

**OFFICIAL PROCEEDINGS OF THE  
COUNCIL OF THE PARISH OF ST. JAMES, STATE OF LOUISIANA  
TAKEN AT A REGULAR MEETING HELD ON AUGUST 17, 2022**

The Council of the Parish of St. James, State of Louisiana, met in regular session in the Council Chambers of the Parish Courthouse Annex in Vacherie, Louisiana on Wednesday, August 17, 2022, at 6:55 p.m., immediately following the public hearing.

On roll call, the following were recorded present: Council Members Alvin St. Pierre, Jr., Jason Amato, Ryan Louque, Mason Bland, Clyde Cooper, Donald Nash, and Chairwoman Vondra Etienne-Steib.

Those also in attendance were Linda Hubbell, Council Secretary; Peter Dufresne, Parish President; Ingrid Bergeron, Human Resources Director; Eric Deroche, Emergency Preparedness Director; Felix Boughton, Finance Director; Rick Webre, Operations Director, and Adam Koenig, Legal Advisor. Mr. Vic Franckiewicz, Special Counsel, was also in attendance.

The Honorable Vondra Etienne-Steib, Chairwoman, duly convened the Council of the Parish of St. James, State of Louisiana, and stated that the Council was ready for the transaction of business.

Councilman Amato offered the invocation and Councilman Bland led the Pledge of Allegiance.

**MINUTES**

On a motion offered by Councilman Bland and seconded by Councilman Nash the minutes of the August 3, 2022 regular meeting were approved as distributed, and the reading of these minutes dispensed with.

**PRESIDENT'S REPORT**

- Thank you, Madam Chair. Good evening, everyone.
- I'd like to start off by offering condolence to the family of Maggie Williams.
- I would like to commend our community for always coming together. We don't just band together during hard times like Hurricane Ida, St James Parish is a community that supports each other all the time. For instance, this coming Sunday the Knights of Columbus in Luchter are doing a benefit lunch for the St. James Parish ARC. Please put your orders in and support the most deserving residents of the Parish.
- One of the newest ways we've seen the community coming together is through our St. James Parish Market Day. We hosted our 3<sup>rd</sup> Market Day event this past weekend, with great results. Even in the rain, St James Parish came together to support our local vendors. Online interest is building as well, we had over 14,000 people view our post about the last Market Day. The next Market Day will be on September 10 from 8am to 1 pm.
- Since we are in the peak of hurricane season, it's important to ensure that you have an evacuation plan as well as adequate supplies in your home. Our Department of Emergency Preparedness recommends all residents have a transistor radio so they can stay informed during storms.
- Our West Bank Reception Hall has been wind retrofitted this year and can now it can be used as an additional shelter during hurricane emergencies. We also had the generators tested and can confirm they are working properly.
- St James Parish Government has been approved for additional water waste debris removal throughout the parish. We have requested an extension with GOSEP to extend our debris removal through the end of year. If granted, it will allow us to clean out 5 parish canals – Bourbon, Lateral 4 and M-2 on the East Bank and Brazan and Coteau Canals on the West Bank.
- The David Plantation subdivision drainage project is wrapping up this week. St James Parish crews completing the final culvert installations and will be pouring concrete basins as well.
- Utilities department installed Inserta valves on the waterline on the south shoulder of Highway 643. These valves will be used to create a bypass for the construction and installation of a waterline offset to accommodate new drainage projects in that area. Boil water advisories are not expected as a result of this project.
- Repairs and modification to the ARC Building are nearing completion. Current plans are to open the building on September 6<sup>th</sup>.
- Material Resources Incorporated were deployed Monday to begin the road preservation program. They will be doing crack sealing and texture sealing where needed. We will share more information on the locations and dates on our social media platforms.
- The parish does have multiple current job openings. For more information, please visit our website.
- As I come to a close, I'd like to thank each one of our Council Members for their efforts in making St James Parish strong. I appreciate the level of professionalism when discussing sensitive topics that effect our individual districts, while always looking out for St. James Parish as a whole.
- God bless everyone here tonight, and God bless St James Parish. This concludes my report.

**PUBLIC COMMENT**

The following provided comments on agenda items:

- Jude Poche, 21184 Judge Becnel Lane, Vacherie, LA (Old Business #3)
- Justin Kray, 2433 Onzagen Street, New Orleans, LA (New Business #9)
- Corinne Van Dalen 900 Camp Street, New Orleans, LA (New Business #9)
- Zora Djenohan, 900 Camp Street, New Orleans, LA (New Business #9)
- Greg Johnson, 701 Poydras Street, New Orleans, LA (New Business #9)

**PRESENTATIONS**

- Miss Cali Boudreaux was recognized and presented with a plaque for being crowned Miss Teen Queen.
- Miss Emily Loupe was recognized and presented with a plaque for being crowned Miss Queen.

- Diana Diaz, 13455 Ellis Street, Vacherie, LA addressed the council on the impact of pollution from the perspective of the youth.
- Josh Manning, with South Central Planning and Development presented the Redistricting Alternative. He explained: why we redistrict, the timeline, tasks/process, population changes, demographics, and the recommended changes to the map. Councilman Bland stated the Map 1A-1 is the one being recommended.

#### APPOINTMENTS TO BOARDS AND COMMISSIONS – None

#### OLD BUSINESS

Acquisition of Land for Multipurpose Building – No additional update, still waiting on the appraisal. Hoping to have the information by the next meeting. Hospital is requesting what will actually be in the building.

Update of drainage study for Forrestal Street to Pool Lane – Still on the radar and work is being done in the area.

Council comments on Ordinance 22-08:

Councilman St. Pierre said this ordinance is a setback to make sure we are doing it right. He shared his thoughts on someone having 3 acres or less to take it out and if you want to put them on buildings or on your property next to your home or commercial buildings that it goes to the Planning Commission,

Councilman Bland asked for clarification of the “or” on end date of the moratorium. Mr. Franckiewicz said it isn’t either or, but it will always be the latest, then he provided the following examples: if the study is completed in January this moratorium would still stay in effect until the end of March. But if the wasn’t completed until April, that would push the date out and the moratorium would still be effective that long. He said even if the study gets done early you still need a little time to chew on it and to produce an ordinance.

Councilman Cooper asked if we already have checks and balances in place to deny, accept or prolong solar panels or any other industry that may try to come. What do we have in place already protecting us? Mr. Franckiewicz explained that under the existing ordinance there is very little or almost no control below 3-acres if you are in an industrial designated area. If you are any where else the solar panels are treated as an industrial use. Outside of any industrial areas the solar project would have to go through both the Planning Commission as well as the Parish Council because it’s contrary to the basic plan. Within an industrial area, if it’s under 3-acres there’s essentially no control on it, you just get a building permit. If it’s over 3 acres it goes to the Planning Commission for a light review, it doesn’t get up to Parish Council unless someone were to appeal it. Councilman Cooper then inquired about the zoning area for the solar panels looking to locate. Mr. Franckiewicz said that currently for where the 3900 acres were proposed it was a combination, a large part was agricultural, a large part was residential, and a relatively small part of it was commercial designation, keeping in mind that small part, there is not a lot of land designated for commercial, it tends to be pretty compact around intersections and so on. Councilman Cooper asked if that solar panel is rated or called industrial, do we already have protection in place not to be located there? Mr. Franckiewicz said that is correct, you have the power to do that, it’s just that you exercise on a case-by-case basis, and you have to go through the whole long process. And in effect, this ordinance says we don’t want to go through that process right now until the study is done and you have some basis for considering it.

