

**IBERVILLE PARISH COUNCIL MINUTES
PUBLIC HEARING, TUESDAY, MAY 19, 2020
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 May, 2020 at 6:25 P.M. pursuant to a Notice of Public Hearing published on the 27th day of February, 2020 in the Plaquemine Post South and 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; 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; Louis R. Kelley, Jr., District 10; Timothy J. Vallet, District 11; Matthew H. Jewell, District 12; Bart B. Morgan, District 13.

Absent: Ty J. Arnold, District 7.

A quorum was present and due notice had been published. Parish President- J. Mitchell Ourso, Jr., 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 declare the following property to be surplus and to sell to neighboring property owners pursuant to the terms of Ordinance #002-13 (Rev. Allen O’Bear, Sr.)

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

ORDINANCE 2 Ordinance to abandon a portion of Bayou Road from Sparks Street south to the dead end in Maringouin, Louisiana

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

ORDINANCE 3 Ordinance to Adopt Proposed Sewer Rate Fees

The floor was opened to comments and questions. Councilwoman Allen spoke in opposition to this ordinance.

There being no further business to be conducted, the hearing was adjourned at 6:41 p.m.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN

**IBERVILLE PARISH COUNCIL MINUTES
REGULAR MEETING, TUESDAY, MAY 19, 2020**

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 May, 2020.

The Council Chairman, Matthew H. Jewell, called the meeting to order at 6:43 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; Louis R. Kelley, Jr., District 10; Timothy J. Vallet, District 11; Matthew H. Jewell, District 12; Bart B. Morgan, District 13.

Absent: Ty J. Arnold, District 7.

Parish President- J. Mitchell Ourso, Jr., Chief Administrative Officer- Edward Songy, and Legal Counsel- Scott Stassi 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 May, 2020. 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

None.

APPROVAL OF MINUTES

Upon a motion by Councilman Jackson, and seconded by Councilman Markins, it was moved to wave the reading of the minutes of February 18, 2020 and approve as written. There were no Council meetings in March and April of 2020 due to the Covid-19 Quarantine. 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, Markins, Bradford, Kelley,
Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Arnold.

The motion was declared adopted by the Chairman.

PRESIDENT'S REPORT

President Ourso reported on the following:

- Last Wednesday night President Ourso received a call from the Site Manager for SNF Flopam stating they will be laying off 100 operators and personnel. The oil and gas prices have plummeted and their company relies on these fields to produce their products.
- President Ourso stated he and the Finance Director, Randall Dunn anticipated a great year for sales tax collections prior to the Covid-19 pandemic and quarantine. The March 2020 sales tax report was good. The April 2020 sales tax collection is due tomorrow and depending on those numbers the Parish may have to pull some projects. He stated this is going to be a tough year. President Ourso held a conference call with the Mayors of the surroundings municipalities regarding the sales tax collections.
- Iberville Parish is estimated to have 250 Covid-19 cases, and 38 Covid-19 deaths.
- Just two years ago the Parish spent \$5 million on Courthouse repairs. President Ourso hired a hygiene specialist and performed a walk through to explain what needed to be done within the Courthouse to protect the public once the quarantine has been lifted. The walk through was performed in all Elected Official offices and President Ourso was not impressed with the conditions of certain offices. He announced to all Elected Official offices the Parish will no longer provide cleaning services, and everyone must clean their own offices now.
- The Judges on the third floor have requested more security and more room. The Parish has been affording the Public Defender an office. The law states it is not an obligation of the Parish to provide their office space. They have \$500,000 in their budget to afford their own building.
- There will now be one entrance into the Courthouse; through a security and temperature checkpoint. The Courthouse will be opened to the public on June 1, 2020. The public must wear a mask and must have an appointment. President Ourso is following the guidelines set by the CDC.
- The Parish received a letter from Attorney Patrick Pendley, stating he would like to donate his former office to the Parish. President Ourso suggests that the Council accept his generous donation of the building.
- The Baton Rouge Food Bank will be at the new White Castle on Aging Facility distributing food. They have already made two rounds in Plaquemine and one round in North Iberville. President Ourso asked about the St. Gabriel area, and the Baton Rouge Food Bank said there is a food bank already in the St. Gabriel area.
- All Parish parks have been shut down during the quarantine. The bathrooms in the Civic Center are being redone. All refunds have been given back to the

people who rented both the Civic Center and the North Iberville Community Center.

