



St. Charles Parish

Meeting Agenda

Parish Council

Council Chairman Julia Fisher-Perrier
Councilmembers Carolyn K. Schexnaydre, Mary Tastet,
Terrell D. Wilson, William Billy Woodruff, Wendy Benedetto,
Paul J. Hogan, Larry Cochran, Traci A. Fletcher

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5125
www.stcharlesparish.gov

Monday, March 10, 2014

6:00 PM

Council Chambers, Courthouse

Final

Minutes

ATTENDANCE

CALL TO ORDER

PRAYER

PLEDGE

Pastor Kendall Pierre
Mt. Zion Missionary Baptist Church, Ama

APPROVAL OF MINUTES

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2014-0055](#) In Recognition: Haley Lirette, 2014 Relay for Life Junior Queen
Sponsors: Ms. Schexnaydre
- 2 [2014-0056](#) In Recognition: Emily Mae Hymel, 2014 Relay for Life Teen Queen
Sponsors: Ms. Schexnaydre
- 3 [2014-0057](#) In Recognition: Paige Bourgeois, 2014 Relay for Life Miss Queen
Sponsors: Ms. Schexnaydre
- 4 [2014-0058](#) In Recognition: Jessica Bilyeu, 2014 Relay for Life Ms. Queen
Sponsors: Ms. Schexnaydre
- 5 [2014-0059](#) In Recognition: Marie Legendre, 2014 Relay for Ms. Classic
 Ambassador Queen
Sponsors: Ms. Schexnaydre

- 6 [2014-0060](#) In Recognition: Betty Jean Bye, 2014 Relay for Life Ms. Classic Queen
 Sponsors: Ms. Schexnaydre
- 7 [2014-0061](#) Proclamation: "Arc Fest in St. Charles Parish"
 Sponsors: Mrs. Tastet
- 8 [2014-0062](#) Proclamation: Trash Bash Cleanup and Recycling Awareness Day in St. Charles Parish
 Sponsors: Mr. St. Pierre Jr.

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- [2014-0064](#) Mr. Cullen Curole, Economic Development Administrator, South Central Planning & Development Commission - Revolving Loan Funds-Low Interest Commercial Lending
 Sponsors: Ms. Fisher-Perrier
- [2014-0025](#) Department of Wastewater
 Attachments: [Council Presentation 2014 Wastewater.pdf](#)

Legislative History

2/17/14 Parish Council Report Deferred
 Parish President V.J. St. Pierre, Jr., requested Point of Privilege requesting that the Wastewater Department and Parish President's reports be Postponed.

Discussion: to defer File No. 2014-0025

- [2014-0052](#) Workforce Investment Act (WIA)
 Attachments: [scanner@wia.com_20140310_092334.pdf](#)
- [2014-0053](#) Risk Management/Safety
 Attachments: [2014 Counsel Presentation-Risk Management.ppt](#)

- [2014-0026](#) Parish President Remarks/Report
 Flood Insurance Update by Chief Administrative Officer Buddy Boe
 Sponsors: Mr. St. Pierre Jr.

Legislative History

2/17/14 Parish Council Report Deferred
 Parish President V.J. St. Pierre, Jr., requested Point of Privilege requesting that the Wastewater Department and Parish President's reports be Postponed.

Discussion: to defer File No. 2014-0026

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[2014-0063](#) An ordinance to approve and authorize the execution of a contract for Engineering Services between GSA Consulting Engineers and St. Charles Parish for necessary professional engineering services associated with the West Bank B Plant Clarifier Refurbishment (WWKS 72).

Sponsors: Mr. St. Pierre Jr. and Department of Waterworks

Attachments: [2014-0063 Contract WB B Plant Clarifier](#)
[2014-0063 Contract-Final](#)
[2014-0063 Final Ord 14-3-6 with Contract](#)

[2014-0065](#) An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No P111002-12, Road Maintenance 2013, to balance the contract quantities with actual quantities resulting in a decrease of \$86,933.75.

Sponsors: Mr. St. Pierre Jr. and Department of Public Works

Attachments: [2014-0065 Change Order](#)
[2014-0065 Change Order-Final](#)
[2014-0065 Final Ord 14-3-7 with Change Order](#)

[2014-0041](#) An ordinance approving and authorizing the execution of a Cooperative Endeavor Agreement between St. Charles Parish and the Lafourche Basin Levee District relative to the West Bank Hurricane Protection System.

Sponsors: Mr. St. Pierre Jr. and Department of Public Works

Attachments: [2014-0041-Coop. Agreement-Lafourche Basin](#)
[2014-0041 Revised Agreement-Lafourche Levee](#)
[2014-0041 Coop. Agmt-Final](#)
[2014-0041 Final Ord 14-3-8 with Agreement](#)
[2014-0041 Petion For Declaratory Judgment](#)

Legislative History

2/17/14 Hurricane Protection Projects Committee Discussed.

Speakers:

Mr. Sam Scholle, Public Works/Wastewater Director
Mr. Randy Trosclair, Lafourche Basin Levee District Attorney
Mr. Buddy Boe, Chief Administrated Officer
Mr. V.J. St. Pierre, Parish President

[2014-0070](#) An ordinance to approve and authorize the Parish President to accept a Donation of Servitude from ARS Management, LLC for the St. Charles/Jefferson Parish line drainage canal/ditch located on a portion of Oakland Plantation in Kenner, Jefferson Parish, Louisiana.

Sponsors: Mr. St. Pierre Jr. and Department of Public Works

Attachments: [2014-0070 ARS donation of servitude](#)
[2014-0070 Donation of Servitude-Final](#)
[2014-0070 Final Ord 14-3-9 with Donation](#)

[2014-0071](#) An ordinance to approve and authorize the execution of an Agreement between St. Charles Parish and Messina's Concessions, Inc., to provide Professional Catering Services at the Edward A. Dufresne Community Center.

Sponsors: Mr. St. Pierre Jr., Department of Parks and Recreation and Ms. Fletcher

Attachments: [2014-0071 Community Center Catering Services Agreement 2014](#)
[2014-0071 Agreement-Final](#)
[2014-0071 Final Ord 14-3-10 with Agreement](#)
[2014-0071 Agreement-F \(Renewal\)](#)
[2014-0071 Ext. Agmt - #2](#)
[2014-0071 2nd yr part. Agmt-F](#)

[2014-0072](#) An ordinance to approve and authorize the execution of Agreement between St. Charles Parish and Murray Architects, Inc to provide design services for the Killona Community Center.

Sponsors: Mr. St. Pierre Jr., Department of Community Services and Mr. Wilson

Attachments: [2014-0072 Agreement between St. Charles Parish and Murray Architects](#)
[2014-0072 Agreement-Final](#)
[2014-0072 Final Ord 14-3-11 with Agreement](#)

PLANNING AND ZONING PETITIONS

9 [2014-0043](#) An ordinance approving a Home Occupation under the operation of Ronald Gilmore, III - "Gilmore's Air Conditioning and Heating" - a HVAC contractor - at 126 Pine Street, Des Allemands.

Sponsors: Mr. St. Pierre Jr. and Department of Planning & Zoning

Attachments: [2014-0043 Gilmore LUR.pdf](#)
[2014-0043 Gilmore Recommendation at a Glance.doc](#)
[2014-043 Aerial.pdf](#)
[2014-0043 Gilmore P&Z Minutes - 02.06.14 \(Gilmore\)](#)
[2014-0043 Final Ord 14-3-1](#)

Legislative History

12/13/13	Department of Planning & Zoning	Received/Assigned PH
2/6/14	Department of Planning & Zoning	Recommended Approval to the Planning Commission
2/6/14	Planning Commission	Recommended Approval to the Parish Council
2/17/14	Parish President	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing

- 10** [2014-0050](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from B-1 to B-2, on four (4) tracts of Mississippi River batture property in Hahnville, Louisiana, as mandated by the Final Judgment in the case of Bayou Fleet Partnership, LLP versus St. Charles Parish, United States District Court No. 10-1557, Section "B" (3).

Sponsors: Mr. St. Pierre Jr. and Department of Planning & Zoning

Attachments: [2014-0050 FINAL JUDGMENT.SIGNED.pdf](#)
[2014-0050 letter SDOC8760.pdf](#)
[2014-0050 Final Ord 14-3-2](#)

Legislative History

2/17/14	Parish President	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing

**ORDINANCES SCHEDULED FOR PUBLIC HEARING
(INTRODUCED AT PREVIOUS MEETING)**

- 15** [2014-0046](#) An ordinance requesting authorization for St. Charles Parish to award a Geotechnical Service Professional Services Agreement for the Ellington Levee Project to conduct soil boring investigations for the Ellington Levee in St. Charles Parish, SCP Project # P080905-5A.

Sponsors: Mr. St. Pierre Jr., Department of Public Works, Ms. Schexnaydre, Mrs. Tastet, Mr. Wilson, Mr. Woodruff, Ms. Benedetto, Mr. Hogan, Mr. Cochran, Ms. Fletcher and Ms. Fisher-Perrier

Attachments: [2014-0046 Agreement.pdf](#)
[2014-0046 backup info. Ellington Levee.pdf](#)
[2014-0046 Agreement-F](#)
[2014-0046 Final Ord 14-3-3 with Agreement](#)

Legislative History

2/17/14	Parish President	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing

- 20 [2014-0047](#) An ordinance to approve and authorize the execution of a Cooperative Endeavor Agreement with the German Coast Farmers' Market to provide certain services to St. Charles Parish.

Sponsors: Mr. St. Pierre Jr. and Department of Economic Development and Tourism

Attachments: [2014 GCFM AGREEMENT.doc](#)
[2014-0047 Agreement-F](#)
[2014-0047 Final Ord 14-3-4 with Agreement](#)

Legislative History

2/17/14	Parish President	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing

- 23 [2014-0048](#) An ordinance to amend the St. Charles Parish Code of Ordinances, Appendix C. Subdivision Regulations, Section II. Subdivision procedure, H. Acceptance of Improvements. by revising 1. Procedure. and 2. Maintenance Agreement/Surety Bond.

Sponsors: Mr. Hogan

Attachments: [2014-0048 Recommendation at a Glance.doc](#)
[Subdivision Procedure Sec II.pdf](#)
[1-16-14 PZ Comm Memo](#)
[2014-0048 and 2014-0049 P&Z Minutes PZO-2014-04 and PZO-2014-05](#)
[2014-0048 Final Ord 14-3-5](#)

Legislative History

1/16/14	Council Secretary	Correspondence Sent <i>to the Planning & Zoning Director to initiate the process to have the referenced placed on the February 6, 2014 Planning Commission Agenda.</i>
2/6/14	Department of Planning & Zoning	No Recommendation to the Planning Commission
2/6/14	Planning Commission	Recommended Denial to the Parish Council
2/17/14	Council Member(s)	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing

- 25 [2014-0049](#) An ordinance to amend the Code of Ordinances Appendix A, Section XIV. Amendments and Petitions and Appendix A, Section XV. Amendment Procedure to modify the reporting and recommendation requirements.

Sponsors: Mr. Hogan

Attachments: [2014-0049 Recommendation at a Glance.doc](#)
[1-14-14 PZ Comm Memo](#)
[2014-0049 Memo to PZ](#)
[2014-0049 Recommendation at a Glance \(2\)](#)
[2014-0049 Minutes \(Reporting and Recommendation Requirements\)](#)
[2014-0049 Failed Proposed Ord \(03-10-14\)](#)
[2014-0049 - PZ ltr 8-13-14](#)
[2010-0094 Recommendation at a Glance](#)
[2014-0049 Minutes_ReportingAndRecommendationsReq_09_04_14](#)
[2014-0049 Failed Proposed Ord \(09-15-14\)](#)
[2014-0049 PZ Memo 10-9-14](#)
[2014-0049 Recommendation at a Glance](#)
[2014-0049 Minutes - 11 06 14 Reporting and Recommendation \(Councilman Hc](#)

Legislative History

1/14/14	Council Secretary	Correspondence Sent to the Planning & Zoning Director to initiate the process to have the referenced placed on the February 6, 2014 Planning Commission Agenda.
2/6/14	Department of Planning & Zoning	No Recommendation to the Planning Commission
2/6/14	Planning Commission	Recommended Denial to the Parish Council
2/17/14	Council Member(s)	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing

- [2014-0051](#) An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No S100902, Upgrade to Ashton Pump Station & Force Main, to balance the contract quantities with actual quantities resulting in a decrease of \$113,746.75 and increase of 30 days.

Sponsors: Mr. St. Pierre Jr. and Department of Public Works

Attachments: [2014-0051 Change Order No. 1 signed by Engineer](#)
[2014-0051 Change Order and attachments](#)
[2014-0051 Change Order-Final](#)
[2014-0051 Final Ord 14-4-4 with Change Order](#)

Legislative History

2/17/14	Parish President	Introduced
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2/17/14 Parish Council Publish/Scheduled for Public Hearing

RESOLUTIONS

[2014-0054](#)

A resolution authorizing the Chairman or the Secretary to offer no objection to Canadian National Railway Company (formerly Illinois Central Railroad Company), CUP #P20131652 for a permit for the proposed expansion of an existing Destrehan Rail Yard which include the following: installation of two new rail lines on the north end of the yard, installation of one new 24" drainage culvert, extension of one 24" drainage culvert, removal of one 24" drainage culvert, and excavation of a new drainage ditch, 655 South Destrehan Avenue, Destrehan, in St. Charles Parish, Louisiana.

Sponsors: Mr. St. Pierre Jr. and Coastal Zone Management Section

Attachments: [2014-0054 Public Notice.pdf](#)
[2014-0054 Final Reso 6071](#)

Legislative History

2/10/14	Parish Council	Rcmd'nation Request Fwd'd to the Coastal Zone Management Section
2/12/14	Parish Council	Time Ext. Requested to the DNR
2/27/14	Coastal Zone Management Section	Recommended Approval to the Coastal Zone Advisory Committee
2/27/14	Coastal Zone Advisory Committee	Recommended Approval to the Parish Council

27 [2014-0066](#)

A resolution notifying the Louisiana Department of Environmental Quality that the St. Charles Parish Department of Wastewater has reviewed the Municipal Water Pollution Prevention Environmental Audit Report for **LA0073521 AI43357 - Hahnville Wastewater Treatment Plant**, and set forth the required action.

Sponsors: Mr. St. Pierre Jr. and Department of Wastewater

Attachments: [2014-0066 Municipal Audit - Hahnville](#)
[2014-0066 Final Reso 6068](#)

- 28 [2014-0067](#) A resolution notifying the Louisiana Department of Environmental Quality that the St. Charles Parish Department of Wastewater has reviewed the Municipal Water Pollution Prevention Environmental Audit Report for **LA0032131 - Luling Oxidation Pond**, and set forth the required action.

Sponsors: Mr. St. Pierre Jr. and Department of Wastewater

Attachments: [2014-0067 Municipal Audit - Luling.pdf](#)
[2014-0067 Final Reso 6069](#)

- 29 [2013-0340](#) A resolution requesting the Attorney General to provide an Attorney General Opinion, in light of Attorney General Opinion 13-0171, advising of 1) the means and methods available to the St. Charles Parish Administration to notify and to seek recovery of the cost associated with the Parish having provided dumpsters to private individuals, 2) the means and methods available to the Administration to seek recovery of the reimbursement funds owed by private individuals should a private individual refuse to pay subsequent to being properly notified of the funds owed, 3) whether or not there is limited amount of time that the Administration can go back in time in seeking reimbursement from the private individuals, 4) who is responsible, if anyone, for reimbursement of the funds beyond that time should there be only a certain amount of time that the Administration can go back in seeking reimbursement from some of the private individuals, 5) if there is a certain amount of time in which seeking reimbursement must be initiated or completed following the Attorney General Opinion which notified and stated that failure to secure reimbursement would result in a violation of La. Const. art. VII, Sec. 14(A), and 6) if there is such a certain amount of time, the action that needs to be taken and by whom, should the Administration fail to take action with that time.

Sponsors: Mr. Hogan and Ms. Schexnaydre

Attachments: [AG Opinion 13-0171.pdf](#)
[2013-0340 AG Opinion Letter.pdf](#)
[2013-0340 Failed Proposed Reso](#)

Legislative History

9/16/13 Council Member(s) Introduced

9/16/13 Parish Council Tabled.

Reported:

Councilman Hogan Recommended: Approval

Councilwoman Schexnaydre Recommended: Approval

Council Discussion

Legal Services Director Leon C. Vial, III, spoke on the matter.

Discussion: to Table File No. 2013-0340

- 10/7/13 Parish Council Tabled.
Councilman Wilson motioned to remove File No. 2013-0340 from the Table. Motion failed for the lack of a second.
- 10/21/13 Parish Council Postponed Indefinitely (Council Rule 8)
File No. 2013-0340 postponed indefinitely per Parish Council Rule 8.
#8. Ordinances/Resolutions Which Have Been Tabled
[Shall only appear on two (2) subsequent regular meeting Agendas]

- 30** [2014-0068](#) A resolution authorizing St. Charles Parish to join the Louisiana Intrastate Rail Compact with the City of New Orleans, Parish of East Baton Rouge and other municipalities and appointing representatives to the Board of that Compact.

Sponsors: Mr. St. Pierre Jr. and Chief Administrative Officer

Attachments: [2014-0068 Background Info](#)
[2014-0068 Final Reso 6070](#)

APPOINTMENTS

[2014-0045](#)

A resolution to appoint a member to the Library Service District Board of Control.

Attachments:

[2014-0045 Final Reso 6073](#)

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Jeff Berger. Five (5) year term to begin April 1, 2014 and expire April 1, 2019.

Legislative History

3/16/09	Parish Council	Enacted Legislation <i>Mr. Jeff Berger appointed to fill a term on the Library Board of Control on March 16, 2009, per Resolution No. 5628. Term: April 1, 2009 - April 1, 2014</i>
2/17/14	Parish Council	Vacancy Announced

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

[2014-0069](#)

Executive Session: 29th JDC No. 77770-Progressive Waste Solutions of LA Inc. vs. St. Charles Parish

Sponsors:

Mr. St. Pierre Jr. and Department of Legal Services

ADJOURNMENT

MEETINGS

CHILDREN & YOUTH PLANNING BOARD: Tuesday, 3/11/14, 8:30AM, Council Chambers

CIVIL SERVICE BOARD: Tuesday, 3/11/14, 6:30PM, Council Chambers

LEGISLATIVE COMMITTEE: Wednesday, 3/12/14, 6PM, Council Chambers

LIBRARY BOARD: Tuesday, 3/18/14, 6PM, Council Chambers

ZONING BOARD OF ADJUSTMENT: Thursday, 3/20/14, 7PM Council Chambers

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5125 to discuss the particular accommodations needed.