



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

Monday, February 03, 2014

6:00 PM

Council Chambers, Courthouse

ATTENDANCE

Present: 9 - Carolyn K. Schexnaydre, Mary Tastet, Terrell D. Wilson, William Billy Woodruff, Wendy Benedetto, Paul J. Hogan, Lawrence 'Larry' Cochran, Traci A. Fletcher, Julia Fisher-Perrier

Also Present: Parish President V.J. St. Pierre, Jr., Chief Operations Officer Bobby Donaldson, Chief Administrative Officer Buddy Boe, Legal Director Leon C. Vial, III, Public Works/Wastewater Director Sam Scholle, Planning & Zoning Director Kimberly Marousek, Finance Director Grant Dussom, Executive Assistant/Office Manager Anedra Coleman, Waterworks Director Robbie Brou, Parks and Recreation Director Duane Foret

CALL TO ORDER

Meeting called to order at 6:05 pm.

PRAYER

*Pastor Timothy Lawson
St. Charles United Methodist Church*

PLEDGE

*Pastor Timothy Lawson
St. Charles United Methodist Church*

APPROVAL OF MINUTES

A motion was made by Councilmember Benedetto, and seconded to approve the minutes from the regular meeting of December 16, 2013. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 **2014-0017** (2/3/2014, St. Pierre, Jr.)
 Proclamation: "Wear Red Day for Women in St. Charles Parish"
 Read

2 **2014-0020** (2/3/2014, St. Pierre, Jr.)
 Proclamation: "Krewe of G-Old Timers Day"
 Read

3 **2014-0023** (2/3/2014, Benedetto)
 Proclamation: "Realtor® Appreciation Day"
 A motion was made by Councilmember Benedetto, and seconded to deviate from the regular order of the agenda to take up File No. 2014-0023; a matter not on the agenda; no public comment. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Read

A motion was made by Council Chairman Fisher-Perrier, and seconded to return to the regular order of the agenda. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2014-0018 (2/3/2014)
Department of Parks & Recreation
Parks & Recreation Director Duane Foret
Community Center Coordinator Erica Mire

Council Discussion

Reported

Chairman Fisher-Perrier announced that the meeting will recess for a few minutes.

2014-0019 (2/3/2014, St. Pierre, Jr.)
Parish President Remarks/Report

Mr. Doug Rhodes of Entergy presented a check for \$25,000 for the "Miracles to Milestones" park project.

Parks & Recreation Director Duane Foret spoke on the matter.

Council Discussion

Reported

4

2014-0015 (1/21/2014, St. Pierre, Jr., Department of Parks and Recreation)

An ordinance approving and authorizing the execution of a Lease Agreement between the St. Charles Parish School Board and the St. Charles Parish Department of Parks and Recreation for the use of various School sites for recreational purposes.

A motion was made by Council Chairman Fisher-Perrier, and seconded to deviate from the regular order of the agenda to take up File No. 2014-0015. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Reported:

Parks & Recreation Department Recommended: Approval

PH Requirements Satisfied

Amendment: to amend the proposed Lease Agreement under 'The St. Charles Parish School Board (SCPSB) Section' to change '... Clarence H. Savoie, its President...' to read '... John W. Jay'Robichaux, its President...'

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

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Council Discussion

VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

A motion was made by Council Chairman Fisher-Perrier, and seconded to return to the regular agenda. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN FISHER-PERRIER 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, FEBRUARY 17, 2014, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2013-0489 (2/3/2014, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from M-1 to AV-1 at Lot 3, Square 13, Esperanza Business Park (579 Judge Edward Dufresne Parkway), Luling, as requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC.

Publish/Scheduled PH

2013-0210 (2/3/2014, Hogan, Schexnaydre, Woodruff)

An ordinance directing the Parish Administration to immediately take the steps necessary to hire the services of Lawson Environmental Services, L.L.C. which provided the Administration a quote of \$10,400 for which the Parish Council budgeted in the 2014 budget to raise and dispose of the sunken vessel "Pretty Boy" from the Scenic Waterway Bayou Des Allemands and to provide the Council Secretary with weekly updates regarding this.