- The Parish used to have 22 inmates from the Elayn Hunt Correctional Center to pick up litter, cut ditches, and to box the commodities for distribution. Without the help of the inmates the Parish has to shut down operations so its own employees can take care of those jobs now.
- The Council on Aging facilities are shut down until further notice. The staff is delivering meals to the elderly at home.
- The Tourism Welcome Center, the Locks, and the Museum are also closed until further notice. President Ourso is hoping to get the Rifle Range open once an infrared thermometer is available for purchase.

Councilman Markins asked when the Parish parks would be open again for the leagues.

President Ourso stated the leagues are over at this point in time. He also stated there is no way IPRD can possibly take care of and cut the grass for all of the parks that belong to surrounding municipalities. He plans to ask the Mayors of the municipalities to begin taking care of their own parks. President Ourso will give the Council a list of the parks that IPRD will maintain. The Parish no longer has inmates to help with labor to maintain the parks and boat landings.

Councilman Dominique said the residents in District 3 would like to thank the Parish President for a great job handling the Covid-19 pandemic.

- President Ourso stated he is not happy about the garbage in the Parish. During quarantine, there was enough trash put out that ten boom trucks couldn't even pick up. People are dumping garbage in the dumpsters

President Ourso also wanted to state that he was not happy with the garbage in the Parish. He talked about the amount of garbage people put out to the road during the quarantine and that ten boom trucks could not have been able to keep up with that amount of garbage and debris. All of the dumpsters that are currently at the barn will be moved to a fenced in area in the back of the Mike Zito Multipurpose Center. An attendant will be on site Monday through Thursday from 7:00 a.m. until 5:00 p.m. and anyone wanting to use the dumpster must show valid identification of being an Iberville Parish resident. He also talked about the trash around the dumpsters at the boat landings. He doesn't know where this amount of garbage is coming from. President Ourso stated he has to protect the Solid Waste fund. The garbage collection is \$3.6 million a year.

Councilman Smith stated everyone that he has spoken with in his district has been pleased with how the Parish has handled the pandemic.

Councilwoman Allen stated the Town of White Castle has been cutting the grass around the tennis courts since January. She also stated they locked up the bathrooms too.

President Ourso stated 75% of the Parish's budget comes from Sales Tax. He will report back to the Council with the numbers collected for the month of April.

FINANCIAL REPORT

Finance Director, Randall Dunn stated the Council has received another financial statement, which is the annual side by side. Tomorrow the Finance Department will re-evaluate the Sales Tax projections once the collection is made for the month of April. He also spoke on the financial aspect of maintaining so many parks in the Parish. There no questions from the Council.

OLD BUSINESS

ORDINANCE IPC# 001-20

ORDINANCE TO DECLARE THE FOLLOWING PROPERTY TO BE SURPLUS AND TO SELL TO NEIGHBORING PROPERTY OWNERS PURSUANT TO THE TERMS OF ORDINANCE # 002-13 (REV. ALLEN O'BEAR, SR.)

WHEREAS the Parish of Iberville has a tax interest in the property described below which has been adjudicated for non-payment of property taxes.

WHEREAS "Property 1" listed below, has been previously declared to be surplus by Iberville Parish Council Ordinance #016-17.

