

**IBERVILLE PARISH COUNCIL MINUTES
REGULAR MEETING, TUESDAY, JULY 19, 2022**

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 July, 2022.

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; Raheem T. Pierce, District 6; Ty J. Arnold, District 7; Terry J. Bradford, District 9; Louis R. Kelley, Jr., District 10; Timothy J. Vallet, District 11; Matthew H. Jewell, District 12; Bart B. Morgan, District 13.

Absent: Steve C. Smith District 5; Hunter S. Markins, District 8.

Parish President- J. Mitchell Ourso, Jr., and Chief Administrative Officer- Edward Songy were also in attendance.

A quorum was present and due notice had been posted and published in the Plaquemine Post South newspaper on the 14th day of July, 2022. 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.

PRESENTATIONS AND APPEARANCES

- A) Audit Presentation by Baxley & Associates – Ms. Margaret Pritchard
- Ms. Margaret Pritchard, representing Hugh Baxley and Associates, LLC. presented the 2021 Iberville Parish Comprehensive Annual Financial Report.
 - Ms. Pritchard began summarizing page 18 of the audit report which is the statement of net position. Total assets for the year was \$244,822,515 which increased \$19.7 million over the previous year. Cash increased by \$12 million, pension asset increased by \$2 million, receivables increased by \$2 million, and capital assets increased by \$3.9 million. The total liabilities were \$33,451,768 which increased \$10.5 million. The total net position was \$209,485,852 which increased \$7.9 million for the year.
 - Ms. Pritchard began summarizing page 19 which is the statement of activities. The expenses for governmental funds was \$41,825,298 which increased \$2.6 million over the previous year. The business type activities for water, natural gas, and sewer totaled \$7,197,355. The primary governmental total for charges for services was \$49,022,653 which increased by 6%. The total governmental activities total for charges for services was \$3,319,686. The total general revenues and transfers was \$42,522,182 which increased 1.3 % over the previous year. The change in net position was \$7.9 million for the year 2021.
 - Ms. Pritchard began summarizing page 145 of the financial statement audit. There were two findings for the 2021 budget. Procedures have been put in place to monitor the budget in accordance with State laws.
 - Ms. Pritchard went over page 149 which was the agreed upon procedures page. There were 28 procedures with 3 findings.
 - Ms. Pritchard thanked the Finance Director and the Finance Department for a great job in putting together the Comprehensive Annual Financial Report.

APPROVAL OF MINUTES

Upon a motion by Councilman Pierce, seconded by Councilman Kelley, it was moved to wave the reading of the minutes of June 21, 2022 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, Pierce, Arnold, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Smith, Markins.

The motion was declared adopted by the Chairman.

PRESIDENT'S REPORT

President Ourso reported on the following:

- He stated the Parish is doing well and thanked Ms. Margaret and the Finance Department for a great job on the financial audit.
- He stated one of the issues with the drainage funds is the cost of sandbags during emergencies.
- They did not complete the route for public outreach due to the bills being much higher and they ran out of money. There is \$16,000 left in the outreach account until the first of the year. They have expended \$647,000 since the first of the year. He summarized the costs expended in each municipality and how many people it helped. He believes the next 9 or 10% should be coming back for funding sometime in October or November of this year. He complimented Ms. Monica Edmonds with Community Services for doing a great job. Chairman Jewell stated he agreed they give excellent and fast service.
- The security construction is around 90% complete. The security group will meet with President Ourso on how the public will enter and exit the Courthouse. They are going to make it as people friendly as possible. He stated Officers are asking if they could go through the back door, and the answer is no. He will let the Council know when the meeting will be and he will invite them to attend.
- The Parish's assets go up and down because of these strong industries located here. There are representatives here tonight from Plug Power and PCS that are up for ITEP recommendation. Both of these plants are in East Iberville and he is asking for their support on those resolutions.
- The Parish has old infrastructure and with the abundance of hurricanes it is causing people to invest in generators. When there are multiple generators running through a two-inch line in East Iberville, the generators are starving for gas and running out. The old infrastructure is not meeting the demands now. A contractor is currently trying to tie in loose lines to see if it will supply the demand.
- Some of the Council members are traveling to Denver, Colorado for the NACo Convention and he hopes they have a safe trip.
- He met with DOTD and the local mayors to make them aware of the back up that is about to happen due to the I-10 widening project. He introduced Ms. Desiree Lemoine with TJC Group to discuss this project. More information can be found on i10br.com. The project extends approximately 8 miles from LA 415 in West Baton Rouge Parish eastward across the Mississippi through Baton Rouge to Essen Lane. The purpose is to add one additional lane to the interstate through Baton Rouge in each direction. Interchanges will be improved, including removal of the ramps at Perkins Road. I-10 lane reductions begin for all of Segment 1 in Q1 of 2024 and will last approximately 12 months. Completion of Segment 1 is anticipated in Q1 of 2027, opening to 4 lanes in each direction through Baton Rouge.
- Councilman Kelley asked if they addressed anything with the second ferry, and she stated yes its in the works. LA DOTD is working with the trucking industry to use alternative routes around Baton Rouge to help reduce traffic.
- President Ourso came back before the Council to discuss the boom truck service. There was a handout showing the breakdown of the prices for the monthly service and the annual service. Pelican Waste is no longer servicing the parish for the boom truck. The Parish took over the boom truck services with its own trucks, and most of the materials are dumped on Hwy 1-90. The Parish is saving \$600,000 a year. Pelican Waste is still doing the once a week garbage pick up in the parish.

- He isn't totally happy with Mr. Jake Campbell who is the Appointed Chairman for the new bridge board. Chairman Campbell was appointed by the governor to this board. They are in the environmental study phase for the three potential bridge locations.
- President Ourso came back up to speak to the Council. talked about the veterans park for the east side. Councilman Morgan and Council Vice Chairman Jackson asked President Ourso to establish a Veterans Memorial on the east side. He discussed issues with Ms. Theresa Roy who is a school board member. He spoke with the superintendent to give them a park that Ms. Roy wanted. President Ourso will appear before the school board at their next meeting and he will address school board member Darlene Ourso and school board member Theresa Roy.

FINANCIAL REPORT

Finance Director, Randall Dunn stated Ms. Margaret mentioned an increase in cash by \$8 million during the Financial Audit presentation. He wanted to clarify that this money was issued for bonds and has not been spent yet.

OLD BUSINESS

None.

NEW BUSINESS

A) Introduction of Ordinances

- 1) None.

B) Announcement of the newly appointed Registrar of Voters for Iberville Parish

- This agenda item is being passed on.
- A Special Meeting is scheduled for Tuesday, July 26, 2022 to appoint the new Registrar of Voters. A packet was presented to each Council member with the top 3 interviewees and the letter of recommendation from Lofton Staffing Services.
- Councilman Vallet stated Lofton Staffing Services only gave their opinion of the top 3 and that they don't decide for the Council. He stated the Council should have done the interviews and decided on the top 3 interviewees. Chairman Jewell stated it was voted on by the Council during an Executive Session to choose the top 3 applicants by a third-party company. Chairman Jewell stated Councilman Vallet should have voted against it, and Councilman Vallet stated he was correct and he should have voted no.
- Councilman Dominique asked to go into Executive Session. Chairman Jewell stated there will be no motion to discuss this item that has been passed on.
- Councilman Dominique asked Chief Administrative Officer, Edward Songy, Jr. if they need a motion to go into Executive Session. President Ourso answered that the Administration takes no action and has no decision making regarding this appointment and Mr. Songy, Jr. will not answer any questions. He said the Council hired the third-party company for interviews and did what they had to do. President Ourso stated he knew this was going to be tough and he already got an accusatory phone call today about this. He wants to make it clear that it's the obligation of the Legislative branch by law to make this decision, not the Administrative branch.
- Vice Chairman Leonard stated this is the second time they have had to hire a Registrar of Voters, and there is only one job and only one person can be chosen.
- The Council will appoint the next Registrar of Voters at the Special Meeting on July 26, 2022 at 6:00 p.m.

RESOLUTION COMMITTEE REPORT

The Resolution Committee met on Tuesday, July 19, 2022 at 6:20 p.m., followed by the roll call with the following Resolution Committee Members only in attendance: Vallet, Pierce, Arnold, Kelley, Jackson, Morgan, Dominique.

Absent: Smith, Markins.

The following resolution was read aloud by Mr. Songy:

- A) Resolution of the Iberville Parish Council approving Plug Power, Inc. for participation in the Industrial Tax Exemption Program in Iberville Parish, Louisiana
- B) Resolution of the Iberville Parish Council approving PCS Nitrogen Fertilizer, LP for participation in the Industrial Tax Exemption Program in Iberville Parish, Louisiana

Chairman Jewell read aloud the names of the representatives of Plug Power and PCS that were present.

Mr. Songy also stated the Iberville Parish School Board approved this and the Sheriff approves this.

Councilman Kelley made a recommendation to forward the resolutions to the regular meeting, seconded by Councilman Arnold. The recommendation having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call by Resolution Committee Members only:

YEAS: Vallet, Pierce, Arnold, Kelley, Jackson, Morgan, Dominique.

NAYS: None.

ABSTAIN: None.

ABSENT: Smith, Markins.

The recommendation was declared adopted by the Chairman to forward these items to the regular meeting.

During the Regular Meeting:

RESOLUTION IPC# 2022-011

RESOLUTION OF THE IBERVILLE PARISH COUNCIL APPROVING PLUG POWER, INC. FOR PARTICIPATION IN THE INDUSTRIAL TAX EXEMPTION PROGRAM IN IBERVILLE PARISH, LOUISIANA

The following resolution was introduced by Councilman Bradford, and seconded by Councilman Arnold.

WHEREAS, Article 7, Section 21 (F) of the Louisiana Constitution, pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104 provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS, PLUG POWER, INC. has applied for an Industrial Tax Exemption ("ITE") Tax Exemption Application #20220171-ITE - \$90,000,000.00 and has approval of the BCI for a contract granting that exemption; and

WHEREAS, ITE contracts should be premised upon job and payroll creation or retention at new or expanded manufacturing plants or establishments, and that the percentage of exemption be 80% for a term of five years, renewable for an additional term of five years from ad valorem taxes in accordance with guidance received from the Secretary of Economic Development and concurred in by the appropriate parish and/or municipal council, school board, and sheriff; and

THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day, that the IBERVILLE PARISH COUNCIL approves the terms of the Industrial Tax Exemption contract (the Cooperative Endeavor Agreement between the State of Louisiana, the Louisiana Department of Economic Development, and PLUG POWER, INC. to the Industrial Tax Exemption contract between the Board of Commerce and Industry and PLUG POWER, INC. with

respect to the manufacturing plant located in IBERVILLE PARISH, LOUISIANA based on the following conditions:

A. Performance Objectives/Job Creation or Retention Requirements

Retention of 0 Jobs at Project Site – Plug Power is considering the construction of a new liquefied hydrogen manufacturing facility, adjacent to the Olin Corporation facility. Plug Power plans to develop the site into a 15 metric tons per day green hydrogen production facility.

New direct Jobs - 15

Construction Jobs - 215

Total Estimated Investments - \$90,000,000.00

B. Industrial Tax Exemption of Iberville Parish Council Ad Valorem Taxes

In the event that PLUG POWER, INC. fails to complete its project, or fails to timely meet its performance objectives and/or job creation/retention requirements, including but not limited to the retention or creation of the number of jobs or the achieving or maintaining of payroll amounts within the time and for the term agreed, as specified in its award agreement; if PLUG POWER, INC. ceases its operations, reduces its employment numbers or payroll amounts to less than 90% of the requires amounts; such shall constitute a default under the award agreement, and LED and IBERVILLE PARISH COUNCIL shall retain all rights to modify the terms and conditions of the incentive.

The IBERVILLE PARISH COUNCIL further authorizes the Louisiana Department of Economic Development, on behalf of the Board of Commerce and Industry, to include this resolution to the Industrial Tax Exemption Contract between the Board of Commerce and Industry and PLUG POWER, INC.

THEREFORE, BE IT FURTHER RESOLVED by the IBERVILLE PARISH COUNCIL that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

The above resolution was duly adopted in regular session on this 19th day of July 2022 by the following votes on roll call:

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

NAYS: None.

ABSTAIN: None.

ABSENT: Smith, Markins.

The resolution was declared adopted by the Chairman on the 19th day of July 2022.

RESOLUTION IPC# 2022-012

**RESOLUTION OF THE IBERVILLE PARISH COUNCIL APPROVING PCS
NITROGEN FERTILIZER, LP FOR PARTICIPATION IN THE INDUSTRIAL TAX
EXEMPTION PROGRAM IN IBERVILLE PARISH, LOUISIANA**

The following resolution was introduced by Councilman Bradford, and seconded by Councilman Arnold.

WHEREAS, Article 7, Section 21 (F) of the Louisiana Constitution, pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104 provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS, PCS NITROGEN FERTILIZER, LP has applied for an Industrial Tax Exemption ("ITE") Tax Exemption Application #20220104-ITE - \$1,615,000,000.00 and has approval of the BCI for a contract granting that exemption; and

WHEREAS, ITE contracts should be premised upon job and payroll creation or retention at new or expanded manufacturing plants or establishments, and that the percentage of exemption be 80% for a term of five years, renewable for an additional term of five years from ad valorem taxes in accordance with guidance received from the Secretary of Economic Development and concurred in by the appropriate parish and/or municipal council, school board, and sheriff; and

THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day, that the IBERVILLE PARISH COUNCIL approves the terms of the Industrial Tax Exemption contract (the Cooperative Endeavor Agreement between the State of Louisiana, the Louisiana Department of Economic Development, and PCS NITROGEN FERTILIZER, LP to the Industrial Tax Exemption contract between the Board of Commerce and Industry and PCS NITROGEN FERTILIZER, LP with respect to the manufacturing plant located in IBERVILLE PARISH, LOUISIANA based on the following conditions:

A. Performance Objectives/Job Creation or Retention Requirements

Retention of 163 Jobs at Project Site – Jobs will be retained at this existing Iberville Parish Site. The new investment is creating efficiencies through a “new build” of a world scale clean Ammonia Plant.

New Jobs - 35

Construction Jobs - 1275

Total Estimated Investments - \$1,615,000,000.00

B. Industrial Tax Exemption of Iberville Parish Council Ad Valorem Taxes

In the event that PCS NITROGEN FERTILIZER, LP fails to complete its project, or fails to timely meet its performance objectives and/or job creation/retention requirements, including but not limited to the retention or creation of the number of jobs or the achieving or maintaining of payroll amounts within the time and for the term agreed, as specified in its award agreement; if PCS NITROGEN FERTILIZER, LP ceases its operations, reduces its employment numbers or payroll amounts to less than 90% of the requires amounts; such shall constitute a default under the award agreement, and LED and IBERVILLE PARISH COUNCIL shall retain all rights to modify the terms and conditions of the incentive.

The IBERVILLE PARISH COUNCIL further authorizes the Louisiana Department of Economic Development, on behalf of the Board of Commerce and Industry, to include this resolution to the Industrial Tax Exemption Contract between the Board of Commerce and Industry and PCS NITROGEN FERTILIZER, LP

THEREFORE, BE IT FURTHER RESOLVED by the IBERVILLE PARISH COUNCIL that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

The above resolution was duly adopted in regular session on this 19th day of July 2022 by the following votes on roll call:

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

NAYS: None.

ABSTAIN: None.

ABSENT: Smith, Markins.

The resolution was declared adopted by the Chairman on the 19th day of July 2022.

BOARDS & COMMISSIONS REPORT

None.

DISCUSSIONS

None.

ANNOUNCEMENT

None.

ADJOURNMENT

There being no further business, it was moved by Councilman Kelley, and seconded by Councilwoman Easley, to adjourn at 7:19 p.m. The motion was unanimously adopted.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN