



St. Charles Parish Meeting Minutes

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Parish Council

Draft

*Council Chairman Dennis Nuss
Councilmembers Carolyn K. Schexnaydre, Terry Authement,
Billy Raymond, Sr., Shelley M. Tastet, Wendy Benedetto,
Paul J. Hogan, Larry Cochran, Marcus M. Lambert*

Monday, October 03, 2011

6:00 PM

Council Chambers, Courthouse

ATTENDANCE

Present: 9 - Carolyn K. Schexnaydre, Terry Authement, Billy Raymond, Sr., Shelley Tastet, Wendy Benedetto, Paul J. Hogan, Lawrence 'Larry' Cochran, Marcus M. Lambert, Dennis Nuss

Also Present: Parish President V.J. St. Pierre, Jr., Chief Operations Officer John "Rusty" Walker, Chief Administrative Officer Timmy Vial, Legal Director Leon C. Vial, III, Public Works/Wastewater Director Sam Scholle, Planning & Zoning Director Kimberly Marousek, Finance Director Grant Dussom, CZM Administrator Earl Matherne

CALL TO ORDER

Meeting called to order at 6:01 pm.

PRAYER

*Reverend Kendall Pierre
Mt. Zion Missionary Baptist Church, Ama*

PLEDGE

*Reverend Kendall Pierre
Mt. Zion Missionary Baptist Church, Ama*

APPROVAL OF MINUTES

A motion was made by Councilmember Tastet, and seconded to approve the minutes from the Regular Meeting of September 19, 2011. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

2011-0329 (10/3/2011, Nuss)

Commendation Certificate: Honorable Clyde "Rock" Gisclair - Presented by Representative Gary L. Smith, Jr.

Read

1 2011-0316 (10/3/2011, St. Pierre)

In Recognition: "Louisiana's Favorite Farmers' Market"

Read

2 2011-0317 (10/3/2011, Nuss)

Proclamation: "National Breast Cancer Awareness Month in St. Charles Parish"

Read

3 2011-0318 (10/3/2011, Nuss)

Proclamation: United Way Month in St. Charles Parish
Battle for the Paddle Cook-Off

Read

4 2011-0321 (10/3/2011, St. Pierre)

Proclamation: "National 4-H Week"

Read

5 2011-0325 (10/3/2011, Cochran)

Proclamation: "Fire Prevention Week"

Read

6 2011-0327 (10/3/2011, Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss, St. Pierre)

Proclamation: "National Night Out"

Read

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2011-0319 (10/3/2011)

Department of Public Works

Reported

2011-0320 (10/3/2011, St. Pierre)

Parish President Remarks/Report

Reported

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN NUSS AUTHORIZED THAT THE ORDINANCES, HAVING BEEN PRESENTED FOR INTRODUCTION, DISTRIBUTED TO COUNCIL MEMBERS AND THE PARISH PRESIDENT, AND NOT REJECTED BY TWO-THIRDS OF THE COUNCIL MEMBERS, ARE TO BE PUBLISHED IN SUMMARY FORM AS FOLLOWS IN THE OFFICIAL JOURNAL WITH NOTICE OF PUBLIC HEARING TO BE HELD ON MONDAY, OCTOBER 17, 2011, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2011-0326 (10/3/2011, Hogan, Schexnaydre)

An ordinance to amend the Code of Ordinances Chapter 2, Administration, Article IV. Finance, Division 1. Generally by adding Sec. 2-74 Executive Order Reports.

Publish/Scheduled PH

2011-0330 (10/3/2011, St. Pierre, Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 1 - (Final) for Project No. P090803-2, St. Charles Parish Public Works and Wastewater Office Roof Replacement Project to increase the contract amount by \$5,865.00.

Publish/Scheduled PH

2011-0331 (10/3/2011, Nuss)

An ordinance to amend the Code of Ordinances, Chapter 14 Injuring, Destroying, Defacing Parish Property, Section 14-5 (5) to increase the maximum fine from \$100.00 to \$500.00.

Publish/Scheduled PH

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN NUSS AUTHORIZED THAT THE ORDINANCE, HAVING BEEN PRESENTED FOR INTRODUCTION, DISTRIBUTED TO COUNCIL MEMBERS AND THE PARISH PRESIDENT, AND NOT REJECTED BY TWO-THIRDS OF THE COUNCIL MEMBERS, ARE TO BE PUBLISHED IN SUMMARY FORM AS FOLLOWS IN THE OFFICIAL JOURNAL WITH NOTICE OF PUBLIC HEARING TO BE HELD ON TUESDAY, OCTOBER 25, 2011, 8:00 A.M., THURSDAY, OCTOBER 27, 2011, 6:00 P.M., AND WEDNESDAY, NOVEMBER 2, 2011, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2011-0227 (10/3/2011, St. Pierre, Department of Finance)

An ordinance to approve and adopt the appropriation of Funds for the St. Charles Parish Consolidated Operating and Capital Budget for Fiscal Year 2012.

Publish/Scheduled PH

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

7

2011-0303 (9/19/2011, Nuss)

An ordinance to amend the Code of Ordinances by adding Feral Cat and Feral Dog to Chapter 4, Animals and Fowl, Article I. In General, Sec. 4-1. Definitions, and Sec. 4-10 Keeping of animals not considered pets and keeping of exotic animals.

Reported:

Councilman Nuss Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 8 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Cochran, Lambert, Nuss
Nay: 1 - Hogan

8 **2011-0311** (9/19/2011, St. Pierre, Department of Public Works)

An ordinance to approve and authorize the execution of a Construction Contract with ARC Mechanical Contractors, Inc. for Project No. P101001-2, Courthouse HVAC Efficiency Improvements Project in the amount of \$537,000.00.

Reported:
Public Works Department Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

14 **2011-0312** (9/19/2011, St. Pierre, Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 1 - (Final) for Project No. P090802, St. Charles Parish Public Works West Bank Yard Shop Building to decrease the contract amount by \$24,520.00.

Reported:
Public Works Department Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

20 **2011-0313** (9/19/2011, St. Pierre, Lambert, Coastal Zone Management Section)

An ordinance to approve and authorize the execution of an agreement with Cobalt Construction, Inc. for the Wetland Watchers Park Phase II Improvements, Norco - Base bid and Alternate #1.

Reported:
Councilman Lambert Recommended: Approval
C Z M Section Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

26 **2011-0314** (9/19/2011, Schexnaydre)

An ordinance to rescind Ordinance No. 11-3-4 an Agreement between Tauzin Consultants, LLC and St. Charles Parish for government affairs representation before the Federal Government.