Publish/Scheduled PH

2014-0024 (2/3/2014, St. Pierre, Jr., Wilson)

An ordinance to approve and authorize the execution of an Act of Onerous Donation by 3C Riverside Properties, LLC, to St. Charles Parish for a certain eighty-five feet wide parcel of property adjacent to the Killona Park at 201 LA 3141 in Killona.

Publish/Scheduled PH

PLANNING AND ZONING PETITIONS

11

2014-0014 (1/21/2014, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance of 1981, to change the land use zoning classification from R-1A to C-2 on Lots 14 and 15 of Square 19 of Lot D Subdivision of Good Hope Subdivision, fronting undeveloped Barreca Street in Norco as requested by Airline and Apple, LLC.

Reported:

P & Z Department Recommended: Approval

Planning Commission Recommended: Denial

Speakers:

Mr. Joey Murray, Destrehan

Mr. James Regan, Norco

PH Requirements Satisfied

Council Discussion

Mr. Gary Hughes of Airline and Apple, LLC spoke on the matter at the request of Parish President St. Pierre.

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

Votes: Yea: 1 - Hogan

Nay: 8 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Cochran, Fletcher, Fisher-Perrier

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

2014-0012 (1/21/2014, St. Pierre, Jr., Department of Waterworks)

An ordinance to approve and authorize the execution of Change Order No. 1 and final for the West Bank Water Storage Tank (Project No. WWKS 56) to increase the contract time by 45 calendar days and to decrease the contract amount by \$57,247.43.

Amendment: to amend the proposed ordinance under the 'SUMMARY', the second 'WHEREAS', and 'SECTION I.', to change '... 45 calendar days ...' to read '... 78 calendar days ...'

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, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

12 **2014-0012** (1/21/2014, St. Pierre, Jr., Department of Waterworks)

An ordinance to approve and authorize the execution of Change Order No. 1 and final for the West Bank Water Storage Tank (Project No. WWKS 56) to increase the contract time by 78 calendar days and to decrease the contract amount by \$57,247.43.

*Reported:
Waterworks Department Recommended: Approval*

PH Requirements Satisfied

Council Discussion

VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

16 **2014-0013** (1/21/2014, St. Pierre, Jr., Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for Project No. P130103, Storm Window Retrofit Public Works Office Building Project to decrease the contract amount by \$15,000.00 and decrease the contract time by thirty two (32) days.

*Reported:
Public Works Department Recommended: Approval*

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2010-0094 (1/21/2014, Hogan)

An ordinance to amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., B. Residential districts, [II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes-Medium density., 3. Special Provisions, by amending c. and adding e. and f.

Amendment: to accept the revised version of File No. 2010-0094

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, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Reported:

Councilman Hogan Recommended: Approval
P & Z Department Recommended: No Recommendation
Planning Commission Recommended: Denial

PH Requirements Satisfied

Council Discussion

Discussion: to Postpone Indefinitely File No. 2010-0094 so that Councilman Hogan can get with Planning & Zoning Director Kim Marousek to review the home inspection procedure

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

Votes: Yea: 6 - Schexnaydre, Tastet, Wilson, Benedetto, Hogan, Fisher-Perrier
Nay: 3 - Woodruff, Cochran, Fletcher

18

2012-0057 (1/21/2014, Hogan)

An ordinance to revise the Code of Ordinances Appendix A, Section VI. E. Batture Districts.

Reported:

Councilman Hogan Recommended: Approval
P & Z Department Recommended: No Recommendation
Planning Commission Recommended: Denial

PH Requirements Satisfied

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

Votes: Yea: 3 - Schexnaydre, Woodruff, Hogan
Nay: 6 - Tastet, Wilson, Benedetto, Cochran, Fletcher, Fisher-Perrier

21

2014-0016 (1/21/2014, St. Pierre, Jr., Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for Parish Project No. P080502-4, East Bank Master Drainage Plan - Dunleith Canal Level Recharge System Project to decrease the contract amount by \$26,027.27 and increase the contract time by 62 days.

Reported:

Public Works Department Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2014-0001 (1/21/2014, St. Pierre, Jr., Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for Parish Project No. P080502-4, East Bank Master Drainage Plan - Dunleith Canal Level Recharge System Project to decrease the contract amount by \$26,027.27.