WHEREAS the adjudicated property listed herein has been maintained for at least one year by an adjoining landowner. Section 14 of IPC Ordinance # 002-13 states: "Notwithstanding any provision of this Ordinance, Iberville Parish Council may, pursuant to the provisions of La. R.S. 47:2201(2)(B), as revised by Act 511 of 2009, allow adjoining landowners of an adjudicated property which constitutes an adjudicated vacant lot to purchase the adjudicated vacant lot for any price set by Iberville Parish Council without any public bidding at a public meeting of the Iberville Parish Council provided that Iberville Parish Council determines that the adjoining landowner has maintained the property for a period of one (1) year prior to the sale. Such sale shall be deemed a public sale under the provisions of this subpart."

WHEREAS contingent upon the requirements of law being met, including but not limited to, proper notice to any interested parties, advertisement in the official journal of Iberville Parish and the production of the three sworn affidavits attesting to the adjoining landowner's maintenance of the adjudicated lots, the Iberville Parish Council desires, and intends to sell the following properties:

1.) Parcel # 0600760500

Tax debtor: Rev. Allen O'Bear, Sr.

Location of property: Lot 6 of Lot 11 Homestead Subdivision

Adjoining landowner intending to acquire ownership: Percy D. Tatten & Russian McNair

Suggested price: \$1,500.00

BE IT ORDAINED that the property described above is not needed for public purposes and is declared to be surplus and should be returned to commerce.

BE IT FURTHER ORDAINED that the property described above shall be sold to the adjoining landowner listed in accordance with the terms of Ordinance # 002-13 and the Iberville

Parish Adjudicated Property Program as administered by the Parish Administrator.

BE IT FURTHER ORDAINED that the adjoining landowner of the adjudicated property may purchase the adjoining property for the price suggested above unless another price is designated by the Iberville Parish Council.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED should any part of this ordinance be declared null, void, invalid, illegal or unconstitutional, the remainder of the said ordinance shall remain in full force and effect.

This ordinance shall become effective on this the 19th day of May, 2020.

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on February 18, 2020 and a summary thereof having been published in the official journal on February 27, 2020 the public hearing on this ordinance held on the 19th day of May, 2020, 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 ye and nay vote on roll call:

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

NAYS: None.

ABSTAIN: None.

ABSENT: Arnold.

The ordinance was declared adopted by the Chairman on the 19th day of May, 2020.

ORDINANCE IPC# 002-20

ORDINANCE TO FORMALLY ABANDON A PORTION OF BAYOU ROAD LOCATED IN MARINGOUIN AREA

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 roads, streets and alleyways have been abandoned or are no longer needed for a public purpose, and upon revocation the soil covered by and embraced in the roads, streets, or alleyways shall revert to the then present owner or owners of the land contiguous thereto.

WHEREAS, the portion of Bayou Road located in the Maringouin area from its intersection with Sparks lane to the dead end of Bayou Road is no longer needed for public use or purpose as there are no private residences to be served by this portion of Bayou Road in the Maringouin area. This portion of Bayou Road in the Maringouin area does not form any integral part of the

public road system and the costs for continued maintenance of this portion of Bayou Road is excessive as compared to the useful purposes served by this portion of Bayou Road in the Maringouin area. The general motoring public will not be adversely affected or inconvenienced by the abandonment of this portion of Bayou Road in the Maringouin area.

WHEREAS, as a result of the abandonment of this portion of Bayou Road in the Maringouin area, the road will revert to the current adjacent landowner(s) and no land owner(s) will be deprived of ingress and egress to their property.

WHEREAS, it is in the best interest of the Iberville Parish Council to formally abandon the portion of Bayou Road from its intersection with Sparks Lane at N 30 degrees, 28.338 seconds, West 91 degrees, 31.384 seconds to its dead end at North 30 degrees 27.584 seconds, West 91 degrees 31.402 seconds as depicted on the attached plat map attached hereto and incorporated by reference in accordance with Louisiana law.

NOW, THEREFORE, BE IT ORDAINED BY THE IBERVILLE PARISH COUNCIL AS FOLLOWS: That the portion of Bayou Road located in the Maringouin area from its intersection with Sparks Lane to the “dead end” of the roadway as described above and on the attached map be abandoned and that upon final passage a certified copy of this ordinance be filed in the conveyance records of the Iberville Parish Clerk of Court’s Office.

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on February 18, 2020 and a summary thereof having been published in the official journal on February 27, 2020 the public hearing on this ordinance held on the 19th day of May, 2020, 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, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Arnold.

The ordinance was declared adopted by the Chairman on the 19th day of May, 2020.

ORDINANCE IPC# 003-20

ORDINANCE TO ADOPT PROPOSED SEWER RATES

WHEREAS, Section 2-11 (A)(3) of the Iberville Parish Home Rule Charter provides that acts requiring an ordinance shall include those that levy taxes, assessments and charges.

WHEREAS, the Iberville Parish Council through its Utility Department currently operates a community sewer system in the areas identified as Bayou Goula, Dorseyville, Patreau Lane,

Choctaw Mobile Home Park and Timberlanes Subdivision, which systems provide environmental and health enhancements to these residential areas, however there are costs associated with the collection and treatment of residential sewer effluent.

WHEREAS, the costs of collection and treatment of sewer wastes in areas served by the Iberville Parish Council, including the areas of Bayou Goula, Dorseyville, Patreau Lane, Choctaw Mobile Home Park and Timberlanes Subdivision, have continued to steadily rise, and increased regulations by LA DEQ and LA DHH and EPA have increased sewer costs significantly.

WHEREAS, the Iberville Parish Council has incurred losses associated with its sewer collection/treatment systems from 2017 through 2019 estimated to be in excess of Five Hundred Thousand Dollars.

WHEREAS, the current Sewer Rate for all customers in the Choctaw Mobile Home Park and Timberlanes Subdivision areas are as follows:

0-2,000 gallons water	\$13.50 sewer rate
Per Thousand gallons thereafter	\$ 3.00 sewer rate

WHEREAS, the current Sewer Rate for all customers in the Bayou Goula, Dorseyville and Patreau areas are as follows:

0-2,000 gallons water	\$13.50 sewer rate
Per Thousand gallons thereafter	\$ 3.00 sewer rate

WHEREAS, the Iberville Parish Council Utility Department had a sewer user fee study and evaluation conducted by Pan American Engineers to alleviate continual losses based on the current sewer rates and to cover the increased costs associated with LA DEQ, LA DHH and EPA regulations.

WHEREAS, based on the recent sewer rate study the rate for all areas served by the Iberville Parish Council Utility Department the new sewer rates for all areas served by the Iberville Parish Council shall be as follows:

0-2,000 gallons water	\$19.34 sewer rate
Per Thousand gallons thereafter	\$4.30 sewer rate

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

“That the sewer user fees for all areas served by the Iberville Parish Council Utility Department, including Bayou Goula, Dorseyville, Patreau Lane, Choctaw Mobile Home Park and Timberlanes areas, shall be as follows: A base sewer rate of \$19.34 for the first two thousand (2,000) gallons of water used and an additional \$4.30 for each thousand gallons of water used thereafter.

The foregoing ordinance which was previously introduced at the meeting of the Iberville Parish Council on February 18, 2020 and a summary thereof having been published in the official journal on February 27, 2020 the public hearing on this ordinance held on the 19th day of May, 2020, 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: Easley, Dominique, Jackson, Smith, Pierce, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: Allen.

ABSTAIN: None.

ABSENT: Arnold.

The ordinance was declared adopted by the Chairman on the 19th day of May, 2020.

NEW BUSINESS

A) Introduction of Ordinances

The following ordinance was introduced by Mr. Songy:

- 1) Ordinance to authorize the sale of three Lots, NOS. 4, 5, & 6, of Block A of Gay Subdivision NO. 1 identified on plat prepared by John G. Dunlap, PLS

Upon a motion by Councilman Kelley, seconded by Councilman Markins, it was moved that a public hearing be held on Tuesday, June 16, 2020 at 6:00 p.m. on the introduced ordinance. 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, Markins, Bradford, Kelley, Vallet, Morgan.