Reported:
Councilwoman Schexnaydre Recommended: Approval

PH Requirements Satisfied

Proposed ordinance failed for lack of a majority by the following vote

Votes: Yea: 1 - Schexnaydre
Nay: 8 - Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss

RESOLUTIONS

- 27 **2011-0322** (10/3/2011, Schexnaydre)
A resolution requesting the Louisiana Attorney General to provide its opinion regarding whether sign in sheets at Town Hall Meetings are public record.
Reported:
Councilwoman Schexnaydre Recommended: Approval
- Votes:** Yea: 8 - Schexnaydre, Authement, Raymond, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0
Absent: 1 - Tastet
- 28 **2011-0324** (10/3/2011, Lambert)
A resolution to grant permission to the Knights of Columbus, Red Church Council No. 3634, 375 Spruce Street, Norco, LA 70079, to solicit contributions at the intersections of I-310 and River Road (Hwy 48) by the Eastbank Bridge Park, Ormond Boulevard and Airline Drive (U.S. 61), Ormond Boulevard and River Road, Apple Street and Airline Drive, Apple Street and River Road, Greaud's Grocery Store on Apple Street, Capital One Bank at 22 Apple Street, Capital One Bank at 13524 River Road in Destrehan and Cashio Food Villa at 13572 River Road, Destrehan on October 28th, 29th and 30th, 2011 between the hours of 9:00 A.M. and 7:00 P.M.
Reported:
Councilman Lambert Recommended: Approval
- Votes:** Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0
- 2011-0328** (10/3/2011, Cochran)
A resolution asking the Parish Legal Advisor to send a letter and a copy of this Resolution to the Kansas City Southern Railway Legal Department asking them in the future to notify the St. Charles Parish Public Information Officer when Parish or State Roads will be closed for Railroad repairs.
Amendment: to accept the revised version of File No. 2011-0328
A motion was made by Councilmember Cochran, and seconded that this matter be Amended. The motion carried by the following vote:
- Votes:** Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

2011-0328 (10/3/2011, Cochran)

A resolution asking the Parish Legal Advisor to send a letter and a copy of this Resolution to the Kansas City Southern Railway Legal Department asking them in the future to notify the St. Charles Parish Emergency Operations Director/Communications Center and the St. Charles Parish Public Information Officer when Parish or State Roads will be closed for Railroad repairs.

Amendment: to amend the proposed resolution in the "SUMMARY" and in the "NOW THEREFORE, BE IT RESOLVED Section" to change "... to the Kansas City Southern Railway Legal Department asking them in the future to notify the St. Charles Parish Emergency Operations Director/Communications Center and the St. Charles Parish Public Information Officer when Parish or State Roads will be closed for Railroad repairs." to read "... to the Legal Departments of all Railroad Companies that impact St. Charles Parish asking them in the future to notify the St. Charles Parish Emergency Operations Director/Communications Center and the St. Charles Parish Public Information Officer with a minimum of five (5) working days when Parish and/or State Roads will be closed for Railroad repairs."

A motion was made by Councilmember Hogan, and seconded that this matter be Amended. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

29

2011-0328 (10/3/2011, Cochran)

A resolution asking the Parish Legal Advisor to send a letter and a copy of this Resolution to the Legal Departments of all Railroad Companies that impact St. Charles Parish asking them in the future to notify the St. Charles Parish Emergency Operations Director/Communications Center and the St. Charles Parish Public Information Officer with a minimum of five (5) working days when Parish and/or State Roads will be closed for Railroad repairs.

Reported:

Councilman Cochran Recommended: Approval

VOTE ON THE PROPOSED RESOLUTION AS AMENDED

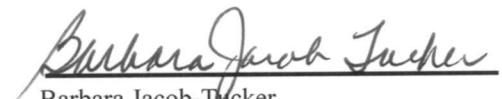
Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

ADJOURNMENT

A motion was made by Councilmember Hogan, and seconded to adjourn the meeting at approximately 7:47 p.m. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Authement, Raymond, Tastet, Benedetto, Hogan, Cochran, Lambert, Nuss
Nay: 0

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.



Barbara Jacob-Tucker,
LCMC,CAA,CMA,CPO
Council Secretary

The Parish of St. Charles

October 3, 2011

IN RECOGNITION

WHEREAS, the German Coast Farmers' Market, a non-profit organization operated by a volunteer Board of Directors, was established to encourage the ability of farmers and small vendors to reach the public directly with the freshest of produce and home-grown and produced products; and,

WHEREAS, the mission of the German Coast Farmers' Market is to serve as a community gathering place, tourist destination, and a market for a wide range of fresh vegetables, fruits, flowers, and other value-added items; and,

WHEREAS, the German Coast Farmers' Market has venues on both the East and West bank of St. Charles Parish; and,

WHEREAS, the German Coast Farmers' Market recently celebrated its 8th Anniversary; and,

WHEREAS, the German Coast Farmers' Market has been named Louisiana's Favorite Farmers Market for the second consecutive year by American Farmland Trust; and,

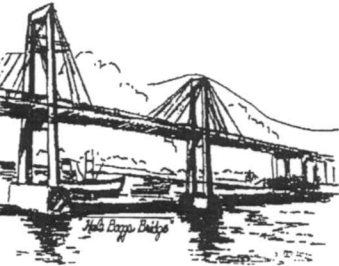
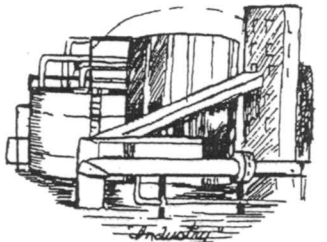
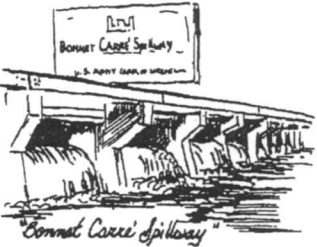
WHEREAS, the German Coast Farmers' Market is also ranked 8th in the United States for small markets; and,

WHEREAS, more than 80,000 people voted in this year's American's Favorite Farmers' Markets contest with over 1,700 Farmers' Markets participating.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, AND THE PARISH PRESIDENT, do hereby recognize the German Coast Farmers' Market as

"LOUISIANA'S FAVORITE FARMERS' MARKET"

"PARISH OF PLENTY"
 created in 1807 from the county of the
 "German Coast", a parish of
 unprecedented economic and social
 development, known for its
 hospitality, rural living and sporting
 opportunities... with the added
 distinction of being located
 on both sides of the
 Mighty Mississippi River.



V.J. St. Pierre, Jr.

V.J. ST. PIERRE, JR.
 PARISH PRESIDENT

Carolyn K. Schexnaydre

CAROLYN K. SCHEXNAYDRE
 COUNCILWOMAN AT LARGE, DIV. A

Terry Authement

TERRY AUTHEMENT
 COUNCILMAN AT LARGE, DIV. B

Paul J. Hogan

PAUL J. HOGAN
 COUNCILMAN, DISTRICT IV

Billy Raymond, Sr.

BILLY RAYMOND, SR.
 COUNCILMAN, DISTRICT I

Larry Cochran

LARRY COCHRAN
 COUNCILMAN, DISTRICT V

Shelley M. Tastet

SHELLEY M. TASTET
 COUNCILMAN, DISTRICT II

Marcus M. Lambert

MARCUS M. LAMBERT
 COUNCILMAN, DISTRICT VI

Wendy Benedetto

WENDY BENEDETTO
 COUNCILWOMAN, DISTRICT III

Dennis Nuss

DENNIS NUSS
 COUNCILMAN, DISTRICT VII

PROCLAMATION

WHEREAS, breast cancer touches the lives of many Americans, either directly or through the diagnosis of a family member or friend and is the second leading cause of cancer-related deaths among American women; and,

WHEREAS, during the 26th Annual National Breast Cancer Awareness Month, we recognize the progress being made toward a cure for this disease, which robs so many women of their health, and in too many cases their lives; and,

WHEREAS, National Breast Cancer Awareness Month (NBCAM) educates women about the importance of early detection for breast cancer, and since their inception, mammography use has doubled, and breast cancer death rates have declined, but many women still do not utilize mammograms at regular intervals; and,

WHEREAS, The National Cancer Institute estimates 230,480 American women will be diagnosed with breast cancer this year; and,

WHEREAS, regular mammography screenings and monthly self-examinations remain the most effective ways of identifying breast cancer in its earliest and most treatable stages, long before physical symptoms can be seen or felt; and,

WHEREAS, to lower the chances of breast cancer we must increase awareness of its risk factors and possible causes; and,

WHEREAS, much of the funding for researching a cure for breast cancer is directed towards clinical trials dedicated to finding new and more effective ways of preventing, detecting, and treating breast cancer.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM OCTOBER 2011 AS

**“NATIONAL BREAST CANCER AWARENESS MONTH
IN ST. CHARLES PARISH”**

BE IT FURTHER RESOLVED, THAT ALL WOMEN AND THEIR FAMILIES IN ST. CHARLES PARISH ARE URGED TO GET THE FACTS ABOUT BREAST CANCER AND MAMMOGRAPHY.