Discussion: to Postpone Indefinitely File No. 2014-0001

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

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

RESOLUTIONS

26

2014-0021 (2/3/2014, St. Pierre, Jr., Department of Planning & Zoning)

A resolution providing mandatory supporting authorization to endorse the resubdivision of Lots 3-A-1-A and 4B, Ormond Center Ormond Plantation, into Lots 3-A-1-A-1, 3-A-1-A-2, Lot 4B-2, 4B-3, 5, 6, 7 and to create Tract OCC for access, Ormond Center Ormond Plantation at 12609, 12627 Airline Hwy, 110, 121, 131, 141, 150 Ormond Center Court, and 3001 Ormond Blvd, with waivers to the required 60' width on a developed public street and to the requirements that all side lot lines be at right angles to straight street lines.

Department of Planning & Zoning Recommended: Approval w/stipulation

Approval with the following stipulations:

1. *The applicant shall submit for review, approval and recordation a servitude agreement that clearly outlines ownership and maintenance for Tract OCC. Said agreement shall be recorded in conjunction with the subdivision.*

2. *The applicant shall submit for review and approval a parking analysis showing all proposed lots meet or exceed parking requirements. Should shared parking be required, it shall be noted on the subdivision map and/or recorded in a Parking Agreement in conjunction with the subdivision filing.*

Planning & Zoning Commission Recommended: Approval w/stipulation

Approval with the following stipulations:

1. *The applicant shall submit for review, approval and recordation a servitude agreement that clearly outlines ownership and maintenance for Tract OCC. Said agreement shall be recorded in conjunction with the subdivision.*

2. *The applicant shall submit for review and approval a parking analysis showing all proposed lots meet or exceed parking requirements. Should shared parking be required, it shall be noted on the subdivision map and/or recorded in a Parking Agreement in conjunction with the subdivision filing.*

Council Discussion

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2014-0022 (2/3/2014, Hogan)

A resolution to amend the Parish Council Rules by adding Rule 40: Recognition and Proclamation Guidelines.

Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.

Held Over

APPOINTMENTS

2013-0434 (11/18/2013)

Council Ex-Officio Appointment of Councilman Larry Cochran to the Housing Authority.

VOTE ON THE APPOINTMENT OF COUNCILMAN LARRY COCHRAN

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

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2013-0502 (1/21/2014, Fisher-Perrier)

Executive Session: Mayor Mitchell J. Landrieu vs. St. Charles Parish Council, Et Al; Civil District Court for the Parish of Orleans, Case Number 2012-08721

Discussion: to defer File No. 2013-0502

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

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2013-0056 (2/3/2014, Fisher-Perrier)

Executive Session: United States District Court No. 10-1557, Section B - Bayou Fleet Partnership, LLP vs. St. Charles Parish

A motion was made by Councilmember Tastet, and seconded to go into Executive Session. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Heard in Executive Session

A motion was made by Councilmember Tastet, and seconded to return to the regular order of the agenda. The motion carried by the following vote:

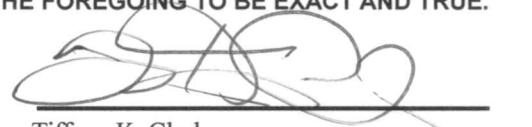
Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

ADJOURNMENT

A motion was made by Councilmember Fletcher, and seconded to adjourn the meeting at approximately 8:32 pm. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Tastet, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.



Tiffany K. Clark
Council Secretary

PROCLAMATION

WHEREAS, diseases of the heart are the Nation's leading cause of death and stroke is the third leading cause of death; and,
WHEREAS, cardiovascular diseases (CVD) claim the lives of nearly 500,000 American females (about one death per minute) each year; and,
WHEREAS, more women die of heart disease, stroke, and all other cardiovascular diseases than the next five leading causes of death combined, including all cancers; and,
WHEREAS, February is designated as American Heart Month; and,
WHEREAS, "Go Red For Women" is the American Heart Association's national call to increase awareness about heart disease - the leading cause of death for women - and to inspire women to take charge of their heart health; and,
WHEREAS, since the first National Wear Red Day 11 years ago, tremendous strides have been made in the fight against heart disease in women; and,
WHEREAS, 21% fewer women are dying from heart disease and 23% more women are aware that it's their No. 1 health threat; and,
WHEREAS, all women should learn their own personal risk for heart disease, using tools that the "Go Red For Women" social initiative provides and by talking to their healthcare provider; and,
WHEREAS, making the right choices relating to proper nutrition, physical activity, doctor visits, and other lifestyle methods is essential to living a heart healthy life.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY DECLARE FRIDAY, FEBRUARY 7, 2014 AS:

