

**ST. LANDRY PARISH COUNCIL
ADMINISTRATIVE/FINANCE COMMITTEE MEETING
WEDNESDAY, FEBRUARY 1st, 2023
OLD CITY MARKET, 131 W. BELLEVUE ST.
OPELOUSAS, LOUISIANA**

ADMINISTRATIVE/FINANCE COMMITTEE MEETING MINUTES

1. Chairman Wayne Ardoin called this meeting of the Administrative/Finance Committee of the St. Landry Parish Council to order.
2. Councilman Jerry Red Jr., led the Pledge of Allegiance and Invocation.
3. **Roll Call:** Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor, Wayne Ardoin, Timmy Lejeune and Ex-Officio: Vivian Olivier. **ABSENT:** None.
4. **Person to address the Committee:**

Mr. Tony Guillory addressed the council. He stated, “It gives me great honor to have you all meet this gentleman, he is from Lake Charles, LA. As you know I do believe in supporting anyone that do believe in helping people. This gentleman is definitely going to help people, his vision and everything to help people as your next Governor. I would like to bring on Mr. Hunter Lundy and he is going to tell you a little bit about himself.”

Mr. Hunter Lundy addressed the council and stated, “Thank you Tony. Thank you all for letting me speak here, Ms. Chairlady, and councilman. I am a native of Lake Charles. I grew up in Lake Charles, graduated from LaGrange High School. I was 1 of 4 children to Pat and Patricia Lundy. My father is deceased but my mother is 91 years and looks like my sister so I have pretty good genes and one of my brothers is deceased. I practiced law for 40 years. I started college at McNeese then transferred to a small college in Mississippi and played football at Millsaps College. Then I went on to law school and worked for a Federal Judge in Biloxi, Mississippi. Then I moved back to Lake Charles in the early 80’s and worked for Governor Jones Law Firm. Sam Jones is the last Governor from Southwest Louisiana and he was called a reformer after the long years. In 1986 I started my own Law Firm. I been the CEO for that Law Firm for the last 36 years. At the end of 2021 I made the decision I was going to leave the law practice and run for Governor. It was only after a lot of prayer and a lot of thought and encouragement from different people suggesting that I do this so I made the decision to do it. My record probably speaks for itself. As an advocate I have been all over the world and I litigated cases all over the United States. Many of them in the environmental communities that were affected adversely by industry but at the same time I represented Mari-Time Companies. I have defended lawyers and doctors and I have walked everyway that you could walk as far as community service I have been on the Executive Board of Boy Scouts. I have helped to build Churches. I am in the middle of building a Youth Camp at a Church right now in another state that we are trying to get the Youth Camp done. I have been involved in every aspect of life so why do I share these things with you is because I will be the candidate with the most gray hair. I will be the candidate that has the wisdom and the energy and will not be outworked by anyone else. I will be the only Independent in the race. I became an Independent a number of years ago. The question I answered is there such a time as this Louisiana will elect an Independent Governor because of the divisiveness that is occurring in both parties. I got out at the first of last year and started going across the state and here with me tonight is Mr. Wayne Sensette whom has worked with five District Attorneys in Calcasieu Parish. We leased his wife bus and we wrapped it and it say Lundy for Louisiana and we have been all over the state. This is like my 6th or 7th police jury to speak to. We have spoken to all of the DA’s and all of the Sheriff’s and we have done all of the things that we have to do politically. At the same time I was in Washington last week and I got to visit with Mr. Red an honorable man that you all have on the Police Jury here, a Godly man. I feel really good and nobody will outwork me, I care about people. My call in life was always to help people. My younger brother is now the CEO of our law firm. We have had as many as 21 lawyers and 60 employees at one time so we understand what it is. I am a developer, a business man and a preacher. I have done a lot of different things and God has put me

in a place right now at a time as such it is to do well for the state of Louisiana and for the people. My calling never has changed, it just will go from the court house to the capital. We are still going to help people. I tell people that I am going out of this world with booths on the ground. I am not going to quit. That is who I am and that is what I am about. I have 2 living siblings a sister and a brother. As I told you my 91 year old mother is still going strong and I have 5 grandchildren. Two of my sons live in Beauregard Parish. One of my sons is a Ship Captain and one is a Fire Captain. I have a daughter that is a School Teacher. We come from a family that my mother was a teacher and a professor. My dad worked on the waterfront in 1954 as a Crane Operator. Thirty years later he ended up owning the Maritime Companies. My older brother, sister and I all had to have jobs and Scholarships to go to College. My younger brother went with a credit card and a new car so there was a difference in the economy and lives but we were given a work ethic like no other from my father. So that is kind of the story of the Lundy Family. My mother was a daughter of a rice farmer and my dad was the son of a football coach from Mississippi that moved to Louisiana to be the Boy Scout Executive. My dad eventually ended up in Louisiana and that is where we grew up. If you have any questions, I don't want to take up the time because I know you all have a lot of business to do but if you want to ask and take a free shot right now hopefully you will have your next Governor standing right here and you can get to ask him a question."

Councilman Coby Clavier stated, "I don't have a question, I just want to make a statement, I met you back in Alexandria a few weeks ago and I appreciate you coming to see us today and I wish you luck."

Councilman Harold Taylor stated, "Hunter Lundy, I knew you 26 years ago when you ran for Congress. Was that your last race?"

Mr. Hunter Lundy stated, "That was my only race."

Councilman Harold Taylor stated, "I have admired you then and I admire you today. Thank you for giving service to your community and thank you for joining us tonight and pitching your candidacy for Governor."

Mr. Hunter Lundy, "Thank you Mr. Taylor, in response to that I was young and I ran in the open primary and there were 8 candidates in the race no one knew who I was but I ended up in the run off with Chris John who was a good Congressman and I lost in the run off. It was the best thing that ever happened because I ended up being a single dad raising my youngest son who now is the ship captain at 36 years old. It was never meant for me but I learned a lot from it and I never thought I would do this again but I am doing it again. Are there any other questions?"

5. Parish President & Finance Report: Update on the Old Federal Courthouse

Parish President Jessie Bellard stated, "So the update on the Old Federal Courthouse, we pulled that item because it is not feasible for the parish to purchase this building. The all in price would be about \$4.9 million dollars. I don't think we would be able to obtain the donations or the Federal Grants to do what needs to be done. I am pulling it from the budget and the budget will reflect that whenever we make that change. In your packet is a Resolution to adopt our Hazardous Mitigation Plan. Every 5 years we have to adopt a plan and submit it to FEMA for their approval. That is how we get our funding every year. We have to adopt it and all of the municipalities have to adopt it so this is the first step."

Administrative Finance Chairman Wayne Ardoin questioned, "Do we have a copy in our packet Ms. Sherell?"

Council Clerk Sherell Jordan stated, "Yes, it is Resolution 004-2023."

Administrative Finance Chairman Wayne Ardoin questioned, "Do we need a motion for that? It is the Hazardous Mitigation Plan."

A motion was made by Councilman Timmy Lejeune, seconded by Councilman Easton Shelvin to forward to Regular Meeting held on **Wednesday, February 15, 2023** to approve **Resolution 004-2023**. A Resolution to adopt the renewal of the St. Landry Parish Multi-Jurisdictional Hazard Mitigation plan for 2022 that allows the Parish and its Municipalities to be eligible for FEMA Hazard Mitigation Funds.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion forwarded.

Parish President Jessie Bellard stated, “Also in front of you is the Financial Statements for the month of December, 2022.”

Councilman Harold Taylor questioned, “The transfer in on the General Fund Budget item 8000100, where did we transfer that from? What fund did we transfer it from?”

Parish President Jessie Bellard stated, “That is going to be Fund 96.”

Councilman Harold Taylor stated, “Which is?”

Parish President Jessie Bellard stated, “That is the General Fund Contingency.”

Councilman Harold Taylor stated, “Thank you.”

Administrative Finance Chairman Wayne Ardoin questioned, “Are there any other questions on Financials?”

Parish President Jessie Bellard stated, “That is all that I have.”

Administrative Finance Chairman Wayne Ardoin stated, “Ms. Caryn is not here so do I have a motion to accept the Parish President Report with the Financials.”

A motion was made by Councilman Timmy Lejeune, seconded by Councilman Jerry Red Jr., to accept the Parish President and Finance Report.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion carried.

6. Notice is hereby given that at its meeting to be held on Wednesday, March 15, 2023 at 6:00 p.m. at its regular meeting place, the Old City Market, 131 W. Bellevue Street, Opelousas, Louisiana, the Parish Council of the Parish of St. Landry, State of Louisiana, plans to consider adopting a resolution ordering and calling elections to be held in (i) Sub-Road District No. 1 of Road District 11A of the Parish of St. Landry, State of Louisiana and (ii) Sub-Road District No. 2 of Road District 11A of the Parish of St. Landry, State of Louisiana to authorize the continuation of ad valorem taxes therein.

A motion was made by Councilman Harold Taylor, seconded by Councilman Easton Shelvin to forward to Regular Meeting held on **Wednesday, February 15th, 2023** to approve the Announcement of a Public Meeting to be held on Wednesday, March 15th, 2023 at 6:00 p.m. at its regular meeting place, The Old City Market, 131 W. Bellevue Street, Opelousas, Louisiana to consider adopting a resolution ordering and calling elections to be held in (i) Sub-Road District No. 1 of Road District 11A of the Parish of St. Landry, State of Louisiana and (ii) Sub-Road District No. 2 of Road District 11A of the Parish of St. Landry, State of Louisiana to authorize the continuation of Ad Valorem taxes therein.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion forwarded.

7. Notice is hereby given that at its meeting to be held on Wednesday, March 15, 2023 at 6:00 p.m. at its regular meeting place, the Old City Market, 131 W. Bellevue Street, Opelousas, Louisiana, the Parish Council of the Parish of St. Landry, State of Louisiana, plans to consider adopting a resolution ordering and calling elections to be held in the

Parish of St. Landry, State of Louisiana to authorize the renewal of an Ad Valorem Tax therein.

A motion was made by Councilman Harold Taylor, seconded by Councilman Timmy Lejeune to forward to Regular Meeting held on **Wednesday, February 15th, 2023** to approve the Announcement of a Public Meeting to be held on Wednesday, March 15th, 2023 at 6:00 p.m. at its regular meeting place, The Old City Market, 131 W. Bellevue Street, Opelousas, Louisiana to consider adopting a resolution ordering and calling elections to be held in the Parish of St. Landry, State of Louisiana to authorize the renewal of an Ad Valorem Tax therein.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion forwarded.

8. **Authorize the approval for NextEra Energy Solar Farm-Port Barre, La.**

Parish President Jessie Bellard stated, “Regarding NextEra, there is the Permit Process and the Pilot Program. The Pilot Program should be approved by SLED on the 14th, of February. So we should have it here for the 15th. Also the Permit, we will have it here for the 15th, as well. The issue with the road is being resolved at this time. I would like to get an approval on both of those contingent that everything is met at the time of the meeting.”

Administrative Finance Chairman Wayne Ardoin stated, “Mr. Alvin that is in your district, do you have anything? I think Mr. Craig Olivier called you today.”

Councilman Alvin Stelly stated, “Mr. Craig called me this afternoon. They suppose to have another meeting next week. They have a few little issues but they are supposed to iron that out next week.”

Parish President Jessie Bellard stated, “Correct, everything should be done for the meeting on the 15th. If it is not then we can pull it at that time. I just did not want to skip a step until we can get to that level.”

Councilman Harold Taylor stated, “Mr. Chairman, I move that we send it to Full Council for consideration. I will sponsor the Legislation to do the Permits and the Pilot Program. Subject to approval by those folks leasing the land.”

Parish President Jessie Bellard stated, “Also the SLED Board on the Pilot Program is doing their part now.”

Councilman Timmy Lejeune stated, “Before the 15th, Mr. Taylor.”

Councilman Harold Taylor stated, “We will have it for the 15th. If they have not worked out everything we will pull it and delay it until we get everything.”

Administrative Finance Chairman Wayne Ardoin stated, “You will offer to sponsor it and you don’t need a second at this time if I am correct.”

Councilman Harold Taylor stated, “I will offer to sponsor the Legislation. That is correct, I don’t need a second at this time.”

9. **Authorize New 285ft Cell Tower located on HWY 167 Opelousas, La-PARCEL #0500868500, Section 45; Township 5S; Range 4E, St. Landry Parish.**

Parish President Jessie Bellard stated, “Mr. Chairman, can you all pull that item. They did not come in with the permits that is required. They were told that we will bring it next month with the proper paperwork.”

A motion was made by Councilman Harold Taylor, seconded by Councilman Timmy Lejeune to **Table** Authorizing a new 285ft Cell Tower located on HWY 167, Opelousas, La. Parcel #0500868500, Section 45, Township 5S, Range 4E, St. Landry Parish.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and

Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion carried.

10. Forward to Full Council: Resolution No. 002-2023.

A Resolution in support of Legislation to create the Acadiana Regional Juvenile Justice District Comprised of Various Parishes in or near the Acadiana Region; Providing for the effective date thereof; and otherwise providing with respect thereto.

Parish President Jessie Bellard stated, “Mr. Chairman, regarding this resolution the 7 Parish Region that is with the Acadian Planning Commission with the addition of Allen Parish and Jeff Davis Parish is trying to form a Coalition to bring to the Legislature to pass and it gives that Coalition the Taxing Ability to Tax and also create the division to build a Juvenile Detention System within that 9 Parish Region. That is strictly for those 9 parishes and strictly for a 72 hour hold which is what happens now. Right now we don’t have a place to send out Juveniles so we have to send them to Alabama and that cost us \$300.00 plus dollars a day if they will take them. Our Judges are asking for some help on this issue and pretty much everybody that is in our Judicial System and 9 of those parishes. So this is just a Resolution to support the Legislation. It is not creating the tax or anything. It is just supporting that it goes to the State for them to approve. When that is done then we will come back to the table.”

A motion was made by Councilman Harold Taylor, seconded by Councilman Timmy Lejeune to forward to Regular Meeting held on **Wednesday, February 15, 2023** to approve **Resolution 002-2023**. A Resolution in support of Legislation to create the Acadiana Regional Juvenile Justice District Comprised of Various Parishes in or near the Acadiana Region; Providing for the effective date thereof; and otherwise providing with respect thereto.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion forwarded.

11. Forward to Full Council: Resolution No. 003-2023.

A Resolution to relocate the polling location at Living Waters Community Chapel to the Yambilee Building.

Councilman Dexter Brown stated, “I would like to sponsor this Resolution because Pastor Mr. Nathaniel Thierry had informed me that he no longer accommodate us with a polling place at Living Waters. I immediately got in contact with or Parish President Mr. Jessie Bellard and he said that within the District he can accommodate the polling place at the Yambilee Building.”

Councilman Harold Taylor stated, “Mr. Chairman, I make a motion that we forward this to full council and have Mr. Dexter Brown as the sponsor of that Resolution.”

Councilman Jerry Red Jr., stated, “Mr. Chairman, my only question is it is going from District 10 to District 1, is that a problem? Would that be a problem?”

Parish President Jessie Bellard stated, “I think that it will but if I am not mistaken Mr. Mike Hefner will be at our full council meeting to address another issue dealing with the polling locations and the prescient changes. That might be a question that we can ask him.”

Administrative Finance Chairman Wayne Ardoin questioned, “At this time are we going to hold off until the question is answered?”

Councilman Harold Taylor stated, “We can still forward it to the Full Council Meeting.”

A motion was made by Councilman Harold Taylor, seconded by Councilman Jerry Red Jr., to forward to Regular Meeting held on **Wednesday, February 15th, 2023** to approve **Resolution No. 003-2023**. A Resolution to relocate the polling location at Living Waters Community Chapel to the Yambilee Building.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion forwarded.

12. Discuss who has the authority to escort a speaker out of a meeting.
(Councilman Wayne Ardoin).

Administrative Finance Chairman Wayne Ardoin stated, “I ask this question and I was made aware that it is the Chairperson that will ask security to remove anyone, am I correct Mr. Duplechain?”

Legal Counsel Garrett Duplechain stated, “I happen to have here a copy of our Home Rule Charter and the Hand Book of Internal Rules for the Council. It was passed by an Ordinance by the Council. Section 2-06 states that the Chairman or Chairwoman shall preside at council meetings supervise and delegate supervision of council employees and carry out any other duties. The chair shall preside at council meetings. In the Hand Book of Internal Rules for the Council passed by the council Section 2-1.0.2, Powers and Duties of the Parish Council, the Chairman shall preserve decorum and order speak to points to order in preference to other members and decide all questions of order subject to however to appeal to the parish council. So it says the chairman shall preserve decorum and order in the council. 6B states, every official shall confine himself to decorous language and behavior in addressing chairman and shall make no personal or derogatory remarks to or any other member of the council. This does pertain to members of the public who are in here. During any one meeting failure to comply with the orders of the presiding officer first offense, reprimand, second offence, ejection from the meeting for a specific period of time. So that puts an incumbent upon the Chairman to enforce the decorum in the order that includes members of the public who are inside of the council chambers during a meeting.”

Councilman Harold Taylor stated, “The rules are pretty clear. I think that we understand that it is the Chairman’s position and job to have decorum ordered in the chambers.”

Councilwoman Mildred Thierry questioned, “Mr. Chairman, I am glad that this statement was brought up because it was questioned why when someone is removed from the meeting I did not ask why it was done. I would like for it to be made clear that we as councilmembers don’t have that authority to say who is removed from the audience and who isn’t. I just wanted that to be said.”

Councilman Easton Shelvin stated, “If I could chime in, if we have someone removed or if someone is removed from the chambers will they be removed from the premises?”

Legal Counsel Garrett Duplechain stated, “The Chambers is the Premises.”

Councilman Easton Shelvin stated, “I am talking about the parking lot.”

Legal Counsel Garrett Duplechain stated, “That is up to Security to maintain the security. So Security makes that decision. Security has to maintain at all cost. So that is really up to Security to determine the level of un-security.”

Administrative Finance Chairman Wayne Ardoin stated, I think it will be a call on Security or the Police Officers that are outside to keep the peace. The main thing is we will not have any interference in our meetings here. The question was asked like Ms. Thierry said was why someone was removed and the Chair never recognized that the person needed to be removed.”

Councilwoman Mildred Thierry stated, “So just to be made clear that we as councilmembers don’t have that authority to do so.”

13. Discuss any other business properly brought before this committee.

Councilman Harold Taylor stated, “Mr. Chairman, just a request from Administration. Mr. Bellard, I have a copy of the Ordinance. It was actually converted to a loan. It was a line of credit that was done September 30th, 2020. I would like to get the details of the particulars of how this got to be converted, who converted it and a list of the first and the last check that was written on it. Just so when we do our 2023 Budget we can understand how this is going forward.”

Parish President Jessie Bellard stated, “Okay.”

Councilman Harold Taylor stated, “I will get a list to you.”

Councilwoman Nancy Carriere stated, “I just wanted to ask our Legal Counsel Mr. Duplechain a question. You mentioned last night about getting some information from the NACO somebody about the \$350.00. Is that still necessary? Or can we just go and get that opinion like we did. Last night it was asked about Mr. Pitre, what did he think about the 7 votes? I know you said that we were going to be paying someone to give us that opinion and that would cost us \$350.00 per hour.”

Legal Counsel Garrett Duplechain stated, “To receive the letter from Tim Winn of Parliamentary Consulting he charges \$350.00. It is not necessary that the council do that transaction to pay \$350.00 and get the letter. The council can just proceed as it always has or seek an opinion from an Attorney General or someone may want to file a lawsuit to get a Judge to decide that. The council can proceed without paying \$350.00 to get the letter from Parliamentary Consulting.”

Councilwoman Nancy Carriere stated, “I was just saying, it can get expensive for 13 people.”

Legal Counsel Garrett Duplechain stated, “At this time I think a clear reading of the Home Rule Charter on when it takes 7 votes to do anything. If the council wishes to deviate from that they can file a lawsuit. It does clearly say the majority of the membership and the membership is 13 so that means it takes 7 votes to do anything.”

Councilwoman Nancy Carriere stated, “So I think because you are stating that and it is in the Charter that should be a done deal.”

Legal Counsel Garrett Duplechain stated, “Well it should be 7 votes to do anything, yes.”

Administrative Finance Chairman Wayne Ardoin stated, “Ms. Nancy, this has nothing to do with Mr. Taylor’s request from Mr. Bellard’s office.”

Councilman Coby Clavier stated, “Mr. Wayne, didn’t you want to add in that Resolution 004-2023. Did you all vote on that?”

Council Clerk Sherell Jordan stated, “Yes we did, that was the first Resolution that we had voted on. It was in Mr. Bellard’s Parish President’s Report.”

Councilman Timmy Lejeune stated, “Last night we sort of spoke about getting a Judge here. What is that process? Would that be faster to determine if it actually have 7 or if the Chairperson should rule if there are 12 members here. I mean we will never have anything passed. If it is a 6-6 and there is only 12. If somebody skips every month and it is a 6-6 vote nothing will get accomplished in St. Landry Parish. We just started this, we use to not vote on a 7. It was 7 for a full council meeting and majority of the attendees of the council was the ones who declared the vote. Do we go a step further and try to get a Judge to rule on this? What do we do?”

Legal Counsel Garrett Duplechain stated, “The council has have that option to get a ruling on it.”

Councilman Timmy Lejeune stated, “Do we need a motion on that?”

Councilman Harold Taylor stated, “Declaratory Judgment.”

Legal Counsel Garrett Duplechain stated, “You will need a motion if you want to get an Attorney General’s Opinion.”

Councilman Harold Taylor stated, “I don’t think he wants an Attorney General’s Opinion. He wants the courts to decide whether or not it takes 7 votes or less. That would require a legal Declaratory Judgement or what?”

Legal Counsel Garrett Duplechain stated, “The Declaratory Judgement would come from a Judge.”

Councilman Harold Taylor stated, “Would this be where this would have to go to get that done.”

Legal Counsel Garrett Duplechain stated, “From a Lawsuit filed in the Courthouse.”

Councilman Harold Taylor stated, “Typically speaking because the 27th Judicial District has a conflict because we fund then. They would probably get an Independent Judge or they could kick it up to another parish or what.”

Legal Counsel Garrett Duplechain stated, “That I do not know. That is up to the Judges.”

Councilman Harold Taylor stated, “The second issue was regarding the Home Rule Charter as it pertains to Adopting Budgets and Amending the Budgets. You made the statement that we were following the Revised Statute but the Charter is a little stricter than that. It says that we have to pass a Budget the month before the final meeting of the year. It says the same thing for the Amendments. I would like to include that in the Declaratory Judgement. Have the Judges Rule on the Home Rule Charter regarding that.”

Legal Counsel Garrett Duplechain stated, “Yes that is procedurally possible to put whatever issues you want inside that.”

Councilman Harold Taylor stated, “I offer a motion to the full council. We would like to read the judgement before you send it up if you don’t mind Counselor. The last time that we sent one up to the Attorney General it did not apply to the question, so I am being pretty blunt about it. If you are going to do this we would like to read it before you mail it or bring it to court. Do we understand?”

Legal Counsel Garrett Duplechain stated, “Right.”

Public Works Chairman Dexter Brown questioned, “Mr. Lejeune, regarding the 7 votes can you repeat what you said.”

Councilman Timmy Lejeune stated, “I don’t understand your question Mr. Brown but last night we had a vote and it was 6-5 I will say. I don’t remember the number but I will use that as an example. Because it was not 7 it did not pass because the majority of the council was not here to vote so therefore it ended up with a 6-5 vote. Therefore if we continue in that path nothing will get accomplished. We need to have clarity. It takes 7 people to have a meeting, of those 7 if you have 5 of them that says ‘yes’ and two of them that say ‘no’ then the whole agenda is null and void. We have to have an understanding that it takes only 6 or the majority of the present is the ones that carries the vote and that is what we need to know. This is the second or third time that it has happen.”

Councilwoman Mildred Thierry stated, “Instead of us going backwards and forward, backwards and forward with this same issue we need to decide whether we are going to go with the majority present or if we are going to go with that 7 votes. We need to make a decision and stop continuing to throw it around. We are not accomplishing anything.”

Administrative Finance Chairman Wayne Ardoin stated, “Is there anything you want to add on to this motion that Mr. Taylor is offering?”

Councilwoman Mildred Thierry stated, “I don’t remember what Mr. Taylor’s motion was.”

Administrative Finance Chairman Wayne Ardoin stated, “Let her read the motion. If you want to add something onto it I will recognize you. Would you read the motion Ms. Sherell?”

Legal Counsel Garrett Duplechain stated, “Can I make a suggestion?”

Administrative Finance Chairman Wayne Ardoin stated, “Go ahead Mr. Duplechain.”

Legal Counsel Garrett Duplechain stated, “This needs to be in a form of a Resolution which would be passed at the full council meeting. That way the council will see the Resolution and read the whole resolution as to any lawsuit and this is in the lawsuit, this will be filed, this is what they want to know and this is the whole deal.”

Councilman Harold Taylor stated, “Perfect.”

Legal Counsel Garrett Duplechain stated, “So the Resolution needs be ready two weeks from now right? So you all will do that motion order and two weeks from now we will have the Resolution. The motion should read to pass to full council meeting a resolution to go to District Court to get a Declaratory Judgement on how many votes are required for the council to take any action on something and to decide on the Home Rule Charter.”

Councilman Harold Taylor stated, “Add Section 502 and 504.”

Councilman Jerry Red Jr., stated, “And that is pertaining to the budget is that correct?”

Administrative Finance Chairman Wayne Ardoin stated, “That is pertaining to the budget when it is adopted.”

Councilwoman Mildred Thierry questioned, “I thought we were talking in regards to the number of votes that it takes to pass.”

Administrative Finance Chairman Wayne Ardoin stated, “That is part of it.”

Councilwoman Mildred Thierry stated, “Does it have to be that complicated that it has to go through a judge? Can’t we as a council do a Resolution and state that? This is just my opinion or suggestion.”

Legal Counsel Garrett Duplechain stated, “Ms. Mildred, I have the answer to your question. What Tim Winn from Parliamentary Consulting verbally told me and the clerk is that a Chairman can make that decision. If the chairman won’t the council can vote on it. We don’t have that on paper. That is what was told to us. This council can basically make its own in house rules if they want to or it can go to court to get a Declaratory Judgment. It is really up to you all but that is what was verbally told to us by Parliamentary Consulting. Because of the way a Home Rule Charter is written a chairman can decide if it takes 7 votes or not or the council can vote on it. We don’t have that on paper from Parliamentary Consulting. That was just verbally told to us. So you all want you might want to go and get a Declaratory Judgement from a Judge.”

Councilwoman Mildred Thierry stated, “So can we write up a Resolution stating that the majority of the councilmembers present, would that be legal?”

Administrative Finance Chairman Wayne Ardoin stated, “Ms. Thierry, we are bringing it to the full council. So if you do not want to vote on this item then you can vote Nay. Am I correct by saying that Mr. Duplechain? She is on the other end. I can barely hear her over there but I understand what she is trying to say. We will bring it to the full council and it will be a Resolution to bring it for a Declaratory Judgement in the 27th Judicial Court. Correct. With the two items dealing with the Budget.”

Councilwoman Mildred Thierry stated, “I know that Mr. Ardoin.”

Legal Counsel Garrett Duplechain stated, “A Resolution voted on by council I am sure that our clerk will e-mail the Resolution to you all along before the meeting so everyone can read it and see if it is in there what they want.”

Councilman Harold Taylor stated, “Just a reminder, Sherell placed the Home Rule Charter Book on our desk, you may want to read about that before you take a vote on it. It is pretty plan to me, I am not a lawyer I am just a layman. It is pretty plan that you need 7 votes to pass any instrument through the council. Let’s get the courts to decide and that will be the law. If they say it will take 6 or 5 or 7 votes I am good with it but the people voted on the charter and they said they wanted to see 7 votes on any instrument that we pass. So we will leave it up to the courts. An opinion is an opinion, it does not mean anything but the courts is going to rule on it. That is what we are asking.”

Councilman Jerry Red Jr., stated, “My only question is this, Ms. Thierry at the full council meeting you will get an opportunity if you want to let it go to the Judge or if you want the council to allow the Chairman to make that decision. You have either/or, okay.”

A motion was made by Councilman Harold Taylor, seconded by Councilwoman Nancy Carriere to forward to Regular Meeting held on **Wednesday, February 15th, 2023** to approve **Resolution No. 005-2023**. A Resolution to go to District Court to get a Declaratory Judgement on how many votes are required for the council to take any action on something and decide on the Home Rule Charter and Add Section 502 and 504 pertaining to the budget.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor and Timmy Lejeune. **NAYS:** None. **ABSENT:** None. **ABSTAINED:** None.

Motion forwarded.

Parish President Jessie Bellard stated, “Mr. Chairman, I have a question for Mr. Duplechain in regards to that property. If we have to bring it to court to have that title reversed or however that case maybe, shouldn’t it come before the council?”

Legal Counsel Garrett Duplechain stated, “That would be standard procedure to have the council pass that Resolution and that would kick off the lawsuit.”

Councilman Jerry Red Jr., questioned, “What are we talking about?”

Administrative Finance Chairman Wayne Ardoin stated, “The one on item number 9. Authorize for the cell tower. Is that what you are talking about?”

Parish President Jessie Bellard stated, “No sir, we will have a potential issue with a piece of property that was sold that we will probably have to ask the courts to step in and reverse that sale. So I was asking him to find out if we have to do that through Parish Council or what is the procedure. I just wanted to make that clear.”

Administrative Finance Chairman Wayne Ardoin stated, “Are you are talking about the people that come here from Leonville at every meeting? That would be Mr. Alvin’s District. You did not make it clear what it was.”

Parish President Jessie Bellard stated, “Yes. I just want to ask this question of the committee. If it needs to get to a Judge or to a court to reverse that sale, that is my question for Mr. Duplechain. I think that is the route that we will have to take for that to take place, I am just letting you all know that that is a potential lawsuit that will happen.”

Councilman Harold Taylor stated, “Just for clarity, Mr. Duplechain what are your thoughts? Do we need to take this to the courts to have it decided?”

Legal Counsel Garrett Duplechain stated, “Yes, there is a Conveyance Recorded in the Courthouse which has a Record Owner of the property. The only way to reverse that, because we are not going to sell a piece of property twice, is to have the sale invalidated.

It is just like when you acquire a clear title on a piece of property you have to go to a Judge for that because it is recorded in the courthouse. Then after that the property will revert back to the parish and the parish can do what it want with it.”

Councilman Harold Taylor stated, “So the issue is we have two owners, is that what you are saying?”

Legal Counsel Garrett Duplechain stated, “We had a sale of Adjudicated Property and it went to the person who bought it but it was an invalid sale. It is like if I try to sell your house I could not do it that is an invalid sale, I don’t own it. Conveyance is recorded and that has to be removed.”

Councilman Harold Taylor stated, “You are suggesting that we ask the courts to decide this, is that your recommendation?”

Legal Counsel Garrett Duplechain stated, “Yes, exactly the similar kind of lawsuit as when you acquire a title to determine who owns the piece of property.”

Administrative Finance Chairman Wayne Ardoin stated, “Mr. Bellard, what you are asking is to put that in a suite that we are talking about.”

Parish President Jessie Bellard stated, “It will be a separate one. I was just getting clarification. If we have to do it tonight to the full council I would like to see a draft brought to the full council and then at that time make a decision whether we go forward or not.”

Legal Counsel Garrett Duplechain stated, “So there will be a full council meeting this month and there will be 2 Resolutions. One Resolution for a Declaratory Judgement and there will be another Resolution to Proceed with the Lawsuit to invalidate an invalid sale. Two Resolutions.”

Councilman Jerry Red Jr., stated, “Mr. Duplechain this is the same property that you kept telling us time after time that someone purchased that property and it is in their name. Is that correct?”

Legal Counsel Garrett Duplechain stated, “That is right. The person who purchased the property is the record owner until more information came to light. In light of the new information it did not have the authority so it was an invalid sale that the statutory procedure for selling adjudicated property was not followed. Once that information came to light it is an invalid sale and that changes it. That person is still the record owner but we have to go to the court to invalid that.”

Councilman Jerry Red Jr., stated, “How can you get this council involved in that when that is between them and the owner. Why they can’t handle that themselves in courts? This council don’t have to have anything to do with that.”

Legal Counsel Garrett Duplechain stated, “The Parish Government sold the property. There is the Vendor and there is a Vendee and the Parish Government was the Vendor so we are already involved in it. The lawsuit could be filed by anyone. It could be filed by any interested party.”

Councilman Jerry Red Jr., stated, “At the same time. The one that purchased that property and the one that had the opportunity to purchase the property did not do it so it is between them two.”

Legal Counsel Garrett Duplechain stated, “You could have a private lawsuit a civil lawsuit between those two private individuals but the Parish Government have to be ready to move on it because we are the Vendor and it involves us.”

Councilman Harold Taylor stated, “So, how are we involved in this thing? Why are we in the middle of this?”

Legal Counsel Garrett Duplechain stated, “Every sale has a Vendor.”

Councilman Harold Taylor questioned, “No, No. Did we sell the property twice? The same property twice? Is that what we did?”

Legal Counsel Garrett Duplechain stated, “We sold it once. But the Statutory Procedure for selling Adjudicated Property have to be followed and they were not followed. That information came to light and we need to take action. We should take action on this.”

Councilman Alvin Stelly stated, “That property was sold twice. It was sold twice.”

Legal Counsel Garrett Duplechain stated, “Mr. Lee never had a Conveyance executed.”

Councilman Alvin Stelly stated, “There was no time limit. He tried to get in touch with Parish Government. Mr. Richard would never answer his phone. So how do they get paperwork done when the courthouse don’t answer their phone? There was no time limit.”

Legal Counsel Garrett Duplechain stated, “The paperwork was not done by Mr. Lee. It is no fault of Mr. Lee but his Conveyance was not done.”

Councilman Alvin Stelly stated, “This property should have never been put back on the market before they talked to the first people that bought it. I am sorry.”

Councilwoman Nancy Carriere stated, “I am familiar with this situation. I did some research, actually we have 3 properties that that has happen with. I am wondering how you all will handle this because we have two others.”

Legal Counsel Garrett Duplechain stated, “I know of Mr. Lee.”

Parish President Jessie Bellard stated, “Mr. Duplechain, I would ask that we keep it on this one piece of property. I understand where Ms. Carriere is going but if we can keep it on one piece of property and go from there. I just don’t think that it is the right place to talk about the other pieces of property just yet. I will provide the information to the council and I will even provide the information for this one so they can see what we see to justify the court interference, I guess if that is what you want to call it. At this time I would like to see the council and the committee stick to this one just for right now because that is the one that has been coming up every month. I am just asking that if we have to bring it to court it has to come before this council for that to happen, am I correct?”

Legal Counsel Garrett Duplechain stated, “That is correct.”

Parish President Jessie Bellard stated, “I will ask the committee if this is possible.”

Administrative Finance Chairman Wayne Ardoin stated, “I have a motion to forward that certain piece of property. Do you want to put an item on it, do you want to identify it by any kind of way?”

Parish President Jessie Bellard stated, “I would ask that the draft of the court proceeding be brought to the council ahead of time so you all will see the full picture before voting on the 15th.”

Councilman Harold Taylor questioned, “Counselor, Is that a Resolution that you need?”

Legal Counsel Garrett Duplechain stated, “It is a Resolution. A Resolution authorizing lawsuits are very basic. They just authorize the lawsuit.

A motion was made by Councilman Harold Taylor, seconded by Councilman Timmy Lejeune to forward to Regular Meeting held on **Wednesday, February 15th, 2023** to approve **Resolution No. 006-2023**. A Resolution to Proceed with the Lawsuit to invalidate an invalid sale.

On roll call vote: YEAS: Easton Shelvin, Harold Taylor, Timmy Lejeune and Administrative Finance Chairman Wayne Ardoin. **NAYS:** Jerry Red Jr. **ABSENT:** None. **ABSTAINED:** Nancy Carriere. **Motion forwarded.**

Council Clerk Sherell Jordan stated, “We have 3 ‘Yeas’ and one ‘Nay’ and one Abstain.”

Councilman Harold Taylor stated, “Technically doesn’t an abstention count as a ‘No’ vote? Did you vote Mr. Ardoin?”

Administrative Finance Chairman Wayne Ardoin stated, “If I need to vote, I will vote to break the tie and I will vote ‘Yea’. These people have come to this meeting numerous times and it is time to take care of the Tax Payers in St. Landry Parish. Mr. Bellard if you have any others that we have a problem with I would like for you to bring them up so that we won’t have all of this. It is not making us look like some good providers for the Tax Payers of St. Landry Parish.”

Parish President Jessie Bellard stated, “This one issue is what I am discussing tonight. To my knowledge there is no other issue right now. I am not saying there is none I am just saying to my knowledge right now I don’t have any.”

Councilman Harold Taylor stated, “My main question is: Have we resolved this issue where it won’t happen again going forward? Is there something that we need to pass in legislation?”

Parish President Jessie Bellard stated, “I will be bringing some more information to the council. I have put a halt on selling any adjudicated property until further notice until we can put a different procedure in place and I will bring it to the council at that time.”

Administrative Finance Chairman Wayne Ardoin stated, “You sent an e-mail out this week that there is an investigation going on with the sale of Adjudicated Property, am I correct? Everybody got a copy I think. Do you care to elaborate or you are going to ask this council to do the investigation? If I read the Home Rule Charter right we are the ones that had to ask for an investigation.”

Parish President Jessie Bellard stated, “This investigation is going to be conducted by the Auditing Firm, Darnall Sikes through the Legislative Auditors Office.”

Administrative Finance Chairman Wayne Ardoin stated, “So you are going to give us a report on this thing later?”

Parish President Jessie Bellard stated, “Most definitely.”

Administrative Finance Chairman Wayne Ardoin stated, “I have an issue. I have an issue Mr. Bellard where a piece of property was sold to an attorney that deals with some of our sales. That piece of property has never been cleaned. It has never been cleaned and I brought it to Mr. Richard Lewis attention not once but twice. It is right behind the Wildlife and Fisheries Office. It is sad that when it gets sold because someone else wanted it. The man that lives in the neighborhood cut the grass and wanted to buy it for his granddaughter and the attorney ended up buying it. It has never been cleaned and it got sold about two months ago. I brought it to that gentlemen that sits in that chair by you.”

Parish President Jessie Bellard stated, “I agree, here is the issue. Just because we award the bid does not mean that purchased the property yet. They don’t have the legal right of the property yet. I has to go through a process so it could be up to six months.”

Administrative Finance Chairman Wayne Ardoin stated, “Could you get your people, Code Enforcement to go and clean the property. These people don’t deserve that on that street.”

Parish President Jessie Bellard stated, “I will take care of that on our end.”

Administrative Finance Chairman Wayne Ardoin stated, “Okay, thank you.”

Council Clerk Sherell Jordan stated, “We still have to vote on another Resolution. Garrett stated that he has to draw up two different resolution for it.”

A motion was made by Councilman Harold Taylor seconded by Councilman Jerry Red Jr., to forward to Regular Meeting held On **Wednesday, February 15th, 2023** to approve **Resolution 007-2023** to do a Declaratory Judgement.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor, and Timmy Lejeune. NAYS: None. ABSENT: None. ABSTAINED: None.

Motion forwarded.

Sherell, I am not sure about this Resolution 007-2023. I think it is the same as Resolution 005-2023

14. Adjourn

A motion was made by Councilman Harold Taylor, seconded by Councilman Easton Shelvin to adjourn the Administrative/Finance Committee Meeting.

On roll call vote: YEAS: Jerry Red Jr., Nancy Carriere, Easton Shelvin, Harold Taylor, and Timmy Lejeune. NAYS: None. ABSENT: None. ABSTAINED: None.

Motion carried.

**I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE
SHERELL JORDAN, COUNCIL CLERK
KAREN BARLOW, ASSISTANT COUNCIL CLERK**