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT

s/TERRY AUTHEMENT
TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

s/BILLY RAYMOND, SR.
BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

s/SHELLEY M. TASTET
SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

s/WENDY BENEDETTO
WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

s/CAROLYN K. SCHEXNAYDRE
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

s/PAUL J. HOGAN, PE
PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

s/LARRY COCHRAN
LARRY COCHRAN
COUNCILMAN, DISTRICT V

s/MARCUS M. LAMBERT
MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

s/DENNIS NUSS
DENNIS NUSS
COUNCILMAN, DISTRICT VII

PROCLAMATION

WHEREAS, *United Way of St. Charles was established in November of 1955, to unite the entire community in a system of volunteers, donors, and agencies, for the purpose of improving the quality and quantity of human care services for the citizens of St. Charles Parish; and,*

WHEREAS, *the United Way of St. Charles serves as a critical link which unites all community participants to build a stronger, healthier, more compassionate St. Charles Parish; and,*

WHEREAS, *business, industry, government, and hundreds of volunteers come together each year in St. Charles Parish to participate in raising the needed financial resources through the Annual United Way Campaign; and,*

WHEREAS, *thousands in St. Charles Parish contribute financial resources that are used to improve the lives of tens of thousands of people by providing funding for basic and emergency needs, health and rehabilitation, financial stability, counseling, education, recreation, and youth and senior services; and,*

WHEREAS, *the St. Charles Parish Council and Parish President wish to join the great people of St. Charles Parish who care about continuing to improve the quality of life for all in our community by supporting the 2011 Annual Campaign of the United Way of St. Charles.*

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM THURSDAY, OCTOBER 6, 2011, AS A DAY OF FUN AND FESTIVITIES FOR ALL IN ST. CHARLES PARISH AND PROCLAIM THE MONTH OF OCTOBER 2011 AS

"UNITED WAY OF ST. CHARLES MONTH"

WE URGE ALL CITIZENS IN ST. CHARLES PARISH TO ATTEND THE TENTH ANNUAL UNITED WAY OF ST. CHARLES BATTLE FOR THE PADDLE; A GUMBO AND JAMBALAYA COOK-OFF TO BE HELD OCTOBER 6, 2011, FROM 4:00 PM TO 7:30 PM AT THE WEST BANK BRIDGE PARK IN LULING.

BE IT FURTHER RESOLVED, *THAT THE UNITED WAY FLAG SHALL FLY ON THE GROUNDS OF THE PARISH COURTHOUSE FOR THIS PERIOD AS A CONSTANT REMINDER TO THE GREAT CITIZENS OF OUR PARISH OF THIS IMPORTANT CAUSE. YOU HAVE THE POWER TO CHANGE THE WORLD AROUND YOU. GIVE, ADVOCATE, VOLUNTEER, LIVE UNITED.*

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT

s/TERRY AUTHEMENT
TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

s/BILLY RAYMOND, SR.
BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

s/SHELLEY M. TASTET
SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

s/WENDY BENEDETTO
WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

s/CAROLYN K. SCHEXNAYDRE
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

s/PAUL J. HOGAN, PE
PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

s/LARRY COCHRAN
LARRY COCHRAN
COUNCILMAN, DISTRICT V

s/MARCUS M. LAMBERT
MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

s/DENNIS NUSS
DENNIS NUSS
COUNCILMAN, DISTRICT VII

PROCLAMATION

WHEREAS, the St. Charles Parish Council is proud to honor the 4-H Youth Development Program of the LSU AgCenter for 103 years of providing experience-based education to youngsters throughout the state; and,

WHEREAS, this admirable program, which seeks to provide a learning experience for the whole child, including head, heart, hands, and health, helps young Louisianans to acquire knowledge, develop life skills, and form attitudes to enable them to become self-directed, productive, and contributing members of our society; and,

WHEREAS, its 250,000 urban, suburban, and rural youth participants, ranging in age from eight to nineteen, hail from diverse ethnic and socioeconomic backgrounds, and truly represent a cross-section of the state; and,

WHEREAS, the program undoubtedly could not have achieved the success that it has today were it not for the service of its more than 9,900 volunteers, who have given generously of their time, talents, energies, and resources to the youth of Louisiana; and,

WHEREAS, throughout its proud history, the 4-H Program has developed positive role models for countless Louisianans and through its innovative and inspiring programs, continues to build character and to instill the values that have made our state strong and great.

NOW, THEREFORE BE IT RESOLVED THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM THE WEEK OF **OCTOBER 2-8, 2011**, AS

“NATIONAL 4-H WEEK”

IN ST. CHARLES PARISH AND COMMEND THE 4-H YOUTH AND FAMILY DEVELOPMENT PROGRAM OF THE LOUISIANA COOPERATIVE EXTENSION SERVICE AND THE MANY MEN AND WOMEN WHO HAVE MADE THE PROGRAM A SUCCESS.

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT

s/TERRY AUTHEMENT
TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

s/BILLY RAYMOND, SR.
BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

s/SHELLEY M. TASTET
SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

s/WENDY BENEDETTO
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COUNCILWOMAN, DISTRICT III

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LARRY COCHRAN
COUNCILMAN, DISTRICT V

s/MARCUS M. LAMBERT
MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

s/DENNIS NUSS
DENNIS NUSS
COUNCILMAN, DISTRICT VII

PROCLAMATION

- WHEREAS,** *St. Charles Parish is committed to ensuring the safety and security of all those living in and visiting our Parish; and,*
- WHEREAS,** *fire is a serious public safety concern both locally and nationally and homes are the locations where people are at greatest risk to fire; and,*
- WHEREAS,** *home fires killed more than 2500 people in the United States in 2009, according to the latest research from the nonprofit National Fire Protection Association (NFPA), and fire departments in the United States responded to more than 360,000 home fires; and,*
- WHEREAS,** *cooking equipment is the leading cause of home structure fires and associated injuries, and the third leading cause of home fire deaths; and,*
- WHEREAS,** *heating and electrical equipment and smoking materials are among the leading causes of all reported home fires; and,*
- WHEREAS,** *home candle fires are reported to a US Fire Department every 30 minutes on average and the risk of dying in a home structure fire caused by smoking materials rises with age; and,*
- WHEREAS,** *working smoke alarms cut the risk of dying in reported home fires in half, and automatic fire sprinkler systems cut the risk of dying in a home fire by about 80%; and,*
- WHEREAS,** *St. Charles Parish’s first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and,*
- WHEREAS,** *St. Charles Parish residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and,*
- WHEREAS,** *residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and,*
- WHEREAS,** *the 2011 Fire Prevention Week theme, “It’s Fire Prevention Week! Protect Your Family From Fire!” effectively serves to remind us all of the simple actions we can take to keep our homes and families safe from fire during Fire Prevention Week and year-round.*

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM **OCTOBER 9-15, 2011, AS**

"FIRE PREVENTION WEEK"

IN ST. CHARLES PARISH AND URGE ALL CITIZENS TO PROTECT THEIR HOMES AND FAMILIES BY HEEDING THE IMPORTANT SAFETY MESSAGES OF FIRE PREVENTION WEEK 2011, AND TO SUPPORT THE MANY PUBLIC SAFETY ACTIVITIES AND EFFORTS OF ST. CHARLES PARISH’S FIRE AND EMERGENCY SERVICES.

