ST. LANDRY PARISH COUNCIL

SPECIAL MEETING

**WEDNESDAY, DECEMBER 28th, 2022**

**OLD CITY MARKET, 131 W BELLEVUE ST**

**OPELOUSAS, LOUISIANA**

**MINUTES**

1. This meeting was called to order by Chairwoman Vivian Olivier.
2. Councilman Wayne Ardoin led the Pledge and Invocation.
3. **Roll Call: PRESENT**: Jerry Red Jr., Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Wayne Ardoin, Timmy Lejeune and Jimmie Edwards. Ex Officio: Vivian Olivier

**ABSENT**: Easton Shelvin, Alvin Stelly and Dexter Brown, Coby Clavier.

***Councilman Dexter Brown was late for roll call but later joined the meeting.***

1. **Item for Discussion:**

• **RESOLUTION NO. 035-2022**

**WHEREAS,** there are documents and requests that St. Landry Parish Government needs

to sign regarding Capital Outlay Projects administered through Facility Planning and Control Division of Administration.

**THEREFORE, BE IT RESOLVED,** by the St. Landry Parish Council that the St. Landry Parish President, Jessie Bellard, is authorized to sign any and all documents and requests for state disbursements pertaining to Capital Outlay Project “50-J49-22-01 Parish Wide Drainage” administered through Facility Planning and Control Division of Administration.

*Councilman Harold Taylor stated*, “I’ll take the first question. Mr. Bellard in the funding summary document from the facility planning and control from the State, this is a parish wide project planning and construction for St. Landry Parish. Can you give us a detailed overview of what this includes the planning stages such as what bayou’s, canals or whatever you digging.”

*Parish President Jessie Bellard stated*, “Its two Bayou’s, Bayou Carron of Washington and Bayou Mallet of Lawtell. It’s from Acadia Parish coming into St. Landry Parish and from Bayou Courtableau coming into Bayou Carron.”

*Councilman Harold Taylor stated,* “I have a few more questions if no one has a question but I will yield to whomever else have questions.”

*Councilwoman Nancy Carriere asked*, “Is that the only two?”

*Parish President Jessie Bellard stated*, “That’s the only two at this point. There’s not enough money to do more.”

*Councilman Harold Taylor asked*, “What is the distance and how many feet are you cleaning?”

*Parish President Jessie Bellard stated*, “We haven’t even got to that point yet. Whenever we asked for the money we were hoping to get a million dollars and we got it so now we divide it into two canals and however many feet we can do we have to go through the proposals and the bids and everything else. William is working on the project for us now.”

*Councilman Harold Taylor stated,* “My next question would be: Are we going to do a Cooperative Endeavor Agreement with the Drainage District to assist with this like we done in the past?”

*Parish President Jessie Bellard stated*, “I don’t think we have any drainage districts in those areas that we are doing. It is just two bayous.”

*Councilman Harold Taylor stated*, “Bayou Carron transverses through Mrs. Thierry District and Bayou Mallet Drainage District had $500,000.00 in 2021 that’s unencumbered certainly they can assist in this.”

*Parish President Jessie Bellard stated*, “We will get with them when we get to that point. We were going to start at the other end not on the Lawtell end, on the Acadia Parish side coming from the parish line coming in as far as we can. Yes.”

*Councilman Harold Taylor stated*, “Then there’s the Lawtell Drainage District which has about $54,000.00 if that is accurate.”

*Parish President Jessie Bellard stated*, “I’m not sure, I will have to look at that.”

*Councilwoman Nancy Carriere stated*, “Mr. Bellard is it already contracted or you going to get Public Works to bid it out?”

*Parish President Jessie Bellard stated*, “Yes we will have to bid it out, once we improve the scope we will work together.”

*Councilman Wayne Ardoin*, “Mr. Bellard will there be some local contractors or can anyone in this state bid on it? How will that be handled?”

*Parish President Jessie Bellard stated*, “Anybody can bid on it.”

*Councilman Timmy Lejeune stated*, “Will you reach out to some of these drainage boards? Lawtell Gravity Drainage goes all the way up to Savoy/Swords somewhere in that area which is close to the parish line. Are you going to start on that end?”

*Parish President Jessie Bellard stated*, “We will start on the Acadia Parish line coming in. If we can pull resources we will.”

*Councilman Timmy Lejeune stated,* “If you have the layout or the map lay out I’m more than happy to help you.”

*Parish President Jessie Bellard stated,* “William will put the scope of work together. Once he have that project together we can see exactly where we are and how far we can go with the money we have available. Then we can look at the map and see where it is going touch.”

