

Ord.

**2003-0146**

**INTRODUCED BY: BRIAN A. FABRE, CHAIRMAN  
CONTRACT/FINANCE AND ADMINISTRATIVE COMMITTEE**

**ORDINANCE NO. 03-7-9**

An ordinance to amend Ordinance No. 98-12-14 a contract with River Birch, Inc. for Solid Waste Disposal services to extend the contract period to 2024 and to reduce the current Disposal Rate.

**WHEREAS**, the St. Charles Parish Council adopted Ordinance No. 98-12-14 on December 21, 1998 which approved a contract with River Birch, Inc. for certain Solid Waste Disposal Services effective July 1, 1999 through June 30, 2009; and,

**WHEREAS**, the Parish, through its Contract/Finance and Administrative Committee, has negotiated a contract extension through June 30, 2024 with a reduced Disposal Rate from \$29.57 per ton to \$21.00 per ton effective July 1, 2003 and various adjustments thereafter; and,

**WHEREAS**, it is the desire of the Parish Council to approve said Amendment.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Amendment No. 1 to Ordinance No. 98-12-14 is hereby approved extending said contract through June 30, 2024, adjusting the per ton rate to \$21.00 effective July 1, 2003 with various adjustments thereafter and limiting the CPI increase to five percent.

**SECTION II.** That the Parish President is hereby authorized to execute Amendment No. 1 on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MARINO, MINNICH

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 21st day of July, 2003, to become effective immediately.

Amend Ordinance 98-12-14

CHAIRMAN Lara J. Mann

SECRETARY: Richard J. Jant

DLVD/PARISH PRESIDENT: July 22, 2003

APPROVED:  DISAPPROVED:

PARISH PRESIDENT: Albert D. Legros

RETD/SECRETARY: July 23, 2003

AT: 9:15 AM RECD BY: lij

REFERENCE  
Ord. 98-12-14  
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Amendment No. 1  
to  
Disposal Agreement For Landfill  
Between St. Charles Parish and  
River Birch, Incorporated

BE IT KNOWN, that on this 31<sup>st</sup> day of July 2003, St. Charles Parish, 15045 River Road, Hahnville, LA 70057, hereinafter called "Parish" and River Birch, Incorporated, P.O. Box 1938, Gretna, LA 70054, hereinafter called "Landfill".

Do hereby agree to amend Ordinance No. 98-12-14 adopted on December 21, 1998 as follows:

Section 3. TERM: TERMINATION is hereby amended by deleting Section 3.1 and replacing it with the following:

3.1 Term The term of this Agreement shall begin on July 1, 1999 and shall be for a period of twenty-five (25) years, expiring on June 30, 2024.

Section 10. COMPENSATION AND BILLING is hereby amended by deleting section 10.1 and replacing it with the following:

10.1 The Gate Fee for the Solid Waste generated within the Parish, whether collected by the Parish or a solid waste hauler, and delivered to the Landfill shall be at the rate of \$21.00 per ton effective July 1, 2003, \$26.00 per ton effective July 1, 2004, \$28.00 per ton effective July 1, 2005, \$30.00 per ton effective July 1, 2006 and shall be adjusted on July 1, 2007 and on the first day of each succeeding year thereafter of this Contract as set forth herein.

10.2. is hereby amended by changing the date therein from January 1, 2001 to July 1, 2007 in all three places it appears and changing the maximum CPI increase from (7%) to (5%).

All other provisions of said Contract shall remain as first written.

St. Charles Parish  
By: Albert D. Laque  
Albert D. Laque  
Parish President

River Birch, Incorporated  
By: Albert J. Ward, Jr.  
Albert J. Ward, Jr.  
President

ATTEST:  
Timothy J. Vial  
Name Timothy J. Vial  
Title Chief Adm. Officer

ATTEST:  
Donald J. Fazio  
Name DOMINICK J FAZZIO  
Title CHIEF FINANCIAL OFFICER