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT

s/TERRY AUTHEMENT
TERRY AUTHEMENT
COUNCILMAN AT LARGE, DIV. B

s/BILLY RAYMOND, SR.
BILLY RAYMOND, SR.
COUNCILMAN, DISTRICT I

s/SHELLEY M. TASTET
SHELLEY M. TASTET
COUNCILMAN, DISTRICT II

s/WENDY BENEDETTO
WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

s/CAROLYN K. SCHEXNAYDRE
CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

s/PAUL J. HOGAN, PE
PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

s/LARRY COCHRAN
LARRY COCHRAN
COUNCILMAN, DISTRICT V

s/MARCUS M. LAMBERT
MARCUS M. LAMBERT
COUNCILMAN, DISTRICT VI

s/DENNIS NUSS
DENNIS NUSS
COUNCILMAN, DISTRICT VII

PROCLAMATION

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime and drug prevention program on **October 11, 2011**, called "**National Night Out**"; and,

WHEREAS, the "**28th Annual National Night Out**" provides a unique opportunity for St. Charles Parish to join forces with thousands of other communities across the country in promoting cooperative police-community crime and drug prevention efforts; and,

WHEREAS, the Council plays a vital role in assisting the Sheriff's Department through joint crime and drug prevention efforts in St. Charles Parish and is supporting "**National Night Out 2011**" locally; and,

WHEREAS, it is essential that all citizens of St. Charles Parish be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs, and violence in St. Charles Parish; and,

WHEREAS, police-community partnerships and neighborhood safety, awareness, and cooperation are important themes of the "**National Night Out**" program.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY call upon all citizens of St. Charles Parish to join the Sheriff's Department and the National Association of Town Watch in supporting the "**28th Annual National Night Out**" on **October 11, 2011**; and,

BE IT FURTHER RESOLVED THAT, WE, THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby proclaim Tuesday, October 11, 2011, from 6:00 PM – 9:00 PM as

"NATIONAL NIGHT OUT"

in St. Charles Parish.

s/V.J. ST. PIERRE, JR.

V.J. ST. PIERRE, JR.

PARISH PRESIDENT

s/TERRY AUTHEMENT

TERRY AUTHEMENT

COUNCILMAN AT LARGE, DIV. B

s/BILLY RAYMOND, SR.

BILLY RAYMOND, SR.

COUNCILMAN, DISTRICT I

s/SHELLEY M. TASTET

SHELLEY M. TASTET

COUNCILMAN, DISTRICT II

s/WENDY BENEDETTO

WENDY BENEDETTO

COUNCILWOMAN, DISTRICT III

s/CAROLYN K. SCHEXNAYDRE

CAROLYN K. SCHEXNAYDRE

COUNCILWOMAN AT LARGE, DIV. A

s/PAUL J. HOGAN, PE

PAUL J. HOGAN, PE

COUNCILMAN, DISTRICT IV

s/LARRY COCHRAN

LARRY COCHRAN

COUNCILMAN, DISTRICT V

s/MARCUS M. LAMBERT

MARCUS M. LAMBERT

COUNCILMAN, DISTRICT VI

s/DENNIS NUSS

DENNIS NUSS

COUNCILMAN, DISTRICT VII

2011-0303

INTRODUCED BY: DENNIS NUSS, COUNCILMAN, DISTRICT VII

ORDINANCE NO. 11-10-1

An ordinance to amend the Code of Ordinances by adding Feral Cat and Feral Dog to Chapter 4, Animals and Fowl, Article I. In General, Sec. 4-1. Definitions, and Sec. 4-10 Keeping of animals not considered pets and keeping of exotic animals.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 4, Animals and Fowl, Article 1 In General, Sect. 4-1 Definitions, and Sec. 4-10 Keeping of animals not considered pets and keeping of exotic animals is hereby amended by adding the following:

Sec 4-1 Definitions

Feral Cat: Any cat born outside, lives outside, and is undomesticated or wild. It runs from you, hisses at all who approach and keeps its distance. This cat lives outside and forges its own way, it is neither neutered nor spayed and multiplies rapidly.

Feral Dog: It is the offspring of a domestic dog (strays) that have been abandoned. They live on the edge of human society, scavenging for food, finding shelter where they can, mating and raising completely un-socialized feral puppies. These dogs are completely unpredictable.

Sec. 4-10 Keeping of animals not considered pets and keeping of exotic animals.

(f) Feral Cat and Feral Dog

(1) Any cat or dog that is determined by the Animal Control Officer to be a feral animal. These animals will be kept for three (3) days of observation before being euthanized. Feral animals are considered wild animals, unsociable, unpredictable, and unadoptable.

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

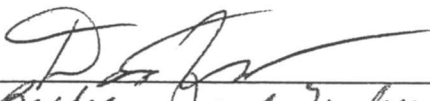
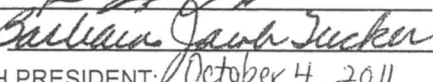

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, COCHRAN, LAMBERT, NUSS

NAYS: HOGAN

ABSENT: NONE

And the ordinance was declared adopted this 3rd day of October, 2011 to become effective five (5) days after publication in the Official Journal.

Amend Code - Chapter 4 - Section 4-1 & 4-10 Feral

CHAIRMAN: 
 SECRETARY: 
 DLVD/PARISH PRESIDENT: October 4, 2011
 APPROVED: DISAPPROVED:
 PARISH PRESIDENT: 
 RETD/SECRETARY: October 4, 2011
 AT: 1:45 pm RECD BY: BGT

2011-0311

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 11-10-2

An ordinance to approve and authorize the execution of a Construction Contract with ARC Mechanical Contractors, Inc. for Project No. P101001-2, Courthouse HVAC Efficiency Improvements Project in the amount of \$537,000.00.

WHEREAS, sealed bids were received by St. Charles Parish on September 15, 2011 for Project No. P101001-2, Courthouse HVAC Efficiency Improvements Project; and,

WHEREAS, Schantz Engineering, LLC, Isaac Schantz P.E., the Engineer for the Project, has reviewed the bids and recommended that the Contract be awarded to the low bidder, ARC Mechanical Contractors, Inc. in the amount of \$537,000.00; and,

WHEREAS, the capacity of the existing St. Charles Parish Courthouse HVAC System is marginal for the Courthouse Building requirements for the cooling/heating demands throughout the year; and the existing cooling tower is at an eminent point of failure which would terminate the capacity to cool the Courthouse Building with the existing HVAC System; and the location of the current cooling tower is in a roof well which limits the cooling capacity of the cooling tower; and,

WHEREAS, an Energy Recovery Unit will be installed to pre-condition the outside make-up air in the St. Charles Parish Courthouse HVAC System to improve the efficiency, and enable the system to react faster to changes in cooling/heating demands for the building; and to replace/relocate the cooling tower for the HVAC System to maintain the ability to cool the Courthouse Building in a more efficient manner; and the HVAC System efficiency improvements will reduce the operating expenses of the Courthouse HVAC System; and,

WHEREAS, the construction costs for this project will be funded by the American Recovery and Reinvestment Act through the U.S. Department of Energy through the Louisiana Department of Natural Resources under the Renew Louisiana Energy Efficiency and Conservation Block Grant (DNR Memorandum of Agreement (MOA)/Award # EEA-1042) awarded to the Parish in the amount of \$353,000.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of ARC Mechanical Contractors, Inc. for the installation of the Energy Recovery Unit and Replacement of Cooling Towers for the Courthouse HVAC System under Project No. P101001-2, Courthouse HVAC Efficiency Improvements Project, be hereby accepted, in the amount of \$537,000.00.