Councilman Nash asked if we have any regulations on solar panels in the community and would the ordinance affect the current panels? Mr. Franckiewicz said this ordinance wouldn’t affect the existing solar panels because those were already finally approved prior to the date. The panels that are in the Vacherie area now actually went through the full process, they were proposed at a residential and agriculture area, so they went to the Planning Commission and the Parish Council. There are a few conditions on their operation, but basically, they have been approved already, unless they were to expand or discontinue operations. Councilman Nash asked if we have any information on the current panels that we have, as far as how it would have benefitted the community or have not benefitted the community. Mr. Franckiewicz said we don’t have a study or anything like that, and frankly when it was considered a couple of years ago for decision, none of that came up because it was a relatively small facility, only 200 acres. We didn’t have a study, only a bit of a presentation that was done at the time for the Planning Commission. Councilman Nash then asked if someone had property that they want to do 200 acres at a time you’re telling me they would have the open range to allow it to move forward now because we have nothing to protect that. Mr. Franckiewicz said you have the Land Use process, they would have to get recommendation from the Planning Commission and approval from the Parish Council, even for a 200-acre project. He said just because the former 200-acre project was approved its not a rubber stamp that says anything at 200 can be approved, it still has to go through the process. Councilman Nash said his greatest concern is being able to actually have industrial facilities next to a residential area. I think long term that would decrease value of the homes in the area. I haven’t seen anything that would indicate that we would actually benefit from having a solar farm next to our houses. He said we are talking about solar farms unlike solar panels on a house. He said he doesn’t think anyone on this council is opposed to anyone having solar farms in the community, not next to residential property and right now we have a Land Use Plan that we have paid money for that I feel we should stick to. Right now, in order for the solar panels to be built in our community we would have to convert the residential property to industrial, and what if a solar farm decides they don’t want to build in that area and an industrial plant wants to come put tanks, would that ordinance have any effect on industrial tanks being built next to residential houses. Mr. Franckiewicz said yes, under the current ordinance, let’s take 200 acres for example, if for some reason that ceased operation and either removed itself for left it out there, the underlying land designation was not changed its still residential and agricultural. The approval of that 200-acres was for that use, but not for industrial, generally. That’s how the Land Use Plan works when you approve a use that’s not ordinarily allowed in an area, that approval only attaches to that use, it doesn’t grandfather everything in the future. Councilman Nash asked who would be responsible for cleaning up the community after 20 years of having solar panels in our community. Mr. Franckiewicz said, initially, the owner, he added that you have ordinances about property maintenance, etc. but they are designed for derelict structures, like houses or for tall grass, or unkept property, those ordinances are not well designed for industrial facilities. He said the Planning Commission has a committee that is looking at site restoration ordinances that would try to address that type of thing in the long term. Councilman Nash asked if we would be approving

something that we have no control over for the long term. Mr. Franckiewicz said that is correct, you don't have good controls on the tail end of it. Councilman Nash said he doesn't think that is not in the best interest of the residents in the community.

Chairwoman Etienne-Steib asked Mr. Franckiewicz for clarity that the ordinance is not an approval or disapproval of a solar farm, an ordinance to buy some time. Councilman Amato said it is three things, it gives us time to get an environmental impact study, an economic impact study, and to develop an ordinance, which we do not have right now, on the management of solar farms that we govern, wherever it will be in the future, to make sure we have the proper controls are in place to allow it to operate. Councilman Bland indicated that is not saying yes to Mr. Roy's facility or saying no to Mr. Roy's facility, with DESRI, that will be separate, that is a vote on its own, this is a vote on the moratorium. Councilman Amato said it will give us the information we need to make a proper vote later on, in 6-8 months from now.

Councilman Bland said his decision tonight will be based on what exactly Rev. Joseph wants. To think about the future of St. James Parish and the needs that we need to put in check today for our future. To be clear, the moratorium is not saying yes or no to a specific solar farm that was presented in the past. He said he agreed with some of the comments about the locations, we have industrial land in District 4 that should be evaluated, that it is already zoned industrial today, adding there is an acreage limitation, but we have the land in District 4 that already zoned industrial and we have others placed inside the Parish that can facilitate green energy. He said he is in favor of looking at those specific places. He said tonight is just the moratorium decision to put things in check, to dot our I's and cross our T's before making a decision on a specific solar farm.

Councilman Cooper said his strongest concern is the residents that will live close to where we are looking to locate any facility. He said he feels that pain and concern and said his and Councilman Bland's districts have the most petrochemical companies, plant farms, and everything in it. He said he is torn right now about the moratorium about this specific entity when we have checks and balances in place to accept or deny or even allow them to go through the appeal process. He said he is feeling the concerns of the people in the 5<sup>th</sup> District that he represents, that everyone has been hearing him since he was here before. He said some of the environmental groups that we know, I was here challenging some of these processes back in 2014 before some were even in existence. He said sometimes it concerns him about some of the things that goes on. He said everyone wants the best interest for their company or party they are representing. I represent the people of the 5<sup>th</sup> District and then I represent St. James Parish as a whole. The people in the 5<sup>th</sup> District have been feeling and suffering for a while so I make sure I make decisions based on that and not controlled or dictating by anyone, I base them on the hearing, the process and everyone's input and then making a decision that will best protect the people and makes things safer but yet not denying. I'm hearing Mr. Poche loud and clear, that's been my argument in the past and still is, location is the concern he has. He said that is the concern a lot of people in the 5<sup>th</sup> District have been saying for years, don't locate them all in just that one area. He said his position is, being we have things in place, I think, this is just my position, that we need to stick to what is in place to help protect the people and let it go through the process that way.

Councilman Louque said the moratorium has been falsely labeled or construed by some individuals and groups. He said there had been a multitude of posts and discussions referring us to stopping solar, and I also saw the word ban on solar farms used somewhere recently and seems like that click word has changed in the last few days to Stop. He said public comments are still referencing ban, totally wiped out solar. He said it is downright misleading and deceptive. He then gave the definition of moratorium from a few sources. He said he wasn't sure what was not clear in the proposed ordinance and how it got construed to being a STOP or a banned on solar development and even further described now as stopping clean energy. That was downright false and deceiving. Nothing in the definitions I read indicates a permanent ban. All of the definitions are suggestive as being temporary for a certain period of time. Nothing in the proposed ordinance or any of our discussion suggest that either, stopping or banning solar. He said this moratorium is being proposed to allow time to study and modify the land use ordinance as needed or if needed. The Land Use process was started over 10 years ago. There were somewhere around 205 different public meetings, public engagement sessions, etc. during that over 2-year process of developing the Land Use Plan. The Land Use Plan ordinance was implemented and passed by the Council in 2014, I was on the Planning Commission at that time. The point I'm getting to, and I don't think anyone would have conceived that we would be discussing a large-scale solar development to the tune of multiple thousands of acres, back then when the plan was developed and implemented. But the Land Use ordinance was designed to be adaptive to change. So that's where we are now. It takes a process to develop that change to the ordinance and we intend on going through that process, but it doesn't happen overnight, hence the reason for the moratorium. Currently if a large-scale solar farm applies, we really don't have a true category, in my opinion, that it fits in. Is it industrial? Is it commercial? RISE pointed out its stated by a Land Use attorney, technically, we can approve or reject any application, but in my opinion, what wasn't explicitly said and without a moratorium in place, we are just leaving open, in my opinion, a large grey area to operate in when making this decision or subsequent decisions if another applicant applies for a solar development prior to us completing our studies and probable Land Use ordinance changes. In my opinion, possibly leaves ourselves open to disputes or possible litigation. This moratorium is not a ban on clean energy or solar development or anything in that nature. We are not stopping clean energy initiatives, as some rhetoric would have you to believe. The moratorium is written for a temporary duration to allow us to develop the specific criteria in the Land Use ordinance to properly evaluate these applications in the future. By no means am I against green energy or clean energy. We received a letter earlier today from Air Liquide expressing their support for clean energy and additional solar development, a facility in our Parish. I work for contractor at a major facility in the River Parishes that was probably one of the first local corporations to commit to green energy. A significant capital investment is being made by these companies now and in the future, specifically around clean energy, green practices, etc. Those investments keep me employed. Again, by no means, am I against green energy or clean energy. On that same note, as we sit here today, where the companies tell me is what the potential future economic investment in our Parish that we rely on is clean electrical energy. Not here, sitting in the background hoping Entergy can offer enough convincing. We keep hearing a moratorium on solar and clean energy was sending the wrong message to companies looking to do business in St. James Parish. Quite honestly, I completely disagree. If those industries and companies truly understand what we are doing and not listen

to misleading rhetoric or twisted words, they would get the right message. We are reviewing and revising our Land Use to adapt to these new investments to possibly allow them the ability to locate in our Parish. We are not unnecessarily issuing a moratorium and revising Land Use to keep them out. Going through with the moratorium is subsequently the process of revising the Land Use Plan simply gives us the tools we need to evaluate these major developments and how they can possibly exist in our Parish. He said, speaking about public participation on environmental and economic analysis, no one ever said the public wouldn't be involved. As I stated earlier, the initial Land Use ordinance development process had about 205 different opportunities for public engagement. I would expect some part of this process, which is yet to be formally contracted, will have opportunity for public input. I hope the news reports this correctly, adding that our local and state newspaper is here, and typically we have a local new channel, and half the time it makes it up to the national level because of the way it gets pushed by the activist groups. I hope this gets reported correctly and not in some twisted manner portraying this. We are establishing a temporary moratorium to allow time to properly conduct the economic and environmental impact analysis and probable revisions as needed to our Land Use ordinance to guide our decisions in evaluating these significant and potential new investments and where they fit into our Parish growth, period. There is no ulterior motive, and most importantly we are absolutely not against clean energy as we are being falsely portrayed. Even the developer of this proposed solar project said earlier today that he supports our proposed moratorium, just not the duration of it. Councilman Louque said that when it's time for action on this ordinance He said he would offer a second if Councilman Amato motions on this ordinance. Since everyone is putting click bait phrases on these issues now, here's mine: Proceed with the Pause.

Councilman Bland said that St. James Parish Government did not authorize or poll any resident on Facebook or any social media site, or has been privy to that data that was collected by that poll. That is not the study that we are conducting with South Central Planning. That poll was an independent study by a third party, whoever that was, but it is not the study that we are conducting over the next few months, that poll is something separately and we have not put out that poll and I wanted to make sure that the record stated, as it was confusing to the public.

Chairwoman Etienne-Steib said she understands that this Council does not need a moratorium to approve or reject. I know that has been talk about other moratoriums that have been denied, I was not on the Council in 2014 when those things came up. My vote on this item is not indicative of my support for or against solar panels. However, there was a lot of passion and good comments throughout the whole public hearing so, for me personally, I think this is an opportunity for me to learn more about the solar panels and the environmental impact it will have on our community, and when the time does come for us to vote upon the solar panels I want my vote to be based upon facts, concrete evidence, and not a personal opinion or preference.

Councilman Cooper asked Mr. Franckiewicz about the 6 month's timeline. Mr. Franckiewicz said it would be 7 months because if you pass it tonight it has to be published then it takes effect a little after it's published, so for round numbers, it really doesn't take effect until September. Councilman Nash asked if they would get monthly updates on the progress. Councilman Amato said South Central Planning has committed to giving regular updates. Mr. Franckiewicz said if the study takes 2 or 3 months to do, the deadline can be changed by the Council.

Mr. Franckiewicz addressed Councilman St. Pierre's concern about the under 3-acres. He said as currently worded in this draft, solar farms of less than 3-acres can still be considered and if they are in an industrial area they are just automatically permitted, because the thought there was because they are too small to make that much of a difference, but if the Council wants to tighten it up there would be some minor language changes we would have to put in. Councilman St. Pierre requested that when generating the ordinance make it a couple of drafts, I'm sure we will, because everyone will have their opinions on what they think. He said the 3-acre aspect of it is, I stated before, it's a grey area. I would like to make it cut and dry that homes/residential areas/commercial area, etc., after that what ever has to go outside that perimeter, would have to go to the Planning Commission for approval, and/or Council. Councilman Bland questioned if you could put a 3-acre in a residential zone or just industrial? Mr. Franckiewicz stated just industrial right now. If you are putting in a residential zone, you have to go through the whole approval process. Mr. Franckiewicz suggested that if it wants to be tightened up is that it be formally introduced, seconded, and an amendment proposed to it.

