



St. Charles Parish

Meeting Agenda

Parish Council

Council Chairman April Black
Councilmembers Lance Marino, Clayton "Snookie" Fauchaux,
Desmond J. Hilaire, Brian A. Fabre, 'Ram' Ramchandran,
Derryl Walls, Dickie Duhe, Barry Minnich

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

Monday, June 18, 2007

6:00 PM

Council Chambers, Courthouse

Final

Minutes

ATTENDANCE

CALL TO ORDER

PRAYER

PLEDGE

Reverend D. B. Mollaire
Good Hope Missionary Baptist Church
Mount Zion Missionary Baptist Church

APPROVAL OF MINUTES

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

[2007-0175](#) In Recognition: Kenyatta Weber, Hospital Service District

Sponsors: Mr. Hilaire

Legislative History

6/4/07 Parish Council Deferred 1

1 [2007-0187](#) In Recognition: Brenda Charles, Planning & Zoning Commission

Sponsors: Ms. Black

2 [2007-0188](#) In Recognition: St. Charles Parish Hospital, Silver Level 2006 Hospital Quality Award

Sponsors: Mr. Marino and Mr. Fabre

- 3 [2007-0179](#) An ordinance authorizing the issuance of not exceeding \$2,750,000 of Parish of St. Charles, State of Louisiana Revenue Bonds (Ram Tool Project), Series 2007; approving the form and authorizing the execution and delivery of an Installment Sale Agreement and a Trust Indenture to secure the Bonds; approving the form and authorizing the publication of a Notice of Intention to Sell Bonds and a Notice of Public Hearing; awarding the Bonds to Compass Bank; authorizing the appropriate officers of said Parish to execute the aforementioned instruments and all other documents and certificates deemed necessary in connection therewith; and providing for other matters with respect to the foregoing.

Sponsors: Mr. Laque and Bond Counsel

Attachments: [2007-0179 Final Ord 07-6-4](#)

Public Hearing

Legislative History

6/4/07 Parish President Introduced

6/4/07 Parish Council Publish/Scheduled for Public Hearing

- 9 [2007-0184](#) A resolution approving the issuance, sale and delivery of \$1,000,000 of Certificates of Indebtedness of Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana.

Sponsors: Mr. Laque and Bond Counsel

Attachments: [2007-0184 Final Reso 5444](#)

- 11 [2007-0197](#) A resolution authorizing the Parish President of the Parish of St. Charles, State of Louisiana, to execute a preliminary agreement between said Parish and Valero Energy Corporation; authorizing the issuance of revenue bonds in one or more series to finance certain facilities and providing for other matters in connection with the foregoing.

Sponsors: Mr. Laque and Department of Economic Development and Tourism

Attachments: [Preliminary Agreement.doc](#)
[Revised Preliminary Agreement.doc](#)
[2007-0197 Agreement-F](#)
[2007-0197 Final Reso 5445 with Agreement](#)

Revised Resolution & Preliminary Agreement (Regular Agenda - Page 15)

Reconsider Vote: (Councilman Ramchandran)
ORDINANCE NO. 07-6-1

[2007-0171](#) An ordinance to approve and authorize the execution of a Professional Consultant Agreement with Plan Review and Inspection, LLC to provide plan review and building inspection services for the Louisiana State Uniform Construction Code.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [2007-0171 Agreement-F](#)
[2007-0171 Final Ord 07-6-1 with Agreement](#)

Legislative History

5/21/07	Parish President	Introduced
5/21/07	Parish Council	Publish/Scheduled for Public Hearing
6/4/07	Parish Council	Public Hearing Requirements Satisfied
<i>Reported:</i>		
<i>P & Z Department Recommended: Approval</i>		
6/4/07	Parish Council	Approved 1
6/5/07	Parish President	Approved by the Par. Pres.

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2007-0185](#) Donaldsonville to the Gulf of Mexico West Bank Hurricane Protection Levee - Mr. Stanley Folse, President, Lafourche Basin Levee District, Mr. Randy Trosclair Lafourche Basin Levee District, Mr. Frank Duarte, U. S. Army Corps of Engineers, Project Manager

Sponsors: Mr. Laque

[2007-0198](#) Department of Environmental Quality - Killona Ventures Landfill Update

Sponsors: Mr. Fabre

[2007-0199](#) U. S. Army Corps of Engineers - West Bank Hurricane Protection Levee Permit Update

Sponsors: Mr. Fabre

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[2007-0196](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Appendix A, Section XX., Flood damage prevention, A. 4. d. and e, to add verbage that follows Article 667 of the Civil Code of 1870 of the State of Louisiana, Limitations on use of property and to add A. 4. f. g. h. and i.

Sponsors: Mr. Ramchandran

[2007-0200](#)

An ordinance to approve and authorize the execution of an Agreement between the State of Louisiana, Governor's Office of Elderly Affairs, and St. Charles Parish/Programs for the Elderly/RSVP, to receive state funding to operate the St. Charles Parish Retired Senior Volunteer Program for the period January 1, 2008, through December 31, 2008.

Sponsors: Mr. Laque and Retired Senior Volunteer Program

Attachments: [2007-0200 Agreement-F](#)
[2007-0200 Final Ord 07-7-1 with Agreement](#)

[2007-0164](#)

A resolution providing mandatory supporting authorization to endorse the positive Planning & Zoning Commission decision regarding Special Permit Use application PZSPU-2007-04, which would allow the expansion of a construction debris landfill on at 69.79 acres of Tract H-2 in Killona, La. as requested by Killona Ventures, LLC.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [Killona Ventures Recommendation at a Glance.doc](#)
[Killona Ventures minutes \(8\).doc](#)
[Killona Ventures application.1.pdf](#)
[Killona Ventures plat \(9\).pdf](#)
[Killona Ventures LUR.doc](#)
[2007-0164 Failed Proposed Resolution](#)

Legislative History

3/29/07	Department of Planning & Zoning	Received/Assigned PH
5/3/07	Department of Planning & Zoning	Recommended Approval to the Planning Commission
5/3/07	Planning Commission	Recommended Approval to the Parish Council
5/7/07	Parish President	Introduced
5/7/07	Parish Council	Publish/Scheduled for Public Hearing
5/10/07	Parish Council	Correspondence Received

from Michael Henderson, Planning & Zoning Director, requesting to remove from consideration a resolution providing mandatory supporting authorization to endorse the positive Planning & Zoning Commission decision regarding Special Permit Use application which would allow the expansion of a construction debris landfill in Killona, requested by Killona Ventures, LLC; this application was inadvertently sent for public hearing to the Council.

5/21/07	Parish Council	Amended
	<i>Amendment: to amend the proposed resolution in the "NOW, THEREFORE, BE IT RESOLVED" to add "... subject to the following condition: Regulated asbestos-containing material ("RACM"), as presently defined by the Louisiana Department of Environmental Quality ("LDEQ"), may not be deposited into this landfill. Only those materials which were defined as construction and demolition debris in the Regulations published by the LDEQ prior to August 29, 2005 may be deposited into this Construction Debris Landfill."</i>	
5/21/07	Parish Council	Public Hearing Requirements Satisfied
	<i>Reported:</i>	
	<i>P & Z Department Recommended: Approval</i>	
	<i>Planning Commission Recommended: Approval</i>	
5/21/07	Parish Council	Tabled.
6/4/07	Parish Council	Tabled.

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 22** [2007-0183](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of **"No Parking"** signs along Hackberry Street in Luling.

Sponsors: Mr. Fauchaux

Attachments: [2007-0183 Final Ord 07-6-5](#)

Legislative History

6/4/07	Council Member(s)	Introduced
6/4/07	Parish Council	Publish/Scheduled for Public Hearing

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

- [2007-0140](#) An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on **Washington Street, Wildrose Drive, Cathey Street, Diamond Road, East Road, West B Street, Marino Street, Marino Drive, Clayton Street, Clayton Drive, Barreca Street, Giacomo Street, Pine Street, Oak Street, Spruce Street, Sirs Lane, Payne Street, Honeysuckle Drive, and Cedar Drive in Norco to Fifteen (15) Miles Per Hour.**

Sponsors: Mr. Duhe

Legislative History

5/7/07	Council Member(s)	Introduced
5/7/07	Parish Council	Publish/Scheduled for Public Hearing
5/21/07	Parish Council	Public Hearing Requirements Satisfied
	<i>Reported:</i>	
	<i>Councilman Duhe Recommended: Approval</i>	

5/21/07	Parish Council	Tabled.
6/4/07	Parish Council	Tabled.
6/5/07	Department of Public Works	Correspondence Received <i>from Urban Systems, Inc. submitting a proposal to provide Professional Traffic Engineering Services regarding speed limits and stop signs in the area known as Norco, to lower the speed limit on several streets; the professional opinion is that changes and/or additions in regulatory/traffic control devices should not be implemented without properly documenting and evaluating the existing conditions. A proposal was submitted.</i>

