THEREFORE, BE IT ORDAINED by the Iberville Parish Council as follows:
"That the old Iberville Parish Police Jury Maintenance Barn property identified in C.B. 116, En. 50, a certified copy attached hereto, be sold by sealed bids to the highest bidder in accordance with Louisiana law and the terms of this ordinance."

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on August 17, 2021 and a summary thereof having been published in the official journal on August 26, 2021 the public hearing on this ordinance held on the 19th day of October, 2021, at 6:00 p.m., in the Council Meeting Room, 58050 Meriam Street, Plaquemine, Louisiana, was brought up for final passage with a motion by Councilman Kelley, and seconded by Councilwoman Easley, having been duly submitted to a vote, the ordinance was duly adopted by the following yea and nay vote on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The ordinance was declared adopted by the Chairman on the 19th day of October, 2021.

ORDINANCE IPC# 015-21

**ORDINANCE TO PURCHASE FEE TITLE TO A PARCEL OF LAND LOCATED
ADJACENT TO THE CUL-DE-SAC AT REAR OF MENDOZA DRIVE FOR
INSTALLATION OF DRAINAGE PUMPS**

WHEREAS, Section 2-11(A)12 of the Iberville Parish Home Rule Charter provides that an ordinance is required to acquire real property on behalf of the Parish Government.

WHEREAS, drainage improvements are necessary for River Ridge Estates located along Mendoza Drive. The installation of a drainage pump to divert runoff during heavy rainfall events is necessary to reduce flooding within the subdivision.

WHEREAS, Ginger McBride has agreed to sell fee title to a small parcel of land containing 0.070 acre, identified at Lot 19-B on a map entitled, "Map Showing the Survey and Subdivision of Lot 19 into Lot 19-A and Lot 19-B Located in Section 12, T10S, R11E, Southeastern Land District, West of the Mississippi River, Iberville Parish, LA for Iberville Parish Council. A copy of the survey plat map is attached hereto and incorporated by reference.

WHEREAS, the fair market value of the small parcel identified as LOT 19-B containing 0.070 acre is the sum of Five Thousand Dollars (\$5000.00) and the owner, Ginger McBride, will transfer fee title to the Iberville Parish Council for installation of drainage improvements for the subdivision.

NOW, THEREFORE, BE IT ORDAINED as follows: "That J. Mitchell Ourso, Jr., Parish President, be and is hereby authorized to sign any and all documentation pertaining to the cash sale from Ginger McBride to the Iberville Parish Council of Lot 19-B containing 0.070 acre for installation of drainage improvements.

This ordinance shall become effective on this the 19th day of October, 2021.

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on September 21, 2021 and a summary thereof having been published in the official journal on September 30, 2021 the public hearing on this ordinance held on the 19th day of October, 2021, at 6:00 p.m., in the Council Meeting Room, 58050 Meriam Street, Plaquemine, Louisiana, brought up for final passage with a motion by Councilman Kelley, and seconded by Councilwoman Easley, having been duly submitted to a vote, the ordinance was duly adopted by the following ye and nay vote on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley,
Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The ordinance was declared adopted by the Chairman on the 19th day of October, 2021.

ORDINANCE IPC # 016-21

**ORDINANCE TO FORMALLY ABANDON THE UNIMPROVED PORTION OF LA.
HIGHWAY 69 (AUGUSTA ROAD) FROM LA. HIGHWAY 1 TO LA. HIGHWAY 405
(RIVER ROAD)**

WHEREAS, Louisiana Revised Statute 48:701 provides that the Parish governing authority may revoke and set aside the dedication of all roads, streets, and alleyways laid out and dedicated to the public use, when the road, street, and alleyway has been abandoned or is no longer needed for a public purpose, and upon revocation the soil covered and embraced in the road, street or alleyway shall revert to the then present owner(s) of land contiguous thereto.

WHEREAS, the unimproved portion of LA Highway 69 (Augusta Road) located in White Castle area from LA Highway 1 to LA Highway 405 (River Road) is no longer needed as a public road and no property owners will be affected by the road abandonment. The adjacent property owners have requested and consent to the abandonment of this portion of roadway. The adjacent landowners have executed an agreement for continuation of the public utility servitudes for the Iberville Parish Utility Department to have access for maintenance and operation of the water and gas lines and the drainage servitudes that cross the abandoned roadway.

WHEREAS, the adjacent landowners will own up to the center line of the abandoned portion of the roadway subject to the continuation of the utility and drainage servitudes for the Parish.

NOW, THEREFORE, BE IT ORDAINED BY THE IBERVILLE PARISH COUNCIL AS FOLLOWS: That the unimproved portion of LA Highway 69 (Augusta Road) be abandoned from its intersection with LA Highway 1 and LA Highway 405 (River Road) as depicted and described on the attached survey plat map be abandoned by the Parish and that upon final passage of this ordinance a certified copy be filed in the conveyance records of Iberville Parish.

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on September 21, 2021 and a summary thereof having been published in the official journal on September 30, 2021 the public hearing on this ordinance held on the 19th day of October, 2021, at 6:00 p.m., in the Council Meeting Room, 58050 Meriam Street, Plaquemine, Louisiana, brought up for final passage with a motion by Councilman Kelley, and seconded by Councilwoman Easley, having been duly submitted to a vote, the ordinance was duly adopted by the following yea and nay vote on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The ordinance was declared adopted by the Chairman on the 19th day of October, 2021.

NEW BUSINESS

A) Introduction of Ordinances

- 1) Ordinance to declare the following property to be surplus and to sell to neighboring property owner pursuant to the terms of Ordinance # 002-13 (Isabelle I. Babin, ET AL)
- 2) Ordinance to adopt the fiscal year 2022 Operating and Capital Improvement Budget and the Amended 2021 Operating and Capital Improvement Budget for the Iberville Parish Council
- 3) Ordinance to abandon a portion of drainage canals identified as W 19-L 4 A and W 19 - L 4 D located within in St. Gabriel, Louisiana in the Syngenta Industrial Area
- 4) Ordinance to declare the current Council districts to be malapportioned

Upon a motion by Councilman Bradford, seconded by Councilman Markins it was moved that a public hearing be held on Tuesday, November 16, 2021 at 6:00 p.m. on the introduced ordinances.

The motion having been duly submitted to a vote, was duly adopted by the following yea and nay votes on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Bradford, Markins, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The motion was declared adopted by the Chairman on October 19, 2021.

B) Trick or Treat schedule for 2021

MOTION FOR 2021 TRICK OR TREAT HOURS IN THE UNINCORPORATED AREAS OF IBERVILLE PARISH

Upon a motion by Councilman Pierce, and seconded by Councilman Bradford, it was moved to adopt the 2021 Trick or Treat Schedule for the East & West Banks' Unincorporated Areas of the Parish for Sunday, October 31, 2021 from 6:00-8:00 p.m. The motion having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Markins, Bradford, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The motion was declared adopted by the Chairman on the 19th day October, 2021.

RESOLUTION COMMITTEE REPORT

None.

BOARDS & COMMISSIONS REPORT

The Boards and Commissions Committee met on Tuesday, October 19, 2021 at 6:10 p.m. followed by the roll call with the following Committee Members only in attendance: Markins, Pierce, Smith, Arnold.

Absent: Vallet, Jackson.

A quorum was present.

- A) Appointment of Madeline Kessler to the Iberville Parish Library Board of Control
- B) Reappointment of Charlene Bishop to the Iberville Parish Library Board of Control
- C) Reappointment of Clotis Johnson to the Iberville Parish Library Board of Control

Upon a recommendation by Councilman Pierce, and seconded by Councilman Smith, it was recommended to forward the appointment of Madeline Kessler and the re-appointment of Charlene Bishop and Clotis Johnson to the Iberville Parish Library Board of Control. The recommendation having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call by Boards and Commission Committee Members only:

YEAS: Markins, Pierce, Smith, Arnold.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet, Jackson.

The recommendation was declared adopted by the Chairman.

During the Regular Meeting:

Upon a motion by Councilman Smith, and seconded by Councilman Pierce, it was moved to appoint Madeline Kessler and re-appoint Charlene Bishop and Clotis Johnson to the Iberville Parish Library Board of Control. The motion having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call:

YEAS: Allen, Easley, Dominique, Jackson, Smith, Pierce, Arnold, Bradford, Markins, Kelley, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Vallet.

The motion was declared adopted by the Chairman on October 19, 2021.

DISCUSSIONS

None.

ADJOURNMENT

There being no further business, it was moved by Councilman Markins, and seconded by Councilman Bradford, to adjourn at 7:42 p.m. The motion was unanimously adopted.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN