

**IBERVILLE PARISH COUNCIL MINUTES
PUBLIC HEARING, TUESDAY, NOVEMBER 20, 2018
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 20th day of November, 2018 at 6:00 P.M. pursuant to a Notice of Public Hearing published on the 15th day of November, 2018 in the Plaquemine Post South and the Iberville Parish website.

The Council Chairman, Matthew H. Jewell, called the hearing to order at 6:00 p.m. followed by the roll call with the following Council Members in attendance: Warren Taylor, District 1; Steve C. Smith District 5; 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: Mitchel J. Ourso, Sr.; District 2; Thomas E. Dominique, Sr., District 3; Leonard Jackson, Sr., District 4; Courtney P. Lewis, District 6; Hunter S. Markins, District 8.

A quorum was present and due notice had been published. 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 Amend Ordinance #006-16 Ordinance establishing the Bureau of Administrative Adjudication and Position of Administrative Hearing Officer

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

ORDINANCE 2 Ordinance to adopt the fiscal year 2019 Operating and Capital Improvement Budget and the Amended 2018 Operating and Capital Improvement Budget for the Iberville Parish Council

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

There being no further business to be conducted, the hearing was adjourned at 6:02 p.m.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN

**IBERVILLE PARISH COUNCIL MINUTES
REGULAR MEETING, TUESDAY, NOVEMBER 20, 2018**

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 20th day of November, 2018.

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: Warren Taylor, District 1; Mitchel J. Ourso, Sr.; District 2; Leonard Jackson, Sr., District 4; Steve C. Smith District 5; Ty J. Arnold, District 7; Hunter S. Markins, District 8; 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: Thomas E. Dominique, Sr., District 3; Courtney P. Lewis, District 6.

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

A quorum was present and due notice had been published on the 15th day of November, 2018. The Pledge of Allegiance followed.

Council Chairman Jewell called for anyone wanting to make public comments to register with the Clerk.

ADDENDUM

Upon a motion by Councilman Morgan, and seconded by Councilman Kelley, it was moved to go into addendum and add the following item 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:

- A) Resolution of official objection to the issuance of a U.S. Army Corps of Engineers Section 404 of the Clean Waters Act Permit for a proposed commercial and residential development on Burbank Drive and South Kenilworth in East Baton Rouge Parish

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Dominique, Lewis.

The motion was declared adopted by the Chairman.

Upon a motion by Councilman Smith, and seconded by Councilman Kelley it was moved to go out of addendum. The motion having been duly submitted to a vote was duly adopted by the following yea and nay votes on roll call:

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.
ABSTAIN: None.
ABSENT: Dominique, Lewis.

The motion was declared adopted by the Chairman.

PRESENTATIONS AND APPEARANCES

None.

APPROVAL OF MINUTES

Upon a motion by Councilman Taylor, and seconded by Councilman Arnold, it was moved to wave the reading of the minutes of October 16, 2018 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: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.
NAYS: None.
ABSTAIN: None.
ABSENT: Dominique, Lewis.

The motion was declared adopted by the Chairman.

PRESIDENT'S REPORT

CAO, Edward Songy, Jr. reported on the following in the absence of President Ourso:

- The Veterans Day Ceremony was held at the Civic Center on Monday, November 12, 2018 and it was a huge success.
- There have been rain delays on several Parish projects, including the Council on Aging in Maringouin, the Bayou Sorrell / Bayou Pigeon Fire Station, and the Parish Rifle Range.
- The closing on the K.C. Drive property for the Council on Aging facility in White Castle will be the week after Thanksgiving.
- Lastly, Mr. Songy wished everyone a Happy Thanksgiving.

CHAMBER OF COMMERCE REPORT

Mr. Hank Grace was not present.

FINANCIAL REPORT

Finance Director, Randall Dunn stated the proposed 2019 budget ordinance is being voted on tonight, and he would appreciate a vote of support from the Council. Financial statements were sent out, and Mr. Dunn asked if there were any questions. There were no questions.

OLD BUSINESS

ORDINANCE IPC# 013-18

**ORDINANCE TO AMEND SECTION 4-137 OF IBERVILLE PARISH ORDINANCE
NUMBER 006-16 ESTABLISHING BUREAU OF ADMINISTRATIVE ADJUDICATION
AND POSITION OF ADMINISTRATIVE HEARING OFFICER**

WHEREAS, Ordinance 006-16, Section 4-137 of the Compiled Ordinances of Iberville Parish currently provides: *“The officer shall have the authority to assess and levy all civil fines, penalties and costs relating to blighted property, abandoned property and/or for violations of public health, housing, fire code and environmental ordinances that now exist in the Code of Ordinances and those that are created hereinafter.”*

WHEREAS, Section 4-137 of the Compiled Ordinances of Iberville Parish is amended to provide as follows: *“Hearing officers who have been duly appointed and sworn shall have the authority to hear and decide any alleged violation of all Ordinances of Iberville Parish, including but not exclusively, any alleged violation of any public health, housing (which shall also encompass the terms and applicable provisions of La. R.S. 14:107.3), fire and life safety code, environmental regulations and laws, or any matters involving alleged violations pertaining to blighted and/or abandoned properties.*

NOW THEREFORE BE IT ORDAINED AS FOLLOWS: That Section 4-137 of the Compiled Ordinances of Iberville Parish be amended to read as follows:

“Hearing officers who have been duly appointed and sworn shall have the authority to hear and decide any alleged violation of all Ordinances of Iberville Parish, including but not exclusively, any alleged violation of any public health, housing (which shall also encompass the terms and applicable provisions of La. R.S. 14:107.3), fire and life safety code, environmental regulations and laws, or any matters involving alleged violations pertaining to blighted and/or abandoned properties.”

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on October 16, 2018 and a summary thereof having been published in the official journal on November 15, 2018, the public hearing on this ordinance held on the 20th day of November, 2018, 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 Taylor, and seconded by Councilman Bradford, having been duly submitted to a vote, the ordinance was duly adopted by the following yeas and nays vote on roll call:

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Dominique, Lewis.

The ordinance was declared adopted by the Chairman on the 20th day of November, 2018.

ORDINANCE IPC# 014-18

PROPOSED 2019 BUDGET AND AMENDED 2018 BUDGET ORDINANCE

ORDINANCE TO ADOPT THE FISCAL YEAR 2019 OPERATING AND CAPITAL IMPROVEMENT BUDGET AND THE AMENDED 2018 OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE IBERVILLE PARISH COUNCIL

WHEREAS, Iberville Parish Home Rule Charter Sections 5-03 and 5-05 provide that the Iberville Parish Council shall adopt annually an operating budget and a capital improvement budget for the fiscal year of January 1, 2019 through December 31, 2019.

WHEREAS, the 2018 amended and 2019 Operating and Capital Improvement Budgets have been presented to the Iberville Parish Council and the General Public, and a public hearing will be held on the budgets and all proposed modifications, if any, on the 20th day of November 2018, at 6:00 P.M.

WHEREAS, the Iberville Parish Department of Finance has submitted for appropriation requests to the State of Louisiana, Division of Administration, all requests for capital outlay funding for Parish projects, the Governor's Office of Rural Development, Department of Transportation & Development, Department of Labor, Department of Military Affairs, and Department of Health & Hospitals, and while it is not presently known if the requests will be approved and funded, the State funds shall be included in the 2019 budgets to the extent such funds are received by the Iberville Parish Council.

WHEREAS, the 2018 amended budget and the 2019 Operating and Capital Improvement budgets having been duly submitted for public hearing on the 20th day of November 2018.

NOW, THEREFORE, BE IT ORDAINED by the Iberville Parish Council, as follows;

"That the 2019 Operating and Capital Improvement budgets for the Iberville Parish Council be approved and adopted as amended.

"That the 2018 Amended Budget be approved and adopted."

"That a copy of the budgets shall be on file with the Iberville Parish Council Clerk and open for public inspection in accordance with law."

"That this ordinance be published in accordance with the provision of the Iberville Parish Home Rule Charter, and that the approved budget shall become effective January 1, 2019, in accordance with law."

The foregoing ordinance having been submitted to a vote, the substitute motion was adopted by the following yeas and nays on roll call:

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on October 16, 2018 and a summary thereof having been published in the official journal on November 15, 2018, the public hearing on this ordinance held on the 20th day of November, 2018, 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 Taylor, and seconded by Councilman Bradford, having been duly submitted to a vote, the ordinance was duly adopted by the following yea and nay vote on roll call:

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Dominique, Lewis.

The ordinance was declared adopted by the Chairman on the 20th day of November, 2018.

NEW BUSINESS

None.

RESOLUTION COMMITTEE REPORT

The Resolution Committee met on Tuesday, November 20, 2018 at 6:02 p.m., followed by the roll call with the following Resolution Committee Members only in attendance: Smith, Vallet, Arnold, Kelley, Jackson, Morgan.

Absent: Lewis, Markins, Dominique.

Council Chairman Jewell called for anyone wanting to make public comments to register with the Clerk.

The following resolutions were read aloud by Mr. Songy:

- A) Resolution in Support of Request for Army Surplus Helicopter and to Assume Responsibility for Upkeep, Safety and Maintenance of Equipment to be Located at Iberville Parish Veterans Memorial
- B) Resolution to Declare the Legal Holidays for 2019
- C) ADDENDUM- Resolution of official objection to the issuance of a U.S. Army Corps of Engineers Section 404 of the Clean Waters Act Permit for a proposed commercial and residential development on Burbank Drive and South Kenilworth in East Baton Rouge Parish

Councilman Vallet made a recommendation to forward all resolutions to the regular meeting, seconded by Councilman Smith. 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: Smith, Vallet, Arnold, Kelley, Jackson, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Lewis, Markins, Dominique.

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

RESOLUTION COMMITTEE REPORT- DURING THE REGULAR MEETING

RESOLUTION IPC# 2018-020

RESOLUTION OF SUPPORT FOR REQUESTING DONATION OF COMBAT MATERIAL FROM UNITED STATES ARMY TO BE DISPLAYED AT IBERVILLE PARISH VETERANS MEMORIAL SITE

The following resolution was introduced by Councilman Smith and seconded by Councilman Arnold.

WHEREAS, the Iberville Parish Council dedicated the “Iberville Parish Veterans Memorial” Site in November 2008 adjacent to the Iberville Parish Courthouse Complex located in Plaquemine, Louisiana.

WHEREAS, the Iberville Parish Veterans Memorial serves as a tribute to all branches of the U.S. Military and is visited by numerous visitors and residents each year especially at the annual Veterans Day Ceremony to show their appreciation and support of our U. S. Military, especially those who served from Iberville Parish, Louisiana.

WHEREAS, the Iberville Parish Council is seeking to enhance the Iberville Parish Veterans Memorial site by displaying a surplus Huey UH1 Helicopter at the site to remind all citizens of the importance of the U.S. Military and the sacrifices of our military to ensure our enduring freedom.

WHEREAS, the Iberville Parish Council, agrees to assume any and all responsibility for the maintenance, upkeep and safety of the surplus Huey Helicopter while on display at the Iberville Parish Veterans Memorial site, which is located on public property.

WHEREAS, the Iberville Parish Council will comply with all regulations of the United States Army for the display of the used Huey Helicopter at the Iberville Parish Veterans Memorial site.

The above resolution was duly adopted in regular session this 20th day of November, 2018, by the following vote on roll call;

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.
NAYS: None.
ABSTAIN: None.
ABSENT: Dominique, Lewis.

The resolution was declared adopted by the Chairman on 20th day of November, 2018.

RESOLUTION IPC# 2018-021

RESOLUTION TO DECLARE LEGAL HOLIDAYS FOR 2019

The following resolution was introduced by Councilman Smith and seconded by Councilman Arnold.

WHEREAS, pursuant to the provisions of La. R.S. 1:55 and the Home Rule Charter, the Iberville Parish Council hereby approves the attached holiday schedule as public holidays for its employees.

NOW, THEREFORE, BE IT RESOLVED BY the Iberville Parish Council as follows:

“That the attached holiday schedule for 2019 is hereby approved for parish council employees, insofar as practical, and that those essential public safety personnel and employees whose service is necessary and indispensable and required for the efficient administration of parish government shall be required to work on said holidays.”

The above resolution was duly adopted in regular session this 20th day of November, 2018, by the following vote on roll call;

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.
NAYS: None.
ABSTAIN: None.
ABSENT: Dominique, Lewis.

The resolution was declared adopted by the Chairman on 20th day of November, 2018.

RESOLUTION IPC# 2018-022

**RESOLUTION OF OFFICIAL OBJECTION TO THE ISSUANCE OF A U.S. ARMY
CORPS OF ENGINEERS SECTION 404 OF THE CLEAN WATERS ACT PERMIT
FOR A PROPOSED COMMERCIAL AND RESIDENTIAL DEVELOPMENT
ON BURBANK DRIVE AND SOUTH KENILWORTH IN
EAST BATON ROUGE PARISH**

The following resolution was introduced by Councilman Smith and seconded by Councilman Arnold.

WHEREAS, the U.S. Army Corps of Engineers has issued a Joint Public Notice regarding a Section 404 Permit Application submitted by Two Blind Mice, LLC for a proposed commercial and residential development on Burbank Drive and South Kenilworth Parkway in East Baton Rouge Parish located in wetlands and Elbow Bayou that drains into Bayou Fountain and therein into Manchac Bayou; and,

WHEREAS, the project includes clearing, grading, excavation, and deposit of fill material to construct a strip mall, fast food restaurant, and 57 lot single-family residential development, which will result in approximately 97,000 cubic yards of fill in order to achieve required grade elevations, which will impact 8.56 acres of forested wetland and approximately 1,800 feet of Elbow Bayou; and,

WHEREAS, it is the opinion of the Iberville Parish Council that the issuance of a permit for a project located within existing natural settings and in an area of designated wetlands, has a high potential to increase flood problems within the Bayou Fountain and Bayou Manchac Watershed; which problems were recently exhibited as a result of the Great Flood of 2016; and,

WHEREAS, public officials in the region have been meeting with Congressional Representatives, Office of Community Development Disaster Recovery Representatives, GOHSEP, FEMA, NRCS, and DOTD in an effort to identify and implement flood risk reduction strategies on both a local and regional level; and,

WHEREAS, allowing by permit, the continued development in wooded and wetland areas within this already challenged watershed, will only increase the rate of drainage runoff, as well as destroy the beneficial impacts from wetlands and natural habitats in reduction in both rate of runoff and quality of water; and further seems in contradiction to local and regional officials effort to develop and implement flood risk strategies.

NOW THEREFORE BE IT RESOLVED, that the Iberville Parish Council hereby expresses our objection to the approval by the U.S. Army Corps of Engineers of a permit under Section 404 for this development; being Permit MVN2012-0098-CE; and,

BE IT FURTHER RESOLVED, that efforts should be made to discourage developments within the wooded and wetland areas of this drainage basin, due to the flooding problems being experienced within the Bayou Fountain and Manchac drainage basin, with a belief that further degradation of areas within close proximity to wetlands and designated wetlands areas will only exacerbate the flooding and runoff problems currently experienced in the basin; and,

BE IT FURTHER RESOLVED, that a copy of this Resolution of Objection be forwarded to the, U.S. Army Corps of Engineers, the Iberville Parish Congressional delegation, and the Louisiana Department of Environmental Quality – Water Permits Division.

The above resolution was duly adopted in regular session this 20th day of November, 2018, by the following vote on roll call;

YEAS: Taylor, Ourso, Jackson, Smith, Arnold, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Dominique, Lewis.

The resolution was declared adopted by the Chairman on 20th day of November, 2018.

ADJOURNMENT

There being no further business, it was moved by Councilman Vallet, and seconded by Councilman Arnold to adjourn at 6:41 p.m. The motion was unanimously adopted.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN