

**MINUTES
POINTE COUPEE PARISH COUNCIL
May 10, 2022**

The Pointe Coupee Parish Council met in regular session at 5:30 p.m. Tuesday May 10, 2022, at the Courthouse Annex in the Parish Council Meeting Room, New Roads, Louisiana.

Chairman Boudreaux called the meeting to order and directed Council Clerk Gerrie Martin to call the roll:

PRESENT: Messrs. Jimmie Gaspard, Sidney LaCoste, Edwin Soulier, Charles Watkins, Kurt Jarreau, Edward Bazile, Paul Bergeron and Dustin Boudreaux.

ABSENT: None.

APPROVE MINUTES OF APRIL 12, 2022 MEETING

Motion by Mr. LaCoste and seconded by Mr. Gaspard:

RESOLVED, That the minutes of April 12, 2022 regular meeting of the Parish Council be adopted as presented and published in the official journal.

Unanimously carried.

CONSIDER AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

SPECIAL BUSINESS:

PRESENTATION OF EMPLOYEE ANNIVERSARY SERVICE AWARD TO DONALD BRADLEY, JR

Parish President Major Thibaut presented an employee anniversary service award to employee Donald Bradley, Jr. for 5 years of dedicated service.

PARISH PRESIDENT'S REPORT

Parish President Major Thibaut gave an overview of the parish finances, and presented a financial report of the monthly budget to actual comparison on the ad valorem property taxes, sales tax collections, gas collections, licenses & permits, state severance, and state & federal funds, that included total revenues received of \$7,207,715 and total expenditures of \$3,889,841 for the month of April; capital outlay funding, ARPA funds, first quarter PILOT payment received from the solar project; one employee retired, four new employees hired (two Kennel Attendants, a Revenue Associate and a Tractor Driver), and an employee transferred to public works; and updates on the solar farm at Ventress. In closing, he responded to questions from the council.

PUBLIC COMMENTS ON AGENDA ITEMS

There were no public comments.

PUBLIC HEARING ON AN INTRODUCED PROPOSED ORDINANCE TO ENACT SECTION 17-60 OF THE POINTE COUPEE PARISH CODE OF ORDINANCES, RELATIVE TO THE TELECOMMUNICATIONS TOWERS IN THE PARISH, AND THEREAFTER, DISCUSSION & CONSIDERATION OF THE ADOPTION

A hearing to obtain public input to a proposed ordinance to enact Section 17-60 of the Pointe Coupee Parish Code of Ordinances, relative to the Telecommunications towers in the parish, and further provide with respect thereto was conducted at 5:50 p.m., Tuesday, May 10, 2022 at the Parish Council Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana.

Attorney Wendell Clark, representing SBA Communications, voiced concerns and comments about

the proposed ordinance. He requested additional time to review and present amendments to the ordinance for consideration by the council. He reported SBA has seven cellular towers in the parish.

Chairman Boudreaux reported on an email and correspondence received at 4:00 p.m. today from AT&T Mobility noting concerns and proposed amendments to the ordinance for review by council. He reported on the possibility of deferring adoption of this ordinance.

Attorney Dannie Garrett commented on the suggested amendments from AT&T to the ordinance, and recommended the council defer actions on the ordinance until their council meeting in June. Attorney Garrett received approval from council to review and discuss suggested amendments with AT&T and SBA, and present revisions to ordinance for review at the executive committee meeting on May 24, 2022.

Motion by Mr. LaCoste and seconded by Mr. Soulier:

RESOLVED, That the Parish Council defer actions on the proposed ordinance to enact Section 17-60 of the Pointe Coupee Parish Code of Ordinances, relative to the Telecommunications towers in the parish until the council meeting on June 14, 2022.

Unanimously carried.

INTRODUCTION OF ORDINANCE(S):

AN ORDINANCE TO AMEND SECTION 22-19 OF CHAPTER 22 OF THE POINTE COUPEE PARISH CODE OF ORDINANCES, RELATIVE TO SUBDIVISIONS AND BUILDING SETBACK LINES FOR RESIDENTIAL LOTS FRONTING FALSE RIVER. (PUBLIC HEARING JUNE 14, 2022)

NOTICE OF INTRODUCTION OF ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a proposed ordinance to amend Section 22-19 of Chapter 22 of the Pointe Coupee Parish Code of Ordinances, relative to subdivisions and building setback lines for residential lots fronting False River, and otherwise provide with respect thereto has been introduced before the Pointe Coupee Parish Council, and that a public hearing will be held relative thereto at 5:30 p.m., Tuesday, June 14, 2022 at the Parish Council Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana, after which said ordinance may be considered for adoption. All interested persons are urged to attend.

AN ORDINANCE TO AMEND THE POINTE COUPEE PARISH CODE OF ORDINANCES, RELATIVE TO ADOPTING REDISTRICTING PLAN A AS THE NEW ELECTION DISTRICT PLAN FOR THE POINTE COUPEE PARISH COUNCIL IN ACCORDANCE WITH THE 2020 CENSUS. (PUBLIC HEARING JUNE 14, 2022)

NOTICE OF INTRODUCTION OF ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a proposed ordinance to amend the Pointe Coupee Parish Code of Ordinances, relative to adopting the Reapportionment Plan A to reapportioning single member voting districts for the Council of the Parish of Pointe Coupee, Louisiana, in accordance with the 2020 Census, and otherwise provide with respect thereto has been introduced before the Pointe Coupee Parish Council, and that a public hearing will be held relative thereto at 5:30 p.m., Tuesday, June 14, 2022 at the Parish Council Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana, after which said ordinance may be considered for adoption. All interested persons are urged to attend.

AN ORDINANCE TO AMEND THE POINTE COUPEE PARISH CODE OF ORDINANCES, RELATIVE TO PROVIDE FOR THE CREATION OF PRECINCTS AND THE DESCRIPTION THEREOF FOR REDISTRICTING PLAN A. (PUBLIC HEARING JUNE 14, 2022)

NOTICE IS HEREBY GIVEN that a proposed ordinance to amend the Pointe Coupee Parish Code of Ordinances, relative to amending the current Parish Precinct Ordinance creating

whole voting precincts for the Parish of Pointe Coupee in accordance with the guidelines put forth by the Louisiana Secretary of State, and otherwise provide with respect thereto has been introduced before the Pointe Coupee Parish Council, and that a public hearing will be held relative thereto at 5:30 p.m., Tuesday, June 14, 2022 at the Parish Council Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana, after which said ordinance may be considered for adoption. All interested persons are urged to attend.

RESOLUTION(S):

APPROVE HOLDING OF AN ELECTION IN FIRE PROTECTION DISTRICT NO. 2 OF THE PARISH OF POINTE COUPEE, STATE OF LOUISIANA, ON TUESDAY, NOVEMBER 8, 2022, TO AUTHORIZE THE LEVY OF A SPECIAL TAX OF 4.40 MILLS PROPERTY TAX FOR THE PURPOSE OF PROVIDING FUNDS FOR SALARIES AND BENEFITS OF PERSONNEL

Motion by Mr. LaCoste and seconded by Mr. Bazile:

A resolution approving the holding of an election in Fire Protection District No. 2 of the Parish of Pointe Coupee, State of Louisiana, on Tuesday, November 8, 2022, to authorize the levy of a special tax therein.

WHEREAS, the Board of Commissioners of Fire Protection District No. 2 of the Parish of Pointe Coupee, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 2 of the Parish of Pointe Coupee, State of Louisiana (the "District"), plans to adopt a resolution on May 16, 2022, calling a special election in the District on Tuesday, November 8, 2022, to authorize the levy of a special tax therein; and

WHEREAS, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of Pointe Coupee, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to levy and collect the special tax provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to levy and collect the special tax provided for therein;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of Pointe Coupee, State of Louisiana, acting as the governing authority of said Parish, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Fire Protection District No. 2 of the Parish of Pointe Coupee, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Tuesday, November 8, 2022, at which election there will be submitted the following proposition, to-wit:

PROPOSITION
(MILLAGE)

Shall Fire Protection District No. 2 of the Parish of Pointe Coupee, State of Louisiana (the "District") be authorized to levy and collect a special tax of four and forty hundredths (4.40) mills (an estimated \$140,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) on all the property subject to taxation in the District for a period of ten (10) years, beginning with the year 2023 and ending with the year 2032, for the purpose of providing funds for salaries and benefits of personnel?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to levy and collect the special tax provided for therein.

Unanimously carried.

APPROVAL TO ENGAGE LEGAL SERVICES OF BREAZEALE, SACHSE & WILSON, L.L.P. AS SPECIAL COUNSEL TO PROVIDE GENERAL LEGAL ADVICE TO THE PARISH GOVERNMENT, WITH RESPECT TO MATTERS PERTAINING TO MUNICIPAL FINANCE, ECONOMIC INCENTIVES, PAYMENT IN LIEU OF TAX ARRANGEMENTS & GENERAL BUSINESS, CORPORATE & GOVERNMENTAL AFFAIRS

Motion by Mr. Soulier and seconded by Mr. LaCoste:

A resolution by the Pointe Coupee Parish Council engaging legal counsel for the Parish Government to provide general legal advice, including, without limitation, with respect to matters pertaining to municipal finance, economic incentives, payment in lieu of tax arrangements, and general business, corporate and governmental affairs.

WHEREAS, the Pointe Coupee Parish Council (the "*Parish Council*") is a political subdivision of the State of Louisiana. Louisiana Revised Statute 42:263 authorizes a parish governing authority to retain or employ any special counsel to represent such authority in special matters and pay any compensation for such legal services upon declaring a real necessity exists and upon obtaining approval by the Attorney General; and

WHEREAS, the Parish Council has determined that there exist a real necessity for the employment of special counsel with the legal expertise required to advise the Parish Government with respect to various legal matters, including, without limitation, matters pertaining to municipal finance, economic incentives, payment in lieu of tax arrangements, and general business, corporate and governmental affairs, and attorneys in the law firm of Breazeale, Sachse & Wilson, L.L.P., are uniquely qualified as such, having legal expertise to so advise the Parish Government; and

WHEREAS, the Parish Government now desires to employ the law firm of Breazeale, Sachse & Wilson, L.L.P. to provide the legal advice herein described.

NOW, THEREFORE, BE IT RESOLVED by the governing authority of the Parish Council, that:

SECTION 1. It is hereby found and determined that a real necessity exists for the employment of special counsel to the Parish Government and, accordingly, Breazeale, Sachse & Wilson, L.L.P. ("*Special Counsel*"), is hereby employed as special counsel to the Parish Government to provide general legal advice, including, without limitation, with respect to matters pertaining to municipal finance, economic incentives, payment in lieu of tax arrangements, and general business, corporate and governmental affairs. The fee to be paid Special Counsel shall not exceed \$385.00 per hour, said fee to be payable by the Parish Government, subject to the Attorney General's written approval of said employment, pursuant to an engagement letter or other agreement for legal services to be entered into between the Parish Government and Special Counsel (the "*Legal Services Agreement*").

SECTION 2. The President of the Parish Government is hereby authorized and directed, for and on behalf of the Parish Government, to execute and deliver all such instruments as are required, necessary, convenient and appropriate in connection with the employment of Special Counsel, including, without limitation, the Legal Services Agreement and any documentation required to be provided to the Attorney General. The signature of the Authorized Representative upon such documents set forth above, or as may be otherwise required for or necessary, convenient or appropriate to the employment of Special Counsel described in this resolution, is deemed to be conclusive evidence of his/her due exercise of the Parish Government vested in him/her hereunder.

SECTION 3. The Authorized Representative is hereby further authorized and directed, for and on behalf of the Parish Government, to do all things necessary, on the advice of counsel to the Parish Government, to effectuate and implement this resolution including, upon approval by the Attorney General of the employment of Special Counsel, the publication hereof as required by La. R.S. 42:263.

SECTION 4. This resolution shall become effective immediately on May 10, 2022.

Unanimously carried.

APPROVE THE POINTE COUPEE BANNER AS THE OFFICIAL JOURNAL FOR THE PARISH AS REQUIRED BY LA R.S. 43:141 AND LA R.S. 43:142, EFFECTIVE JULY 1, 2022

Motion by Mr. Bazile and seconded by Mr. Watkins:

RESOLVED, That the appointment of The Pointe Coupee Banner as the Official Journal for the parish as required by LA R.S. 43:141 & LA R.S. 43:142, effective July 1, 2022 be approved.

Unanimously carried.

ADOPT THE LOUISIANA COMPLIANCE QUESTIONNAIRE FOR THE 2021 AUDIT

Motion by Mr. Soulier and seconded by Mr. Bazile:

RESOLVED, That the Louisiana Compliance Questionnaire with the LA Legislative Auditor for the Pointe Coupee Parish Government 2021 Audit Engagement be adopted.

Unanimously carried.

NAME A PRIVATE ROAD AUDREY LANE OFF OF PATTERSON ROAD AT TORBERT FOR E-911 PURPOSES

Motion by Mr. Boudreaux and seconded by Mr. Jarreau:

RESOLVED, That a private road be named **Audrey Lane** off of Patterson Road at Torbert for E-911 purposes.

Unanimously carried.

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL:

APPROVAL OF A REZONING APPLICATION FROM RURAL TO RURAL MIX USE FOR PARCEL #00554750 LOCATED AT 9221 FALSE RIVER DRIVE & EXTENSIONS OF 9253 FALSE RIVER DRIVE AT NEW ROADS FOR LABATUT PROPERTIES, LLC/BRENT LABATUT

Motion by Mr. Bazile and seconded by Mr. Soulier:

RESOLVED, That upon the recommendation of the Pointe Coupee Parish Planning & Zoning Commission, a rezoning application from rural to rural mix use for a food truck court for Parcel #00554750 located at 9221 False River Drive & extension of 9253 False River Drive at New Roads in Section 58, Township 5 South & Range 10 East, Section 57, Township 5 South & Range 10 East, Section 38, Township 5 South & Range 9 East and Sections 57 & 63, Township 4 South & Range 9 East for Labatut Properties, LLC/Brent Labatut be approved.

Unanimously carried.

ANNOUNCEMENTS, NOTICES, MEETINGS, ETC.

Chairman Boudreaux reminded councilmembers to submit their Annual Tier 3 Personal Financial Disclosure Statement by May 15, 2022.

Motion by Mr. Jarreau and seconded by Mr. Soulier, the meeting adjourned at 6:20 p.m.

Gerrie P. Martin
Council Clerk

Dustin Boudreaux
Chairman