2007-0141

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on **Teal Street, Bethune Street, Short Street, Mistletoe Drive, Norco Street, St. Charles Street, W. Pine Street, Vial Street, Highland Drive, First Street, Second Street, Third Street, Fourth Street, Fifth Street, Sixth Street, Seventh Street, and Mule Street in Norco to Fifteen (15) Miles Per Hour.**

Sponsors:

Mr. Duhe

Legislative History

5/7/07	Council Member(s)	Introduced
5/7/07	Parish Council	Publish/Scheduled for Public Hearing
5/21/07	Parish Council	Public Hearing Requirements Not Satisfied
		<i>Reported:</i>
		<i>Councilman Duhe Recommended: Approval</i>
5/21/07	Parish Council	Tabled.
6/4/07	Parish Council	Tabled.
6/5/07	Department of Public Works	Correspondence Received <i>from Urban Systems, Inc. submitting a proposal to provide Professional Traffic Engineering Services regarding speed limits and stop signs in the area known as Norco, to lower the speed limit on several streets; the professional opinion is that changes and/or additions in regulatory/traffic control devices should not be implemented without properly documenting and evaluating the existing conditions. A proposal was submitted.</i>

2007-0164

A resolution providing mandatory supporting authorization to endorse the positive Planning & Zoning Commission decision regarding Special Permit Use application PZSPU-2007-04, which would allow the expansion of a construction debris landfill on at 69.79 acres of Tract H-2 in Killona, La. as requested by Killona Ventures, LLC.

Sponsors: Mr. Laque and Department of Planning & Zoning

Attachments: [Killona Ventures Recommendation at a Glance.doc](#)

[Killona Ventures minutes \(8\).doc](#)

[Killona Ventures application.1.pdf](#)

[Killona Ventures plat \(9\).pdf](#)

[Killona Ventures LUR.doc](#)

[2007-0164 Failed Proposed Resolution](#)

Legislative History

3/29/07	Department of Planning & Zoning	Received/Assigned PH
5/3/07	Department of Planning & Zoning	Recommended Approval to the Planning Commission
5/3/07	Planning Commission	Recommended Approval to the Parish Council
5/7/07	Parish President	Introduced
5/7/07	Parish Council	Publish/Scheduled for Public Hearing
5/10/07	Parish Council	Correspondence Received <i>from Michael Henderson, Planning & Zoning Director, requesting to remove from consideration a resolution providing mandatory supporting authorization to endorse the positive Planning & Zoning Commission decision regarding Special Permit Use application which would allow the expansion of a construction debris landfill in Killona, requested by Killona Ventures, LLC; this application was inadvertently sent for public hearing to the Council.</i>
5/21/07	Parish Council	Amended <i>Amendment: to amend the proposed resolution in the "NOW, THEREFORE, BE IT RESOLVED" to add "... subject to the following condition: Regulated asbestos-containing material ("RACM"), as presently defined by the Louisiana Department of Environmental Quality ("LDEQ"), may not be deposited into this landfill. Only those materials which were defined as construction and demolition debris in the Regulations published by the LDEQ prior to August 29, 2005 may be deposited into this Construction Debris Landfill."</i>
5/21/07	Parish Council	Public Hearing Requirements Satisfied <i>Reported:</i> <i>P & Z Department Recommended: Approval</i> <i>Planning Commission Recommended: Approval</i>
5/21/07	Parish Council	Tabled.
6/4/07	Parish Council	Tabled.

RESOLUTIONS

[2007-0186](#)

A resolution asking the Parish Council to support forwarding a letter for an opinion from the Louisiana Board of Ethics regarding the nomination of a citizen, spouse of the Public Works/Wastewater Director for St. Charles Parish, to the Zoning Board of Adjustment.

Sponsors:

Mr. Walls

Legislative History

5/30/07	Louisiana Board of Ethics	Correspondence Received <i>from Lynette Bush requesting a written Advisory Opinion of her nomination to the Zoning Board of Adjustment representing District IV that a conflict of interest may prevent her from serving on the Board due to the fact that her husband is the Director of Public Works/Wastewater for St. Charles Parish</i>
5/31/07	Council Member(s)	Rcmd'ation Request Fwd'd to the Louisiana Board of Ethics <i>to inquire about the ethical standings of a nomination made to the St. Charles Parish Zoning Board of Adjustment; the nomination made at the Parish Council Meeting of May 21st, was Ms. Lynette Bush, wife of the Public Works/Wastewater Director for St. Charles Parish</i>
6/4/07	Louisiana Board of Ethics	Correspondence Sent <i>to Councilman Derryl Walls acknowledging receipt of his correspondence or complaint in reference to Lynette Bush's nomination; the request will be on the Board's June 14, 2007 Agenda for consideration</i>
6/15/07	Louisiana Board of Ethics	Correspondence Sent <i>to Lynette Bush regarding Ethics Board Docket No. 2007-455; the Code of Governmental Ethics does not prohibit your appointment to the Board of Adjustment</i>

23 [2007-0189](#)

A resolution to approve and authorize the execution of an Inter-Governmental Agreement with the Department of Public Safety & Corrections, to assist with funding to set up a construction code enforcement office to comply with the Louisiana State Uniform Construction Code.

