

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
WEDNESDAY, FEBRUARY 26TH, 2020
CHAIRMAN LENNIX MADERE
VICE-CHAIR KURT BECNEL

The Council of the Parish of St. John the Baptist Parish, State of Louisiana, met in Regular Session in the St. John the Baptist Parish Government Complex Chambers, LaPlace, Louisiana on Wednesday, February 26th, 2020, at 12 Noon.

CALL TO ORDER:

PRESENT AT ROLL CALL: Lennix Madere, Jr., Councilman-at-Large, Div. A, Kurt Becnel, Councilman District I, Warren Torres, Jr., Councilman District II, Tyra Duhe-Griffin, Councilwoman District IV, Robert Arcuri, Councilman District V, Tonia Schnyder, Councilwoman District VI, Thomas Malik, Councilman District VII

ABSENT: Tammy Houston, Michael Wright

Councilwoman Duhe-Griffin led the Prayer. Councilwoman Schnyder led the Pledge.

Legal Counsel Keith Green Jr., Christopher Cortez, and Legal Clerk Kennilyn Schmill were present.

PUBLIC COMMENT - AGENDA ITEMS ONLY (3 minutes per citizen)

There was no public comment at this time.

INTRODUCTION OF BUSINESSES:

There was no introduction of businesses.

MOTION: Councilman Malik moved and Councilman Arcuri seconded the motion to amend the agenda to add discussion on the decision by the Commerce and Industry Board of our ITEP Appeal. The motion passed with Councilwoman Houston and Councilman Wright absent.

Councilman Madere stated, "As you know just want to give you an update on what happened in Baton Rouge on the ITEP, myself, Mr. Malik and Ms. Tammy Houston, went down there to represent the Council and the Parish on our appeal process. Being that Mr. Malik was the Chairman at the time, I allow him to address the Commerce Board first, and he did a good job expressing his concern and explained to him and the people exactly what happened. He mentioned that the letter was mailed, he thought it might have been a clerical error, and I think everything went pretty well, it was going good then I spoke to them and I told them about the concerns about the citizens and the votes, and the votes that went down with the Council, it was unanimous. And, everything was going good we had a motion on the floor by one of their board members to approve our request for reconsideration, and it was going good and then they asked for some public comments and some of the comments was right on time, Ms. Houston spoke and you know really starting putting it in direction towards us, but then they had some other people talk from the other side, and we also had another group that spoke (I think they were trying to speak on our behalf but they made kind of a false statement, they said that we had one council member that had concerns and voted

against it, which was not true. We didn't have any councilperson, you know you asked questions in the meeting but no one said that they was totally against it and when the vote went down, it was 9/0 that we was in favor of denial. Okay, and it was going, the only good thing that came out of it, well, industry went up there and spoke, a Lawyer, a Corporate Lawyer went up there and spoke, he spoke against it against us, and he spoke to the fact that Marathon would be giving us a lot of money this year because they're coming off the tax roll, so that didn't really help us out. I thought Ms. Houston did a good job, but one comment was made by one of the councilpersons was against and that was not true. And, then another Lawyer, Corporate Lawyer went up there and made a couple of comments, and they went back and forth, and it lasted it a pretty good, pretty good amount of time and a lot of debate. But at the end of the day, we was denied out appeal on a bot of 16-4, but it was so close when he took a verbal count, it was so close with the Yea and Nay, that he had to ask for individual counts, and I think when he made for the individual count, some individuals decided to go the other direction and stick with they rule. The only good thing that came out of it, we brought to the attention that industry can make that same type of mistake and they get penalized only for that year. Okay, if it's a 5-year deal and they forget to mail a letter in, or something happen that they couldn't get the letter in, instead of getting penalized the whole 5-years, they'll penalize them from the time that they applied for the appeal. But that is not the case when it comes to local government, you get one shot and one shot only to get the letter in, and there's no penalty or denial. There was a motion on the floor to allow us to deny us for one year and then allow us for the remaining 4-years to receive the payment. There was a motion on the floor, but then they came up with again, well you know we got to stick to the rules and they don't have they couldn't do it because it wasn't in their original documents that they have, I guess they was trying to say, so they couldn't do it at the time. But the only good thing out of it, they're going to revisit the fact that, an industry have the ability to be late and get penalized and not totally penalized where the local government one shot one shot only, and you're denied the whole entire time. So they're going to revisit that, and I think but I'm not sure, but I'm believing that maybe next year or following year, they're going to put in there that they can also do the same thing for local government and not totally deny them, or for one (1) clerical error, or electronic error, or anything like that. So, that's the only good thing that came out of it, you know, and Mr. Malik if you have anything else you want to say to explain what is actually went down, but that's well what I have."

Councilman Malik stated, "It was interesting to see that, that we're talking about large international of glomerids, could have a quote 'clerical error' or a date entered into a computer system that did not identify that the/their application due date was up for renewal. In one case there was a, there was an industry not in this parish that had missed their date by almost a year. So essentially, they lost 20% or one (1) year, worth of their tax incentive. This topic obviously is/was a little bit more interesting than anything else that was going on that particular day, the reason I say that is because each agenda item lasted probably 60 seconds, wasn't that long and our application took close to an hour?"

Councilman Madere stated, "Yes."

Councilman Malik stated, "So there's quite a bit of quite a few people that were voting both for and against it everybody won't speak about, speak up against it."

And the one thing that I really objected to, was this Attorney, I didn't meet the gentleman, but apparently Councilman Madere did, who stated that he to had misdates, and that's the way things go. However, his reference to the tax to Marathon is/should never been brought up because we're talking about two different issues. That particular tax should remain into the ITEP, so I thought that was improper. However, that's the society that we live in, you know we're allowed to voice our opinions with the first amendment. So anyway, some of the State Representatives were certainly on our side, and I think at the I think with regards to the State revisiting and changing some of these laws of the ITEP, when this comes up to the House, I think that's the date I'll be in Baton Rouge, because I'd like to express my opinion on this. Now this original law was written in 1937, the entire Code was geared towards industry without really any form of redress to the local government. One of the gentlemen that's on the Board, that's also a State Representative, indicated to us that these redress rules were overlooked when they were rewriting the/this particular law, which was about a year ago or something like that-I forget the exact date, but anyway, still more to come on that. Thank you, sir."

Jaclyn Hotard stated, "Thank you. And I do want to commend the Council for their hard work, this was a new process to all of us. I do have a letter that was submitted to me through/by Councilwoman Houston and she's out. But she did ask me to read this, I was going to wait until the end but since the agenda was amended, I will read it. And it says; Dear fellow council members, Parish administration and residents of our parish: Please afford me this opportunity to commend the efforts of Councilmen Madere and Malik as we journeyed to Baton Rouge last week to appeal the approval of an ITEP exemption. This action was necessary as a clerical error overturned the council's decision denying Nalco and Marathon's applications for tax exemptions at a meeting in November 2019. Both councilmen displayed resilience, tenacity and courage in conveying the sentiments of our community. They made a compelling argument of not penalizing our citizens because of a technicality. Their comments were honest, apologetic and contrite. Unfortunately, our argument was unsuccessful; however, it did for the first-time generate dialogue, among the board's members, about amending some of the constraints applied to government, as concessions are afforded to industry who are delinquent in submitting their paperwork but unbending in granting governmental bodies the same courtesy. We should be proud of the members of the council, who were in attendance, as their efforts were valiant, their argument compelling and the historic impact imparted on the board of commerce at the industry's meeting last week. Respectfully, Tammy Y. Houston, Councilwoman-District 3."

Councilwoman Duhe-Griffin moved and Councilman Becnel seconded the motion to amend the agenda to vote on the consent agenda items individually. The motion passed with Councilwoman Houston and Councilman Wright absent.

Jaclyn Hotard stated, "Mr. Chairman. Just, really quickly you also need to separate Item #5. I noticed here that there are two (2) appointments being made on that one-line item, I think it was just oversight. But while you'll be cleaning it up, I think it would be best to separate those two (2)."

CONSENT AGENDA:

ITEMS: Approval of Minutes - February 11th, 2020, Regular Meeting; Councilman Malik - Re-appointment of Steve Fraker to the Zoning Board of Adjustments;

Councilman Wright - Re-appointment of Branden Collins to the Recreation Advisory Board; Councilman Wright - Re-appointment of James Duhe to the Animal Control Advisory Board; Councilman Wright - Re-appointment of Jimmy Hymel and Harold Haydel to the Parish wide Sewer, Water and Drainage Board; Councilman Wright - Re-appointment of Daryl Schloz to the Planning and Zoning Board; Councilman Madere - Re-appointment of Elizabeth "Betty" Joseph to the Economic Development Committee; Parish President Hotard - Re-appointment of Joey Scontrino to the Port of South Louisiana Board of Commissioners; Robert Figuero - Monthly Financial Report (January 2020)

MOTION: Councilman Malik moved and Councilman Torres seconded the motion to approve consent agenda item - Approval of Minutes - February 11th, 2020, Regular Meeting. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilman Arcuri moved and Councilwoman Duhe-Griffin seconded the motion to approve consent agenda item - Councilman Malik - Re-appointment of Steve Fraker to the Zoning Board of Adjustments. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilwoman Schnyder moved and Councilman Malik seconded the motion to approve consent agenda item - Councilman Wright - Re-appointment of Branden Collins to the Recreation Advisory Board. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilwoman Duhe-Griffin moved and Councilman Arcuri seconded the motion to approve consent agenda item - Councilman Wright - Re-appointment of James Duhe to the Animal Control Advisory Board. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilman Arcuri moved and Councilman Malik seconded the motion to approve consent agenda item - Councilman Wright - Re-appointment of Jimmy Hymel to the Parish wide Sewer, Water and Drainage Board. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilman Becnel moved and Councilwoman Schnyder seconded the motion to approve consent agenda item - Councilman Wright - Re-appointment of Daryl Schloz to the Planning and Zoning Board. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilwoman Duhe-Griffin moved and Councilman Becnel seconded the motion to approve consent agenda item - Councilman Madere - Re-appointment of Elizabeth "Betty" Joseph to the Economic Development Committee. The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilman Arcuri moved and Councilman Torres seconded the motion to approve consent agenda item - Parish President Hotard - Re-appointment of Joey Scontrino to the Port of South Louisiana Board of Commissioners. The motion failed with 2 yeas (Arcuri, Torres), 3 against (Becnel, Schnyder, Malik), 2 abstaining (Duhe-Griffin, Madere) and absent (Houston, Wright).

MOTION: Councilman Arcuri moved and Councilman Malik seconded the motion to approve consent agenda item - Robert Figuero - Monthly Financial Report (January 2020). The motion passed with Councilwoman Houston and Councilman Wright absent.

MOTION: Councilman Arcuri moved and Councilman Malik seconded the motion to approve consent agenda item - Councilman Wright - Re-appointment of Harold Haydel to the Parish wide Sewer, Water and Drainage Board.

PUBLIC HEARING AND ADOPTION ON ORDINANCES:

There were no public hearing and adoption of ordinances.

COMMITTEE REPORTS:

MOTION: Councilman Malik moved and Councilman Becnel seconded the motion to accept the minutes from the financial meeting. The motion passed with Councilwoman Houston and Councilman Wright absent.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Lennix Madere - Resolution - R20-04 - A Resolution in support of the Environmental Protection Agency ("EPA") continuing the current air monitoring plan of Chloroprene in place at the LaPlace Denka Facility

MOTION: Councilwoman Duhe-Griffin moved and Councilman Torres seconded the motion to approve Resolution - R20-04. A resolution in support of the Environmental Protection Agency ("EPA") continuing the current air monitoring plan of Chloroprene in place at the LaPlace Denka Facility. The motion passed with Councilwoman Houston and Councilman Wright absent.

DEPARTMENT/ENGINEER REPORTS:

There were no department/engineer reports.

INTRODUCTION OF ORDINANCES:

20-03 An ordinance to rescind Ordinance 15-23, which reads: Ord. 15-23
An ordinance to amend Chapter 2, Article III of the St. John the Baptist Parish Code of Ordinances as follows: By adding the following: Sec. 2-63. Temporary Employees (T. Malik)

ADJOURNMENT:

At 12:54 PM, Councilman Malik moved and Councilwoman Duhe-Griffin seconded the motion to adjourn. The motion passed with Councilwoman Houston and Councilman Wright absent.

/s/Lennix Madere, Jr.
COUNCIL CHAIRMAN

/s/Jackie Landeche
Council Secretary

The meeting can be viewed in its entirety at www.sjbparish.com.