SECTION II. That the Parish President is hereby authorized to execute said contract on behalf of the St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 3rd day of October, 2011 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____
SECRETARY: Jacob Tucker
DLVD/PARISH PRESIDENT: October 4, 2011
APPROVED: _____ DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: October 4, 2011
AT: 1:45 pm RECD BY: [Signature]

SECTION 00500

AGREEMENT

THIS AGREEMENT is effective as of the 4th day of October in the year 2011 by and between the Parish of St. Charles, called the OWNER, and Arc Mechanical Contractors, Inc. hereinafter called the CONTRACTOR.

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents for the above Project. The Work is generally described as follows:

The Contract Work generally comprises of the construction of cooling tower replacement and installation of a new Energy Recovery Unit.

ARTICLE 2. ENGINEER

The Project has been designed by Schantz Engineering, LLC who is hereinafter called ENGINEER and who will assume all duties and responsibilities and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3. CONTRACT TIME

- 3.1 The Contractor shall complete all of the Work under the Contract within one hundred forty (140) calendar days from the date of the Notice to Proceed.
- 3.2 Liquidated Damages - OWNER and CONTRACTOR recognize that the OWNER will suffer direct financial loss if Work is not completed within the Contract times specified in Paragraph 3.1 above plus any extensions thereof allowed in accordance with Article 12 of the General Conditions, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, CONTRACTOR and Surety agree to forfeit and pay OWNER as liquidated damages for delay (but not as a penalty) the amount of two hundred fifty dollars (\$250.00) for each calendar day that expires after the Contract Time specified in Paragraph 3.1 for final completion and ready for final acceptance until the Work is completed. These amounts represent a reasonable estimate of OWNER's expenses for extended delays and for inspection, engineering services and administrative costs associated with such delay. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being

specifically agreed that the CONTRACTOR by his mere failure to complete the work on or before the date specified shall be deemed in default

ARTICLE 4. CONTRACT PRICE

CONTRACT PRICE: The amount to be paid to the Contractor by the Owner for completion of all work hereunder is: (\$537,000.00) Five hundred Thirty Seven Thousand Dollars based on unit prices specified within this contract document. Contract price is firm and subject only to modification by written change order agreed to by both parties.

ARTICLE 5. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

- 5.1 Progress payments. OWNER shall make progress payments which exceed \$5,000 on account of the Contract price on the basis of CONTRACTOR's Applications for Payment, as recommended by ENGINEER, on or about the thirtieth (30th) day following receipt by the OWNER. Applications for Payments less than \$5,000 shall be accumulated until the next payment period or until final payment.

Progress payments will be based upon estimated quantities of completed contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work on the last day of each month or other mutually agreed regular monthly date ending the progress payment period.

- 5.2 Retainage. Retainage shall be withheld and payments will be made by the OWNER in the payment amount of: 1) ninety percent (90%) of the approved payment applications for projects with contract prices of less than \$500,000; or 2) ninety-five percent (95%) of the approved payment applications for the projects with contract prices of \$500,000 or greater.
- 5.3 Final Acceptance and Final Payment. Upon the final completion of all Work, the CONTRACTOR may request a final inspection and may make a final Application for Payment as provided by Paragraph 14.12 of the General Conditions, upon the OWNER's certificate of final acceptance.

Final acceptance of the Work, based upon the certificate of final acceptance, shall be by resolution of the Council of the Parish of St. Charles.

When substantial completion is granted by the Owner, the Certificate of Substantial Completion is then transmitted to the Contractor for filing with the recorder of mortgages of the Parish of St. Charles. This begins the not less than forty-five (45) day lien period as prescribed for Public Works by Louisiana Revised Statutes 38:2242.

At the expiration of the lien period it is the CONTRACTOR's responsibility to obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is

clear of any liens or privileges, and said certificate shall be presented to the OWNER for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.

ARTICLE 6. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 6.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
- 6.2 CONTRACTOR has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
- 6.3 CONTRACTOR has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 6.2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.2 of the General Conditions. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, CONTRACTOR has or will obtain or perform at no additional cost to the OWNER such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by CONTRACTOR for such purposes.

ARTICLE 7. CONTRACT DOCUMENTS

The following Contract Documents, which comprise the entire Agreement between OWNER and CONTRACTOR, are all hereby made a part of that Agreement to the same extent as if incorporated herein in full:

- 7.1 Agreement
- 7.2 Construction Performance and Payment Bond and Insurance Certificates
- 7.3 Advertisement for Bids
- 7.4 CONTRACTOR's Bid Form
- 7.5 Addenda (Numbers 1 to 2 inclusive)

- 7.6 Contract documents bearing the general title "St. Charles Parish Courthouse: HVAC Efficiency Improvements, Project No. P101001" dated August 15 20 11.
- 7.7 Drawings, consisting of a cover sheet dated August 15 20 11 and the sheets listed on Drawing T0.0; each sheet bearing the following general title:
"HVAC Efficiency Improvements St. Charles Parish Courthouse".
- 7.8 General Conditions
- 7.9 General Conditions, pages 00700-1 through 00700-31 and Section 00800, Supplementary Conditions, pages 00800-1 through 00800-21, and Second Supplementary Conditions have been adopted by the St. Charles Parish Council as a Standard General Conditions and Supplementary Conditions for Construction Contracts. Those General Conditions and Supplementary Conditions are to be referred to in the agreement and contract as "GEN.COND, CONST - 7/98 filed in MOB 682, Folio 230 filed with the St. Charles Parish Clerk of Court."

There are no Contract Documents other than those listed above in this Article 7. The Contract may only be amended; modified or supplemented as provided for in the General Conditions.

ARTICLE 8. MISCELLANEOUS

- 8.1 General Conditions, pages 00700-1 through 00700-31 and Section 00800, Supplementary Conditions, pages 00800-1 through 00800-21, and Second Supplementary Conditions have been adopted by the St. Charles Parish Council as a Standard General Conditions and Supplementary Conditions for Construction Contracts. Those General Conditions and Supplementary Conditions are to be referred to in the agreement and contract as "GEN.COND, CONST - 7/98 filed in MOB 682, Folio 230 filed with the St. Charles Parish Clerk of Court."
- 8.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the OWNER may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without CONTRACTOR's consent and without recourse.
- 8.3 OWNER and CONTRACTOR each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

8.4 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or by ENGINEER on their behalf.

OWNER: Parish of St. Charles

By [Signature]

Title Parish President

Attest [Signature]

CONTRACTOR: ARC Mechanical Contractors, Inc.