Sponsors:

Mr. Laque

Attachments:[Monthly Reimbursement Documentation Form-St. Charles.doc](#)[St. Charles Parish Budget Breakdown.doc](#)[St. Charles Parish Agreement.doc](#)[2007-0189 Agreement-F](#)[2007-0189 Final Reso 5446](#)

- 32** [2007-0139](#) A resolution authorizing the Chairman or the Secretary to offer no objection to St. Rose Hunting & Fishing Club, CUP P20070130, for a permit to reconstruct a 40' x 40' hunting and fishing camp with 16' x 40' deck/wharf and bulkhead on existing land, approximately 7.44 cubic yards of excavated material will be used as backfill, located at Section 70, T12S-R9E, in Norco, in St. Charles Parish.

Sponsors: Mr. Laque and Coastal Zone Management Section

Attachments: [2007-0139 Notice](#)
 [2007-0139 Letter 4-12](#)
 [2007-0139 Letter 4-30](#)
 [2007-0139 Letter 5-21](#)
 [2007-0139 Letter 6-21](#)
 [2007-0139 Final Reso 5447](#)

Legislative History

4/3/07	Parish Council	Rcmd'n'ation Request Fwd'd to the Coastal Zone Management Section
4/12/07	Parish Council	Time Ext. Requested to the DNR
4/30/07	Parish Council	Time Ext. Requested to the DNR
5/21/07	Parish Council	Time Ext. Requested to the DNR

APPOINTMENTS

[2007-0169](#)

A resolution appointing Ms. Lynette Bush to the Zoning Board of Adjustment as the District IV Representative.

Attachments:

[2007-0169 Final Reso 5448](#)

Once an opinion is received by the Board of Ethics and the questionnaire is completed; Council will confirm nomination from the District IV Councilmember to fill the vacancy caused by the resignation of Mr. Daniel Domengeaux. Unexpired term to begin immediately and expire December 7, 2009.

Nominee: Ms. Lynette Bush

****Confirmation Questionnaire was withheld and confirmation is being held open until an opinion is received by the Board of Ethics.****

Legislative History

2/20/06	Parish Council	Enacted Legislation <i>Mr. Daniel Domengeaux appointed to the Zoning Board of Adjustment on February 20, 2006, per Resolution No. 5329 Term: December 7, 2005 - December 7, 2009</i>
5/21/07	Parish Council	Nomination(s) Accepted <i>Nominee: Councilman Walls nominated Ms. Lynette Bush</i>
5/21/07	Parish Council	Close Nomination(s) for
5/30/07	Louisiana Board of Ethics	Correspondence Received <i>from Lynette Bush requesting a written Advisory Opinion of her nomination to the Zoning Board of Adjustment representing District IV that a conflict of interest may prevent her from serving on the Board due to the fact that her husband is the Director of Public Works/Wastewater for St. Charles Parish</i>
5/31/07	Louisiana Board of Ethics	Correspondence Received <i>from Councilman Derryl Walls, District IV, requesting an opinion about the ethical standings of the nomination of Lynette Bush, wife of Greg Bush, Public Works/Wastewater Director to the St. Charles Parish Zoning Board of Adjustment representing District IV</i>
6/4/07	Louisiana Board of Ethics	Correspondence Sent <i>to Councilman Derryl Walls acknowledging receipt of his correspondence or complaint in reference to Lynette Bush's nomination; the request will be on the Board's June 14, 2007 Agenda for consideration</i>
6/4/07	Parish Council	Motioned 1 <i>to introduce a proposed resolution asking the Parish Council to support forwarding a letter for an opinion from the Louisiana Board of Ethics regarding the nomination of Ms. Lynette Bush</i>
6/4/07	Parish Council	Deferred 1
6/15/07	Louisiana Board of Ethics	Correspondence Sent <i>to Lynette Bush regarding Ethics Board Docket No. 2007-455; the Code of Governmental Ethics does not prohibit your appointment to the Board of Adjustment</i>

[2007-0170](#) A resolution to designate a member to the New Orleans Aviation Board representing St. Charles Parish.