Councilman Amato thanked everyone for coming out tonight. He said he wanted to support the message from Councilman Louque, and here's why. I hope you were paying attention when the Council Secretary started the public hearing by reading St. James Parish has the right, power, and authority to enact ordinances vital to promote, protect, and preserve the general welfare, safety, health, peace and good order of the Parish. We don't have an ordinance right now, that is the whole intent of the moratorium. This project has been operating in secrecy the past 2 years, we just found out about it, give us chance to do due process and to make sure we put our ordinance in place, that we have the understanding and the knowledge to move forward. In the last six weeks, it's amazing what you can find out on solar panels, a couple of individuals talked about solar farms. Look at California, they were a leader in solar panels 15 years ago. Where are they today? Today now, they are trying to determine what do you do with 15-year panels that are no longer of value. We have to figure that out now, we are talking about site restoration plan, that's what the ordinance will encompass too. The State of Vermont has a Yearly Uniform Capacity Tax, imposed at a rate of \$4.00 per kilowatt of plant capacity yearly for every kilowatt coming out of that solar farm, is taxed. We don't have anything in place for that. If that's the work that we have to do, then that's what South Central Planning will do for us. The economic impact study, I still stay that I have concerns, if you take 4000 acres of sugarcane out of service, how will that impact LSR? We don't know, let's find out. Environmentally, we have concerns, they may have horror stories, maybe not, maybe it is clean energy, in the right spot, let's make sure we have it there. In closing, it is pretty ironic that tonight we recognized our 2 St. James Parish Sugar Queens, and here we have a project looking to take 4000 acres of sugarcane out of production. Let that sink in.

Councilman Cooper asked Mr. Franckiewicz, with us making this decision, I heard it asked before, the timeline, Mr. Amato said every month that they would be getting an update. Councilman Amato said yes. I want to make sure we are on top of that, to make sure the residents don't think that we are just throwing out a blank ball to them. I want to

reiterate again that the 5<sup>th</sup> District has felt this, what they're feeling now, I want the rest of St. James Parish to understand, Mr. Poche, Ms. Favorite, that's how a lot of people in the 5<sup>th</sup> District feel with the petrochemical companies there, and they already have a lot of them there, they feel what you feel. We need to make sure we have a balance when we make these decisions and not just, I agree we need to study some things. He then asked what is the tax benefit from it, if we move forward with something we don't have knowledge of everything. Mr. Franckiewicz said he didn't know and that is one of things he is hoping to see from the South Central study, what type of tax revenue it produces. Councilman Amato said with the updates that will allow us, if we have new information to present and questions. He said they understand the urgency of this work.

At this time, Mr. Franckiewicz presented the following amendments:

Section 82-25 (o)

1. Add "approved under Section 82-25(d), nor shall they be" between the words be and considered.
2. Remove "or adjacent to" in the last sentence.
3. Insert "and" between the words findings and recommendations.

Councilman St. Pierre offered a motion to the amendment and Councilman Louque offered a second. After a roll call vote showing, St. Pierre, Nash, Bland, Amato, Louque, and Etienne-Steib in favor, and Cooper against, the motion carried.

**ORDINANCE 22-08, AN ORDINANCE TO ESTABLISH A MORATORIUM ON CERTAIN COMMERCIAL SOLAR FACILITIES BY AMENDING SECTION 82-25 OF THE ST. JAMES PARISH CODE OF ORDINANCES**, having undergone the hearing process, was offered and moved adoption by Councilman Amato, as amended, and was seconded by Councilman Louque. After a roll call showing Louque, Bland, Amato, Nash, St. Pierre, and Etienne-Steib, and Cooper against, the ordinance was adopted, as amended.

#### **NEW BUSINESS**

**RESOLUTION 22-165, A RESOLUTION TO APPROVE DISBURSEMENT OF PAYROLL FOR THE AUGUST 19, 2022 PAYROLL**, was offered and moved for adoption by Councilman St. Pierre and seconded by Councilman Amato. After a unanimous roll call vote, the resolution was adopted.

**RESOLUTION 22-166, A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS TO PAY PENDING CURRENT INVOICES AND PAYABLES**, was offered and moved for adoption by Councilman Nash and seconded by Councilman Bland. After a unanimous roll call vote, the resolution was adopted.

**RESOLUTION 22-167, RESOLUTION RECOGNIZING CALI BOUDREAUX ON HER RECENT CROWNING AS THE ST. JAMES PARISH MISS TEEN QUEEN**, was offered and moved for adoption by Councilman Amato and was seconded by Councilman Bland. After a unanimous roll call vote, the resolution was adopted.

**RESOLUTION 22-168, A RESOLUTION RECOGNIZING EMILY LOUPE ON HER RECENT CROWNING AS THE ST. JAMES PARISH MISS QUEEN**, was offered and moved for adoption by Councilman St. Pierre and seconded by Councilman Bland. After a unanimous roll call vote, the resolution was adopted.