NAYS: None.

ABSTAIN: None.

ABSENT: Arnold.

The motion was declared adopted by the Chairman on the 19th day of May, 2020.

- B) Motion to reschedule the July 21, 2020 Council Meeting to Tuesday, July 28, 2020 due to the Annual NACo Convention.
 - This agenda item was passed on due to the 2020 NACo Convention being cancelled due to the Covid-19 Pandemic.

RESOLUTION COMMITTEE REPORT

The Resolution Committee met on Tuesday, May 19, 2020 at 6:41 p.m., followed by the roll call with the following Resolution Committee Members only in attendance: Smith, Vallet, Pierce, Kelley, Markins, Jackson, Morgan, Dominique.

Absent: Arnold.

The following resolutions were read aloud by Mr. Songy:

A) Resolution in Opposition to State Central Collection of Sales and Use Tax

There were no questions from the Council or the public.

Councilman Kelley made a recommendation to forward the resolution 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, Pierce, Kelley, Markins, Jackson, Morgan, Dominique.

NAYS: None.

ABSTAIN: None.

ABSENT: Arnold.

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

DURING THE REGULAR MEETING:

RESOLUTION IPC# 2020-004

RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES AND OCCUPATIONAL LICENSE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE OR OTHER ENTITY

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

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes and occupational license taxes;

WHEREAS, there are several constitutional amendments and bills introduced in the 2020 Regular Legislative Session that would transfer collection responsibility of local sales and use tax and occupational license tax levies to the state Department of Revenue or other entity, namely HB 428, HB 429 and HB 581; and

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

WHEREAS, the state of Louisiana's budget issues do not offer prospects for the Department of Revenue or other entity to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs and training of its employees on the specific application of local sales and use tax and occupational license tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage locally adopted sales and use tax levies, collection of said levies are the direct responsibility of local governments, and the transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

WHEREAS, the central local collector of sales and use taxes in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary of the Department of Revenue being an appointee of the Governor of the state, uncertainty exist as to who in the Department of Revenue or other entity will be accountable to local taxing authorities for the performance of such critical local tax administration,

NOW THEREFORE, be it resolved that the Iberville Parish Council as a local taxing authority and /or governing body, that each member of the legislative delegation for the Parish of Iberville is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes and occupational license taxes to the Louisiana Department of Revenue or other entity; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent forthwith to said legislators so that they will be made aware of our position on this matter,

The above resolution was duly adopted in regular session this 19th day of May, 2020 by the following vote on roll call:

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

NAYS: None.

ABSTAIN: None.

ABSENT: Arnold.

The resolution was declared adopted by the Chairman on the 19th day of May, 2020.

ANNOUNCEMENT

Notice hereby given pursuant to Article 7, Section 23(C) of the Louisiana Constitution and R.S. 47:17059(B) that a public hearing of the Iberville Parish Council in Iberville Parish will be held at the Iberville Parish Council Meeting Room, 2nd Floor, Courthouse Building, 58050 Meriam Street, Plaquemine, Louisiana on Tuesday, July 21, 2020 at 6:00 p.m. to consider and adopt the millage rates, the public meeting will immediately follow at 6:30 p.m. in the Iberville Parish Council Meeting Room, 2nd Floor, Courthouse Building, 58050 Meriam Street, Plaquemine, Louisiana to consider and adopt the millage rates.

ADJOURNMENT

There being no further business, it was moved by Councilman Vallet, and seconded by Councilman Pierce, to adjourn at 7:32 p.m. The motion was unanimously adopted.

/s/ KIRSHA D. BARKER
COUNCIL CLERK

/s/ MATTHEW H. JEWELL
COUNCIL CHAIRMAN