Sponsors: Mr. Laque

Attachments: [2007-0170 Final Reso 5449](#)

Council will confirm nomination to designate a member to the New Orleans Aviation Board. Term of Mr. Henry A. Smith, Jr. to expire on July 1, 2007. Five (5) year term to begin July 1, 2007 and expire July 1, 2012.

Council Office did not receive Reverend Jesse Duplantis' Confirmation Questionnaire by June 12, 2007 deadline; Rule 17 - Confirmation Questionnaires must be completed and returned to the Office of the Council Secretary by 4:00 o'clock p.m. on the fourth business day preceding a Parish Council Meeting. Failure to complete or return the questionnaire prior to the deadline shall automatically disqualify the nomination.

Nominee: Mr. Henry A. Smith, Jr.

Legislative History

6/17/02	Parish Council	Enacted Legislation <i>Henry A. Smith, Jr. designated to the New Orleans Aviation Board representing St. Charles Parish, per Resolution No. 5031 Term: July 1, 2002 - July 1, 2007</i>
5/21/07	Parish Council	Vacancy Announced
6/4/07	Parish Council	Nomination(s) Accepted <i>Nominees: Councilman Duhe nominated Reverend Jesse Duplantis Councilman Hilaire nominated Mr. Henry A. Smith, Jr.</i>
6/4/07	Parish Council	Close Nomination(s) for

[2007-0190](#) Appoint a member to the River Region Caucus.

On July 2, 2007, Council Chairman will accept nominations to fill the vacancy caused by the expiration of the term of Councilman Brian Fabre. One (1) year term to begin July 31, 2007 and expire January 14, 2008.

[2007-0191](#) Appoint a member to the River Region Caucus.

On July 2, 2007, Council Chairman will accept nominations to fill the vacancy caused by the expiration of the term of Councilman April Black. One (1) year term to begin July 31, 2007 and expire January 14, 2008.

[2007-0192](#) Appoint a member to the River Region Caucus.

On July 2, 2007, Council Chairman will accept nominations to fill the vacancy caused by the expiration of the term of Councilman Clayton Fauchaux - Alternate. One (1) year term to begin July 31, 2007 and expire January 14, 2008.

[2007-0193](#) Appoint a member to the River Region Caucus.

On July 2, 2007, Council Chairman will accept nominations to fill the vacancy caused by the expiration of the term of Councilman Lance Marino - Alternate. One (1) year term to begin July 31, 2007 and expire January 14, 2008.

[2007-0194](#) A resolution to appoint a member to the Civil Service Board.

Attachments: [2007-0194 Final Reso 5457](#)

On July 2, 2007, Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Ralph M. Wilderson. Three (3) year term to begin August 1, 2007 and expire August 1, 2010.

Legislative History

7/12/04	Parish Council	Enacted Legislation
	<i>Mr. Ralph M. Wilderson appointed to the Civil Service Board on July 12, 2004, per Resolution No. 5214</i>	
	<i>Term: August 1, 2004 - August 1, 2007</i>	

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

[2007-0167](#) A resolution appointing an Official Journal to serve the Parish Council of St. Charles Parish for the period June 2007 through June 2008.

Attachments: [2007-0167 Final Reso 5450](#)

Official Journal Appointment

Legislative History

5/21/07	Parish Council	Authorized 1
6/4/07	Parish Council	Authorized 1

No bids were received by the June 4, 2007, deadline for the Official Journal appointment.

Discussion: to re-advertise the Public Notice for File No. 2007-0167

[2007-0195](#) Calendar of Official Action for the 2008 Budget: Set Public Hearing Dates - Lorrie Toups

Sponsors: Mr. Laque and Department of Finance

Attachments: [2008 Hearing Amendments.xls](#)
[2008 Motions -Exhibits A & B.xls](#)
[2007-0195 Final Ord 07-10-12 with Exhibits](#)

ADJOURNMENT

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

BI-CENTENNIAL COMMITTEE: Wednesday, 6/20/07, 10AM, Council Chambers
ZONING BOARD OF ADJUSTMENT: Thursday, 6/21/07, 7:30PM, Council Chambers
HOUSING AUTHORITY: Tuesday, 6/26/07, 6PM, Council Chambers
HOSPITAL BOARD: Wednesday, 6/27/07, 9AM, Council Chambers
CHILDREN AND YOUTH PLANNING BOARD: Wednesday, 6/27/07, 1:30PM, Council Chambers
COASTAL ZONE ADVISORY COMMITTEE: Thursday, 6/28/07, 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.