By [Signature]

Chester A. Cabirac
Title President

Attest [Signature]

END OF SECTION

2011-0312

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 11-10-3

An ordinance approving and authorizing the execution of Change Order No. 1 – (Final) for Project No. P090802, St. Charles Parish Public Works West Bank Yard Shop Building to decrease the contract amount by \$24,520.00.

WHEREAS, Ordinance No. 11-4-18, adopted April 4, 2011, by the St. Charles Parish Council, approved and authorized the execution of a contract with F. J. Arcement Construction Co., Inc. for the construction of St. Charles Parish Public Works West Bank Yard Shop Building in the amount of \$570,800.00; and,

WHEREAS, it is necessary to amend the contract to adjust the original contract quantities with actual quantities resulting in a decrease to the contract amount by \$24,520.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS,

SECTION I. To approve and authorize the execution of Change Order No. 1- (Final) for Parish Project No. P090802, St. Charles Parish Public Works West Bank Yard Shop Building, to decrease the contract amount by \$24,520.00.

SECTION II. That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 3rd day of October, 2011, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: Barbara Jacob Jackson
DLVD/PARISH PRESIDENT: October 4, 2011
APPROVED: DISAPPROVED:
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: October 4, 2011
AT: 1:45 pm RECD BY: [Signature]

CHANGE ORDER

No. 001

DATE OF ISSUANCE September 9, 2011

EFFECTIVE DATE _____

OWNER: St. Charles Parish
CONTRACTOR: F. J. Arcement Construction, Inc.
Contract: Construction
Project: St. Charles Parish New Shop Building Public Works West bank Yard
OWNER's Contract No. SCP Project No. Architect's Contract No. CD 1812
Architect: Campo Designs - Architects

You are directed to make the following changes in the Contract Documents:
Description: See attached example on how to fill in this information

1. Add the Following Work Items:

Table with 4 columns: Item #, Sch. Of Value #, ADDS, and Amount. Rows include: 1. Raise concrete slab 12", 2. Change toilet partition hardware, 3. Add VCT to the floor, 4. Add wood guard rail. Total of Added Work Items = (+\$5,280.)

2. Delete the Following Work Items:

Table with 4 columns: Item #, Sch. Of Value #, CREDITS, and Amount. Rows include: 5. Credit for Hardware allowance, 6. Credit for Relocation of Infrastructure Allowance, 7. Credit for reduction in water line. Total of Deducted Items = (-\$29,800.)

Total of Change in Work Items Quantity = (-\$24,520.)

Reason for Change Order: List a reason for each Line Item listed above. See attached example on how to fill in this information

- 1. Add Work Items
1. Owner requested the foundation be raised 12" above previously requested height.
2. Owner requested change for greater durability (aluminum vs stainless steel).
3. Only room within flooring specified. VCT matches adjoining room for easier maintenance.
4. Fire Marshal review letter (received after bidding) requested guardrail at mezzanine.
2. Delete Work Items
5. Credit contract for adjustment of hardware allowance.
6. Credit contract for adjustment of infrastructure relocation allowance.
7. Plans specified 2" meter and line. Waterworks would only install 1".

Attachments: (See attached supporting documents)

CHANGE IN CONTRACT PRICE:
Original Contract Price
\$570,800.00

CHANGE IN CONTRACT TIMES:
Original Contract Times:
Substantial Completion: September 9, 2011
Ready for final payment: 45 days
(days or dates)

00806_rev3

00806-1

Net Increase (Decrease) from previous Change Orders No. ___ to ___: \$ 0.00
Contract Price prior to this Change Order: \$570,800.00
Net decrease of this Change Order: \$ 24,520. _____
Contract Price with all approved Change Orders: \$546280.

Net change from previous Change Orders No. ___ to No. ___: 0 days Substantial Completion: September 9, 2011 Ready for final payment: <u>N/A</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>150 days</u> Ready for final payment: <u>September 15, 2011</u> (days or dates)
Net decrease this Change Order: Substantial Completion: 144 days Ready for final payment: <u>September 9, 2010</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: 144 days Ready for final payment: <u>October 24, 2011</u> (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By: [Signature]
ARCHITECT (Authorized Signature)

By: [Signature]
OWNER (Authorized Signature)

By: [Signature]
CONTRACTOR (Authorized Signature)

Date: 9/15/11

Date: 10/4/11

Date: 9-15-11

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

Punch List

St. Charles Parish Public Works
New Shop Building West Bank Yard
166 Scorpio Street, Hahnville, Louisiana

F. J. Arcement Construction, Inc.

Sept. 9, 2011 10:00 AM

Location	Item	Est. Value
----------	------	------------

Exterior

- | | | |
|---|--|--------|
| 1. Touch-up weld spots on overhead door frames (7), prime and paint. | | \$150. |
| 2. Repair open holes in metal building, foam to close. | | \$100. |
| *3. General clean-up (especially bottom of metal panels). | | \$300. |
| 4. Remove all rust spots and mtl filings from roof, walls and concrete. | | \$150. |
| 5. Re-install sweeps at exterior doors to seal bottoms. | | \$ 75. |
| 6. Install all lock cylinders, key as requested. | | \$250. |
| 7. Replace mtl exterior wall panel at main exit door. | | \$150. |
| 8. Repair bottom of rear exit door (at parts room). | | \$ 50. |
| 9. Repair concrete at generator pad (at downspout) | | \$ 75. |
| 10. Install gas line cap. (east side) | | \$ 25. |

Interior

Parts Warehouse

- | | | |
|--|--|----------|
| *11. Check and verify operation of all electrical outlets. | | \$125. |
| 12. Correct wall fan issue (too loud) at all 4 fans. | | \$1,500. |
| 13. Seal bottoms of interior doors . | | \$ 75. |
| 14. Insulate water lines (above office area). | | \$125. |
| *15. Install all door signs (with frames). | | \$200. |

Mickie's Office

- | | | |
|---|--|--------|
| 16. Install a plate behind A/C thermostat (box showing) | | \$ 25. |
| 17. Install missing ceiling tile (total 2 boxes) | | \$125. |
| 18. Touch up door (to parts) frame (drip marks). | | \$ 25. |

Shop

- | | | |
|--|--|--------|
| 19. General clean up. | | \$150. |
| 20. Label electrical panel (permanent) | | \$ 25. |
| 21. Repair low spot in concrete floor. | | \$225. |
| *22. Touch up primer on red iron. | | \$150. |

Women

- | | | |
|---|--|--------|
| 23. Caulk toilet base at floor. | | \$ 25. |
| 24. Adjust height at toilet paper holder (19" min to center of unit). | | \$ 25. |

Men

- 25. Install support pole at urinal screen. \$ 75.
- 26. Caulk toilet base at floor. \$ 25.
- 27. Adjust height of toilet paper holder (19" min. to center of unit) \$ 25.
- 28. Correct leak at lavatory. \$ 50.

Janitor

- 29. Check hose length. \$ 0.
- 30. Secure exhaust vent cover. \$ 25.

Parts Pick-up

- 31. Install glass in window. \$200.
- 32. Correct vinyl base corners. \$ 50.
- 33. Correct blemishes on gyp. bd. wall at rt. door bottom. \$ 25.
- 34. Remove exposed door anchor, touch up. \$ 25.

Parts Office

- *35. Install weather striping and door bottom seal at door to parts. \$ 75.
- 36. Balance A/C unit. \$100.

HVAC Punch List

- 37. Complete DX split system and demonstrate operation. \$500.
- 38. Test, adjust and balance HVAC system. \$150.
- 39. Provide variable speed controller on each wall fan and
Adjust speed to obtain specified CFM. See item 12
- 40. Complete installation of fresh air intake louver. \$ 75.
- 41. Insulate horizontal condensate drain line and P-trap where
condensate lines connect. \$ 50.
- 42. Complete installation of gas-fired heaters and related
Thermostat, control, flue. \$1,500.
- 43. Insulate exhaust ducts. \$ 75.

Plumbing Punch List

- 44. Insulate hot and cold water piping at water heater and all
un-insulated water lines above ceilings. \$100.
- 45. Insulate back flow preventor. \$ 50.
- 46. Provide sewer clean-out cover. \$ 35.
- 47. Test gas line once meter is installed. \$ 50.
- 48. Relocate plumbing vent pipe on AHU-1 (in front of disc. Switch). \$ 75.

Electrical Punch List

- 49. Provide identification name plate on each equipment disconnect
switch. \$ 75.
- 50. Provide typed directory in all panel boards. \$ 25.
- 51. Provide fuses in disconnect switches. \$ 50.
- 52. Connect (electrically) gas fired heaters in shop/parts. \$125.

Total Punch list value

\$7,760.

Submit to Owner, maintenance manuals, warranties, contact information for warranty items that may arise and as-built drawings.

2011-0313

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
MARCUS M. LAMBERT, COUNCILMAN, DISTRICT VI
(COASTAL ZONE MANAGEMENT SECTION)

ORDINANCE NO. 11-10-4

An ordinance to approve and authorize the execution of an agreement with Cobalt Construction, Inc. for the Wetland Watchers Park Phase II Improvements, Norco – Base bid and Alternate #1.

WHEREAS, sealed bids were received on September 8, 2011 for Wetland Watchers Park Phase II Improvements; and,

WHEREAS, Campo Designs-Architects has reviewed the bids and recommends that the project be awarded to the low bidder, Cobalt Construction, Inc., including the base bid and Alternate No. 1 in the amount of \$163,000.00; and,

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

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of Cobalt Construction, Inc. for the Wetland Watchers Park Phase II Improvements is hereby approved and accepted in the amount of \$163,000.00 including the Base Bid and Alternate No. 1.

SECTION II. That the Parish President is hereby authorized to execute said Agreement on behalf of St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 3rd day of October, 2011 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: October 4, 2011
APPROVED: ✓ DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: October 4, 2011
AT: 1:45 pm RECD BY: [Signature]

SECTION 00500

AGREEMENT

THIS AGREEMENT is effective as of the 4th of October in the year 2011 by and between the Parish of St. Charles, called the OWNER, and Cobalt Construction, Inc. hereinafter called the CONTRACTOR.

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1. WORK

Wetland Watchers Park Phase II

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents for the above Project. The Work is generally described as follows:

The Contract Work generally comprises of construction of additional asphalt driveway and parking, iron fencing and entrance gate, a canoe storage building and launch and miscellaneous paving for an existing park located at the end of the East guide levee for the Bonnet Carre Spillway at Lake Pontchartrain, Norco, LA. Architect Project No. 1903. The Work will include Base Bid and Add Alternate No. 1.

ARTICLE 2. ARCHITECT

The Project has been designed by Campo Designs – Architects who is hereinafter called ARCHITECT and who will assume all duties and responsibilities and have the rights and authority assigned to ARCHITECT in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3. CONTRACT TIME

- 3.1 The Contractor shall complete all of the Work under the Contract within 120 calendar days from the date of the Notice to Proceed.
- 3.2 Liquidated Damages - OWNER and CONTRACTOR recognize that the OWNER will suffer direct financial loss if Work is not completed within the Contract times specified in Paragraph 3.1 above plus any extensions thereof allowed in accordance with Article 12 of the General Conditions, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, CONTRACTOR and Surety agree to forfeit and pay OWNER as liquidated damages for delay (but not as a penalty) the amount of \$ 500. for each calendar day that expires after the Contract Time specified in Paragraph 3.1 for final completion and ready for final acceptance until the Work is completed. These amounts represent a

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reasonable estimate of OWNER's expenses for extended delays and for inspection, engineering services and administrative costs associated with such delay. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being specifically agreed that the CONTRACTOR by his mere failure to complete the work on or before the date specified shall be deemed in default

ARTICLE 4. CONTRACT PRICE

CONTRACT PRICE: The amount to be paid to the Contractor by the Owner for completion of all work hereunder is: (\$163,000.) One Hundred Sixty Three Thousand Dollars based on unit prices specified within this contract document. Contract price is firm and subject only to modification by written change order agreed to by both parties.

ARTICLE 5. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ARCHITECT as provided in the General Conditions.

- 5.1 Progress payments. OWNER shall make progress payments which exceed \$5,000 on account of the Contract price on the basis of CONTRACTOR's Applications for Payment, as recommended by the ARCHITECT, on or about the thirtieth (30th) day following receipt by the OWNER. Applications for Payments less than \$5,000 shall be accumulated until the next payment period or until final payment.

Progress payments will be based upon estimated quantities of completed contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work on the last day of each month or other mutually agreed regular monthly date ending the progress payment period.

- 5.2 Retainage. Retainage shall be withheld and payments will be made by the OWNER in the payment amount of: 1) ninety percent (90%) of the approved payment applications for projects with contract prices of less than \$500,000; or 2) ninety-five percent (95%) of the approved payment applications for the projects with contract prices of \$500,000 or greater.
- 5.3 Final Acceptance and Final Payment. Upon the final completion of all Work, the CONTRACTOR may request a final inspection and may make a final Application for Payment as provided by Paragraph 14.12 of the General Conditions, upon the OWNER's certificate of final acceptance.

Final acceptance of the Work, based upon the certificate of final acceptance, shall be by resolution of the Council of the Parish of St. Charles.

When substantial completion is granted by the Owner, the Certificate of Substantial Completion is then transmitted to the Contractor for filing with the recorder of mortgages of the Parish of St. Charles. This begins the not less than forty-five (45) day lien period as prescribed for Public Works by Louisiana Revised Statutes 38:2242.

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At the expiration of the lien period it is the CONTRACTOR's responsibility to obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is clear of any liens or privileges, and said certificate shall be presented to the OWNER for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.

ARTICLE 6. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 6.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
- 6.2 CONTRACTOR has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
- 6.3 CONTRACTOR has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 6.2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.2 of the General Conditions. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, CONTRACTOR has or will obtain or perform at no additional cost to the OWNER such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by CONTRACTOR for such purposes.

ARTICLE 7. CONTRACT DOCUMENTS

The following Contract Documents, which comprise the entire Agreement between OWNER and CONTRACTOR, are all hereby made a part of that Agreement to the same extent as if incorporated herein in full:

- 7.1 Agreement
- 7.2 Construction Performance and Payment Bond and Insurance Certificates
- 7.3 Advertisement for Bids
- 7.4 CONTRACTOR's Bid Form

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- 7.5 Addenda (Number 1 inclusive)
- 7.6 Contract documents bearing the general title " Wetland Watchers Park Phase II" dated August 1, 2011.
- 7.7 Drawings, consisting of a cover sheet dated August 1, 2011 and the sheets listed on that cover sheet, each sheet bearing the following general title:
- "Wetland Watchers Park Phase II".
- 7.8 General Conditions
- 7.9 General Conditions, pages 1 through 40 (Section 00700) of the AIA 201 – 2007. Those General Conditions are to be referred to in the agreement and contract as GEN.CONDITIONS.