**RESOLUTION 22-169, A RESOLUTION PROVIDING FOR THE ACCEPTANCE OF WORK PERFORMED BY TBT CONTRACTING, INC. OF LOUISIANA IN ACCORDANCE WITH THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE ST. JAMES PARISH WIND RETROFIT – WEST BANK RECEPTION HALL PROJECT**, was offered and moved for adoption by Councilman Bland and seconded by Councilman Nash. After a unanimous roll call vote, the resolution was adopted.

**RESOLUTION 22-170, A RESOLUTION AUTHORIZING THE PARISH PRESIDENT'S OFFICE TO ADVERTISE AND ACCEPT BIDS FOR THE WEST BANK NATURAL GAS PURCHASE STATION PROJECT**, was offered and moved for adoption by Councilman Nash. Councilman St. Pierre offered a second, and the resolution was unanimously adopted.

**RESOLUTION 22-171, A RESOLUTION ACCEPTING CHANGE ORDER #2 FROM BYRON E. TALBOT, INC. FOR THE DAVID PLANTATION DRAINAGE IMPROVEMENTS PROJECT**, was offered and moved for adoption by Councilman St. Pierre and seconded by Councilman Louque. After a unanimous roll call vote, the resolution was adopted.

**PROPOSED ORDINANCE 22-09, AN ORDINANCE AMENDING CHAPTER 98 "PUBLIC ROADS" OF THE ST. JAMES PARISH CODE OF ORDINANCES TO REPEAL ARTICLE 2, SECTION 98-21 AND 98-22 AND REPLACE WITH SECTION 98-21 AND 98-22 "INSTALLATION OF CULVERTS"**, was introduced on a motion offered by Councilman St. Pierre and seconded by Councilman Amato. After a unanimous roll call vote, the ordinance was accepted and ordered filed with the Secretary for public inspection and publication of Notice of Public Hearing, which was scheduled for 6:00 p.m., Wednesday, August 31, 2022, in the Council Chambers of the Parish Courthouse Annex in Vacherie.

Councilman Nash explained that a couple of week ago they had a call in reference to this project and said at this point he feels they need to make a decision about this ordinance and said its only an introduction and not if I'm supporting it or not supporting it. He then requested the Council Secretary read aloud the changes. After Mr. Franckiewicz answered Councilman Nash's question about the process for new projects, saying that every industrial use would have to go before the Planning Commission and would go up to the Council if someone appealed the Planning Commission's decision because when you change something to an allowable industrial use that sort of pushes the decision-making process down to the Planning Commission level. Councilman Cooper asked if we table and do nothing, with the proposed ordinance what is the outcome? Mr. Franckiewicz said the no action alternative would

mean that the only industrial facility that could be put there is the previously approved South Louisiana Methanol project, but that has to have its air permits, which is part of the conditions of its approval, so as soon as the air permits expire then that approved use would cease, and then the land reverts back to your ordinance in 2018 would be residential growth only and any future industrial use would have to run through the whole process including the Parish Council. Councilman Cooper stated for the record, that is pretty much his position, we made a lot of adjustments and a lot of moving around when that was done back in 2018 with South Louisiana Methanol. It's not the Council's fault, and probably not their fault that they weren't able to move forward with their process, but we gave them opportunity to do what they had to do. I would be hypercritical if I would do anything different than what I fought for and that fight was location, because it is right next to a public park, not just a public park but one of the most utilized parks in the entire Parish, and I felt that was not a good move for the people that live there. For the record, I was one of the ones that did the leg work bringing it to the EPA, personally myself, with over 500 signatures opposing it because of location, not that we can't have industry. The 5<sup>th</sup> District people said we have a ton of them already, don't locate everything in the 5<sup>th</sup> District. He said that was his concern. We have other industries that come forth that we did not allow in due to whatever processes, blocked them from coming in. This one here, I feel, has ran its natural course of giving them opportunity to do what they needed to do. Now it seems that it has run out, not by the Council's fault, not by the Council not supporting them, this is just where we are. I understand the position of a lot of people here, but I also understand the position that we fought for back before 2018. He then expressed concerns on how it affects the schools and community. Councilman Nash asked, roughly, what has been the investment on property purchase from this plant? Mr. Franckiewicz said he thinks its roughly \$40 million spent on property acquisition total, but they indicated that they invested close to \$300 million in the overall project. Councilman Louque said that he took a statement that was said earlier. He said South Louisiana Methanol might be in a pickle but it's not his pickle or our pickle. He said he is not disagreeing with Councilman Cooper in saying it ran its course. He said we were asked earlier to allow public input in our decision-making process, so this is only an introduction for the basis of discussing and allowing public input at a subsequent time. Councilman Bland dittoed Councilman Louque's comment about public input.

Mr. Franckiewicz clarified that the property included here was three tracts, #5, #6, and part #17. Those were parcels that South Louisiana Methanol had under an option at the time of 2014, they closed much later, 2019-2020, and the others they acquired much later.

**PROPOSED ORDINANCE 22-10, AN ORDINANCE TO AMEND SECTION 82-25 OF THE ST. JAMES PARISH CODE OF ORDINANCES, AND TO AMEND THE ST. JAMES PARISH GENERALIZED FUTURE LAND USE PLAN**, was introduced on a motion offered by Councilman Nash and seconded by Councilman Bland. After a roll call vote showing, Bland, St. Pierre, Louque, and Nash in favor, and Amato, Cooper, and Etienne-Steib against, the ordinance was accepted and ordered filed with the Secretary for public inspection and publication of Notice of Public Hearing, which was scheduled for 6:00 p.m., Wednesday, August 31, 2022, in the Council Chambers of the Parish Courthouse Annex in Vacherie.

An **EXECUTIVE SESSION** convened at 8:50 p.m., on a motion offered by Councilman St. Pierre and seconded by Councilman Bland. After a unanimous roll call vote, the motion carried. Members of the Council, President Dufresne, Mr. Adam Koenig, and Mr. Vic Franckiewicz withdrew to an adjoining chamber to discuss pending litigation styled *Yolande Schexnayder & Son, Inc. v. St. James Parish, Docket No. 40,298(E), 23<sup>rd</sup> Judicial District Court*. In addition to the named parties in that litigation, St. James Construction Materials, LLC is an intervening party. The litigation pertains to the borrow pit and property commonly known as "Big Shake". All returned at 9:18 p.m., and the regular session reconvened. Chairwoman Etienne-Steib informed everyone that no action was taken.

#### **DIRECTOR'S REPORT**

**FELIX BOUGHTON** – received our final installment of the American Recovery money, full allotment of \$4.9 million. It will be spent on the 500-gallon water tank on the West Bank and the rebuilding the water clarifying filter on the East Bank. Budget requests are due on Friday and said sales tax is still not where we want them to be.

#### **COUNCIL MEMBER'S REPORT**

**COUNCILMAN NASH** – Councilman Nash had no comment.

**COUNCILMAN COOPER** – Councilman Cooper had no comment.

**COUNCILMAN BLAND** – Councilman Bland thanked those who came to show support, one way or the other, and added that public input is what we need as a parish to continue to grow in the right way.

**COUNCILMAN LOUQUE** – Councilman Louque asked if they could get the proposed 3-year capital outlay plan.

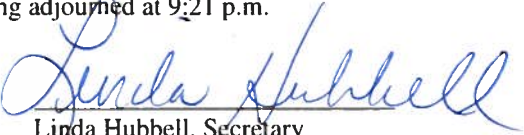
**COUNCILMAN AMATO** – Councilman Amato thanked the Council for supporting the moratorium for allowing them to do their work. He welcomed Victoria, the PIO. He requested an update on the Buddy Whitney project. He wished students, teachers, and parents a safe and successful school year.

**COUNCILMAN ST. PIERRE** – Councilman St. Pierre requested condolence letter for Robert Montelius, Gene Martin, and Woodie Pollet.

**CHAIRWOMAN ETIENNE-STEIB** – Chairwoman Etienne-Steib had no comment.

**ADJOURNMENT**

After determining there was no additional business to come before the council, on a motion offered by Councilman St. Pierre and seconded by Councilman Bland and carried, the meeting adjourned at 9:21 p.m.

  
Linda Hubbell, Secretary