*Councilman Harold Taylor stated*, “As you know the State of Louisiana DOTD Acadiana Planning Commission which is handling the 1.2 billion in grants and such are involved in planning work for the entire Teche Vermillion Watershed which includes St. Landry Parish. My question is: Are we going to maybe coordinate our projects with them to make sure we are not duplicating anything that they have worked on?”

*Parish President Jessie Bellard stated, “*They don’t have anything in our parish as of right now. All of that money that was allocated back in 15 or 16. We had a meeting last week and we allocated $125,000.00 to Lafayette for something but I think it’s only $300,000.00 left. We are going to hold off until any projects come in as an overbid.”

*Councilman Harold Taylor stated*, “My next question is: Have Parish Government applied for any availability to local, federal or non-state matching funds for this project?”

*Parish President Jessie Bellard stated*, “No.”

*Councilman Harold Taylor stated*, “So what are we going to use for that.”

*Parish President Jessie Bellard stated*, “151.”

*Councilman Harold Taylor stated*, “Can you tell me what 151 is.”

*Parish President Jessie Bellard stated*, “That’s Smooth Ride Home.”

*Councilman Harold Taylor stated*, “Smooth Ride Home. Wow, we are dredging a drainage canal with Smooth Ride Home money?”

*Parish President Jessie Bellard stated*, “We can, yes.”

*Councilman Harold Taylor stated*, “You totally alienated me about Smooth Ride Home Funds doing the dredging of cleaning out Project I. It is not a road, I mean it was sold to the folks on the bases that it would be a black top road and a smooth road.”

*Parish President Jessie Bellard stated*, “And drainage, it is in the referendum.”

*Councilman Harold Taylor stated*, “Why weren’t we told this when you applied for this grant it would be Smooth Ride Home money? Why weren’t we told about the project? The only thing you precipitated in getting the information this time was that we rejected your resolution last week because we gave you exclusive authority to sign off on any public works or any grants with the State and this Resolution specifically talks about this project. Mr. Bellard, I know you work hard but let me tell you something there are 14 members of this team and you are one of them. You are the only one that got the information, without the information how can we make an intelligent decision? First of all to use Smooth Ride Home Funds I can’t go along with that. I’m sorry, that’s like throwing poison in small grass. You can’t find any other funds to do it with? If you haven’t committed the money maybe we ought to put this project on hold. But if you committed the money then we need to know about that.”

*Parish President Jessie Bellard stated*, “It’s in the budget for the next year, the 2023 budget.”

*Councilman Harold Taylor stated*, “Smooth Ride Home, but we didn’t pass the budget. How much time before we have to take action on this?”

*Parish President Jessie Bellard stated*, “I’m asking the Council to pass it tonight.”

*Councilman Harold Taylor stated*, “$333,333.00 is what you are asking us to approve out of the Smooth Ride Home Fund.”

*Parish President Jessie Bellard stated*, “I’m asking you all to approve the CEA section that is in your package.”

*Councilman Harold Taylor stated*, “The 25% of that million dollars is $333,333.00, wow that’s all the questions I have.”

*Councilman Wayne Ardoin asked,* “What is the balance in the Smooth Ride Home Fund at this time Mr. Bellard?”

*Parish President Jessie Bellard stated*, “I can’t tell you, I don’t have it in front of me.”

*Councilman Wayne Ardoin stated*, “Ok, thank you.”

*Parish President Jessie Bellard stated*, “You are welcome.”

*Councilwoman Nancy Carriere stated*, “Mr. Bellard, I looked over this the last couple of days. I see where you changed some things about the Resolution and I was very interested in it. After I am hearing it is the Smooth Ride Home Funds I think that money belongs to the whole Parish and not just two Bayous.”

*Councilman Jerry Red Jr. stated*, “I believe this project would better for the whole parish. As far as funds, are there any funds in the Video Poker that we can use?”

*Parish President Jessie Bellard stated*, “Yes, we can look into some Video Poker money. If you all want to change the Resolution I am good with that also.”

*Councilman Timmy Lejeune stated*, “I support what Jerry is saying, wouldn’t you rather do that? See if we can get these drainage boards to make some contribution towards that.”

*Parish President Jessie Bellard stated*, “Once the scope of work is completed then we see where the boundaries are then we can go to those districts and find out, yes.”

*Councilman Timmy Lejeune stated*, “Let’s try to prevent using that Smooth Ride Home. I would really think you should use that video poker.”

*Parish President Jessie Bellard stated,* “That is fine.”

*Councilman Jerry Red Jr. stated*, “They started cleaning out the bayous. There are several areas in Lawtell area. I have been some calls and the people are very happy with the cleaning and the stuff that is taking place. I know once you start cleaning it will bring affect over the whole parish. Regardless when you start, there will still be areas that will need to be cleaned out.”

*Councilman Harold Taylor stated,* “On the Cooperative Endeavor Agreement under section 1.3 it says: WHEREAS, if applicable, the Entity has supplied the State with evidence of the availability committed of the Local, Federal or Non-State Matching Funds for the Project. You could not have gotten this unless you committed to it. Is that right?

*Parish President Jessie Bellard stated*, “To the Local Fund?”

*Councilman Harold Taylor stated*, “I am reading the Endeavor, 1.3”

*Parish President Jessie Bellard stated*, “Yes.”

*Councilman Harold Taylor stated,* “So you committed to the state that we had the money without us knowing anything about it?”

*Parish President Jessie Bellard stated*, “I committed to the state that we had the money, yes.”

*Councilman Harold Taylor stated*, “You don’t think that the Council should have some input on this before you commit $333,333.00 thousand dollars.”

*Parish President Jessie Bellard stated*, “It is in the budget for next year. If you don’t want to vote for it then don’t.”

*Councilman Harold Taylor stated*, “That’s not the point, you asked us to pass something tonight and you are going to fund it next year. Come on now.”

*Parish President Jessie Bellard stated*, “I have answered your question. Move on.”

*Councilman Harold Taylor stated,* “You are just a guest here, this is our meeting. You are here to answer the questions that we may have and I have questions. You have committed to the state that we have the $333,333.00 thousand dollars.”

Parish President Jessie Bellard stated, “Yes, I committed to the State.”

Councilman Harold Taylor stated, “Can I get a copy of that tomorrow?”

Parish President Jessie Bellard stated, “Probably not.”

Councilman Harold Taylor stated, “Why is that Jessie?”

Parish President Jessie Bellard stated, “You won’t get it tomorrow, you will probably get it next Wednesday.”

Councilman Harold Taylor stated, “Okay, next Wednesday will be fine. I think we need to pass on this until we have more information.

*Parish President Jessie Bellard stated,* “No.”

Councilman Wayne Ardoin questioned, “You are offering that as a motion Mr. Taylor?”

Councilman Harold Taylor stated, “Yes.”

*Councilman Wayne Ardoin stated*, “I will second your motion to gather more information but there is one question that I have. I don’t know if it will make any difference to you Mr. Bellard but Acadia Parish, are their canals all clean? The ones that are on our parish line.”

*Parish President Jessie Bellard stated*, “It is not my business.”

*Councilman Wayne Ardoin stated*, “Sir.”

*Parish President Jessie Bellard stated*, “It is not my business.”

*Councilman Wayne Ardoin stated*, “Ok so the water is going to go north or is it going to go south?

*Parish President Jessie Bellard stated*, “That is a good question, call Acadia parish and ask them.”

*Councilman Wayne Ardoin stated*, “Alright, thank you.”

*Councilman Harold Taylor stated*, “So one more point Madam Chairlady. So you are okay with flooding someone else? Cause it’s going to flood. When you clean out these canals and get the water south of us, if it does not get to the Gulf of Mexico somebody is going to flood, so you are moving forward.”

Parish President Jessie Bellard stated, “I’m taking the water that’s dumped on us and putting it somewhere else like it’s supposed to be.”

Councilman Harold Taylor stated, “I have a motion on the floor.”

Councilman Jerry Red Jr. stated, “I would like to make a Sub-Motion that we the funds from the video poker and apply for this grant.”

Councilman Jimmie Edwards stated, “I second that motion.”

Councilman Jerry Red Jr., stated, “That would be the Substitute Motion.”

Councilman Harold Taylor stated, “Move on the Substitute Motion Madam Chairlady.”

A Sub-Motion was made by Councilman Jerry Red Jr. seconded by Councilman Jimmie Edwards to use the funding from the video poker and apply the funding to this grant.

**On roll call vote:**  **YEAS**: Jerry Red Jr., Mildred Thierry, Dexter Brown, Timmy Lejeune, and Jimmie Edwards **NAYS**: Nancy Carriere, Harold Taylor, Gil Savoy and Wayne Ardoin. **ABSENT**: Easton Shelvin, Alvin Stelly, and Coby Clavier. **ABSTAINED:** None.

**Motion failed.**

*Council Clerk Sherell Jordan stated***, “**We have **5 votes ‘Yes’** - **4 votes ‘No’** and **3 are absent**.”

*Councilman Harold Taylor stated*, “In Parliamentary Procedure it takes 7 votes to pass something and not 5 votes. So the motion dies. We can vote on the Regular Motion Madam Chairlady.”

*Councilman Jerry Red Jr. stated*, “Madam Chair, the amount of people that we have here and you voted also, is that correct Ms. Vivian?

Madam Chairlady Vivian Olivier stated, “No, I don’t care to vote.”

Councilman Jerry Red Jr., stated, “Are you voting on this Ms. Vivian? You can vote.”

Councilman Harold Taylor stated, “Mr. Duplechain, can you weigh in on the number of votes it takes to pass a vote?”

*Legal Counsel Garett Duplechain stated*, “To pass something it takes 7 votes. For a Parliamentary Procedure, I am not sure if it takes 7 votes for that but to pass something it takes 7 votes.

Councilman Harold Taylor stated, “We have 5 votes.”

*Legal Counsel Garett Duplechain stated, “*We have it right here unless a different voting is required by Charter’s State Law the vote necessary to pass an ordinance, resolution or other action by the council shall be by a majority vote of the council’s membership.”

*Councilman Harold Taylor stated*, “Seven Votes. The motion dies.”

*Councilman Jerry Red Jr., stated*, “Can you read your statement again.”

*Legal Counsel Garett Duplechain stated*, “Unless a different vote is required by this Charter to pass votes that are necessary to pass or other action by the council shall be by majority vote of the council’s membership. This is a Parliamentary Procedure. It does not fall under any other actions or not.

*Councilman Jerry Red Jr., stated*, “So what are you saying? Make yourself clear.”

*Legal Counsel Garett Duplechain stated*, “To pass an ordinance, a resolution or other action by the council or a request by someone shall be by majority vote from the council’s membership.”

*Councilman Harold Taylor stated*, “Which is 7 is that correct?”

Councilman Jerry Red Jr., stated, “That is not what he is saying. He is saying the majority.”

*Councilman Harold Taylor stated*, “Majority of membership Mr. Red. A membership is 13.”

*Councilman Jerry Red Jr., stated*, “We don’t have 13 here today.”

*Councilman Harold Taylor stated*, “We have 13 members on this council. We don’t have enough here and we don’t have 7 votes. We have 9 people here. If 7 don’t vote then the motion is dies.”

*Councilman Jerry Red Jr., stated*, “We have done that before and the majority of the votes always win.”

*Councilman Harold Taylor stated*, “I did not write the Charter. I am just following it.”

*Councilman Jerry Red Jr., stated*, “I understand what you are saying.”

*Councilman Harold Taylor stated*, “I call for a vote on my original motion that we table this until a further study.

*Councilman Timmy Lejeune questioned, “*I am asking, did the five pass or not.”

*Legal Counsel Garett Duplechain stated*, “It takes 7 votes and it says or other action by the council. The council will take action from the majority of the members.”

*Councilman Wayne Ardoin questioned*, “Mr. Duplechain. Any motion that is made here tonight dies until we get a full quorum?”

*Legal Counsel Garett Duplechain stated*, “It takes 7 votes to pass or other actions by the council.”

Councilman Timmy Lejeune questioned, “What is other actions?”

Legal Counsel Garett Duplechain stated, “Parliamentary Procedure.”

*Councilman Harold Taylor stated,*“We don’t have 7 votes so pass my motion so it dies. We accomplished nothing tonight. I asked for a vote on my original motion that we table this until further study.

Councilman Jerry Red Jr., stated, “We voted on the Sub-Motion. If that did not pass isn’t it odd to vote on the main motion that was already on the floor. Let’s go with procedure.”

Councilman Dexter Brown stated, “Can you repeat the main motion for clarity?”

Council Clerk Sherell Jordan stated, “Now we are voting to table.

Councilman Jerry Red Jr., stated, “No we are on the main motion which was made by Mr. Taylor. The Sub Motion failed for lack of 7 votes. Now we have to vote for the main motion.”

Councilman Harold Taylor stated, “The Main Motion is to Table this for further study.”

A motion was made by Councilman Harold Taylor, seconded by Councilman Wayne Ardoin to Table this **Resolution 035-2022** until further study.

**On roll call vote**: YEAS: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy and Wayne Ardoin. **NAYS**: Jerry Red Jr., Dexter Brown, Timmy Lejeune and Jimmie Edwards. **ABSENT:** Easton Shelvin, Alvin Stelly and Coby Clavier**. ABSTAINED**: None.

WHEREUPON, this motion was adopted on this, the 28th, day of December 2022.

1. **ADJOURN**

A motion was made by Councilman Wayne Ardoin, seconded by Councilman Jimmie Edwards

to adjourn this Special Meeting of the St. Landry Parish Council.

**On roll call vote**: YEAS: Jerry Red Jr., Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Wayne Ardoin, Dexter Brown, Timmy Lejeune, Jimmie Edwards, and Coby Clavier. NAYS: None. ABSENT: Easton Shelvin, Alvin Stelly and Coby Clavier. ABSTAINED: None.

WHEREUPON, this motion was adopted on this, the 28th, day of December 2022.

**I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE**

**SHERELL JORDAN, COUNCIL CLERK**

**KAREN BARLOW, ASSISTANT COUNCIL CLERK**