There are no Contract Documents other than those listed above in this Article 7. The Contract may only be amended, modified or supplemented as provided for in the General Conditions.

ARTICLE 8. MISCELLANEOUS

- 8.1 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the OWNER may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without CONTRACTOR's consent and without recourse.
- 8.2 OWNER and CONTRACTOR each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.
- 8.3 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

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IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or by ARCHITECT on their behalf.

OWNER: Parish of St. Charles

CONTRACTOR: COBALT CONSTRUCTION, INC.

By [Signature]

By [Signature]

Title PARISH PRESIDENT

Title SECRETARY

Attest [Signature]

Attest [Signature]

END OF SECTION

2011-0314

INTRODUCED BY: CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN AT LARGE, DIVISION A

An ordinance to rescind Ordinance No. 11-3-4 an Agreement between Tauzin Consultants, LLC and St. Charles Parish for government affairs representation before the Federal Government.

WHEREAS, due to the economic downturn of the Country; and,

WHEREAS, due to the economic forecast for the coming year it is in the best interest of St. Charles Parish to funnel these funds into Parish Wide projects; and,

WHEREAS, it is the desire of the St. Charles Parish Council to rescind Ordinance No. 11-3-4.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Ordinance No. 11-3-4 is hereby rescinded.

SECTION II. That the Agreement signed between Tauzin Consultants, LLC and St. Charles Parish beginning April 1, 2011 and expiring on March 31, 2013 is hereby rescinded effective November 1, 2011, due to economic constraints.

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

YEAS: SCHEXNAYDRE

NAYS: AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN,
COCHRAN, LAMBERT, NUSS

ABSENT: NONE

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY ON OCTOBER 3, 2011.

2011-0322

INTRODUCED BY: CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A
RESOLUTION NO. 5857

A resolution requesting the Louisiana Attorney General to provide its opinion regarding whether sign in sheets at Town Hall Meetings are public record.

WHEREAS, sign in sheets are used by the Council Members to provide them with contact information on those attending and interested in the discussion; and,

WHEREAS, sign in sheets are used by the Council Members to contact those who have attended the town hall meetings to provide updates on the subject(s) discussed.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request the Louisiana Attorney General to provide its opinion regarding whether sign in sheets at Town Hall Meetings are public record.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, BENEDETTO, HOGAN,
COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: TASTET

And the resolution was declared adopted this 3rd day of October, 2011, to become effective five (5) days after publication in the Official Journal.

Attorney General Town Hall Meeting

CHAIRMAN: *[Signature]*
SECRETARY: *Barbara Jacob Zucker*
DLVD/PARISH PRESIDENT: October 4, 2011
APPROVED: *[Signature]* DISAPPROVED: _____
PARISH PRESIDENT: *[Signature]*
RETD/SECRETARY: October 4, 2011
AT: 1:45 pm RECD BY: *[Signature]*

2011-0324

**INTRODUCED BY: MARCUS M. LAMBERT, COUNCILMAN, DISTRICT VI
RESOLUTION NO. 5858**

A resolution to grant permission to the Knights of Columbus, Red Church Council No. 3634, 375 Spruce Street, Norco, LA 70079, to solicit contributions at the intersections of I-310 and River Road (Hwy 48) by the Eastbank Bridge Park, Ormond Boulevard and Airline Drive (U.S. 61), Ormond Boulevard and River Road, Apple Street and Airline Drive, Apple Street and River Road, Greaud's Grocery Store on Apple Street, Capital One Bank at 22 Apple Street, Capital One Bank at 13524 River Road in Destrehan and Cashio Food Villa at 13572 River Road, Destrehan on October 28th, 29th and 30th, 2011 between the hours of 9:00 A.M. and 7:00 P.M.

WHEREAS, Louisiana Revised Statute 32:218 B provides for the solicitation of contributions by non-profit organizations on a public roadway; and,

WHEREAS, the Knights of Columbus, Red Church Council No. 3634, 375 Spruce Street, Norco, LA 70079 has requested permission to solicit contributions at the intersections of I-310 and River Road (Hwy 48) by the Eastbank Bridge Park, Ormond Boulevard and Airline Drive (U.S. 61), Ormond Boulevard and River Road, Apple Street and Airline Drive, Apple Street and River Road, Greaud's Grocery Store on Apple Street, Capital One Bank at 22 Apple Street, Capital One Bank at 13524 River Road in Destrehan and Cashio Food Villa at 13572 River Road, Destrehan on October 28th, 29th, and 30th, 2011 between the hours of 9:00 A.M. and 7:00 P.M. for the purpose of contributing to the Mentally Impaired Children of St. Charles Parish, divided between the ARC, Special Olympics, and St. Basil School for the Disabled.

NOW THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby grant permission to the Knights of Columbus, Red Church Council No. 3634, 375 Spruce Street, Norco, LA 70079 to solicit contributions at the intersections of I-310 and River Road (Hwy 48) by the Eastbank Bridge Park, Ormond Boulevard and Airline Drive (U.S. 61), Ormond Boulevard and River Road, Apple Street and Airline Drive, Apple Street and River Road, Greaud's Grocery Store on Apple Street, Capital One Bank at 22 Apple Street, Capital One Bank at 13524 River Road in Destrehan and Cashio Food Villa at 13572 River Road, Destrehan on October 28th, 29th, and 30th, 2011 between the hours of 9:00 A.M. and 7:00 P.M.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the resolution was declared adopted this 3rd day of October, 2011, to become effective five (5) days after publication in the Official Journal.

Knights of Columbus - Red Church 2011

CHAIRMAN: [Signature]
SECRETARY: Barbara Jacob Zucker
DLVD/PARISH PRESIDENT: October 4, 2011
APPROVED: ✓ DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: October 4, 2011
AT: 1:45 pm RECD BY: [Signature]

2011-0328

INTRODUCED BY: LARRY COCHRAN, COUNCILMAN, DISTRICT V
RESOLUTION NO. 5859

A resolution asking the Parish Legal Advisor to send a letter and a copy of this Resolution to the Legal Departments of all Railroad Companies that impact St. Charles Parish asking them in the future to notify the St. Charles Parish Emergency Operations Director/Communications Center and the St. Charles Parish Public Information Officer with a minimum of five (5) working days when Parish and/or State Roads will be closed for Railroad repairs.

WHEREAS, closing Parish and State Roads within St. Charles Parish without proper notification to businesses and residents causes a hardship; and,

WHEREAS, closure of Parish and State Roads within St. Charles Parish without proper notification is a hinder to life, health, and property since emergency vehicles have no prior notification of these road closures; and,

WHEREAS, road closures without proper notification to businesses could cause a loss of business and income.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby support asking the Parish Legal Advisor to send a letter and a copy of this Resolution to the Legal Departments of all Railroad Companies that impact St. Charles Parish asking them in the future to notify the St. Charles Parish Emergency Operations Director/Communications Center and the St. Charles Parish Public Information Officer with a minimum of five (5) working days when Parish and/or State Roads will be closed for Railroad repairs.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the resolution was declared adopted this 3rd day of October, 2011, to become effective five (5) days after publication in the Official Journal.

Legal Council - KCS Railroad revised 2.doc

CHAIRMAN: Dennis Nuss
SECRETARY: Barbara Janet Tucker
DLVD/PARISH PRESIDENT: October 4, 2011
APPROVED: DISAPPROVED:
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: October 4, 2011
AT: 1:45 pm RECD BY: BGT