"WEAR RED DAY FOR WOMEN IN ST. CHARLES PARISH"

IN RECOGNITION OF THE IMPORTANCE OF THE ONGOING FIGHT AGAINST HEART DISEASE AND STROKE AND URGE ALL CITIZENS TO SHOW THEIR SUPPORT FOR WOMEN AND THE FIGHT AGAINST HEART DISEASE BY COMMEMORATING THIS DAY BY THE WEARING OF THE COLOR RED. BY INCREASING AWARENESS AND EMPOWERING WOMEN TO REDUCE THEIR RISK FOR CARDIOVASCULAR DISEASE, WE CAN SAVE THOUSANDS OF LIVES EACH YEAR.

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT
s/MARY TASTET
MARY TASTET
COUNCILWOMAN AT LARGE, DIV. B
s/TERRELL D. WILSON
TERRELL D. WILSON
COUNCILMAN, DISTRICT I
s/WILLIAM BILLY WOODRUFF
WILLIAM BILLY WOODRUFF
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/TRACI A. FLETCHER
TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI
s/JULIA FISHER-PERRIER
JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

PROCLAMATION

WHEREAS, on Friday, February 28, 2014, the **Krewe of G-Old Timers** will hold its Third Annual Mardi Gras Dance at the Community Center, Judge Edward Dufrense Parkway Luling, Louisiana; and,

WHEREAS, this dance is traditionally enjoyed by hundreds of senior citizens of St. Charles Parish each year for a day of fellowship and festivity; and,

WHEREAS, this event is sponsored and organized by St. Charles Council on Aging, Inc., St. Charles Parish Department of Parks and Recreation, and Retired and Senior Volunteer Program (RSVP); their staff and volunteers make this event possible; and,

WHEREAS, the residents and senior citizens of St. Charles Parish are truly grateful for their dedication and hard work.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM FRIDAY, FEBRUARY 28, 2014, AS

"KREWE OF G-OLD TIMERS DAY"

BE IT FURTHER RESOLVED, THAT, ON BEHALF OF THE CITIZENS OF ST. CHARLES PARISH, WE DO HEREBY EXTEND OUR SINCERE THANKS AND APPRECIATION TO ST. CHARLES COUNCIL ON AGING, INC., ST. CHARLES PARISH DEPARTMENT OF PARKS AND RECREATION, AND THE RETIRE AND SENIOR VOLUNTEER PROGRAM (RSVP), AGENCY STAFF MEMBERS, AND VOLUNTEERS FOR THEIR CONTRIBUTIONS TO THE KREWE OF G-OLD TIMERS.

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

s/MARY TASTET
MARY TASTET
COUNCILWOMAN AT LARGE, DIV. B

s/TERRELL D. WILSON
TERRELL D. WILSON
COUNCILMAN, DISTRICT I

s/WILLIAM BILLY WOODRUFF
WILLIAM BILLY WOODRUFF
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/TRACI A. FLETCHER
TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI

s/JULIA FISHER-PERRIER
JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

PROCLAMATION

WHEREAS, the New Orleans Metropolitan Association of REALTORS® consists of over 4,000 members in ten parishes, including St. Charles Parish; and,
WHEREAS, the New Orleans Metropolitan Association of REALTORS® serves to unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and related interests; and,
WHEREAS, REALTORS® subscribe to a strict code of ethics and are expected to maintain a higher level of knowledge of the process of buying and selling real estate; and,
WHEREAS, we recognize the dedication local REALTORS® have to the New Orleans metropolitan area and the contributions they have made to that area, including St. Charles Parish; and,
WHEREAS, the event will honor Greater New Orleans REALTORS® and serves to celebrate the commitment they have to helping people fulfill their dream of homeownership and protecting private property rights; and,
WHEREAS, the New Orleans Metropolitan Association of REALTORS® is holding its 2nd Annual "REALTOR® Appreciation Day" on Monday, February 10, 2014.

**NOW, THEREFORE, WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, DO HEREBY PROCLAIM, FEBRUARY 10, 2014, AS
"REALTOR® APPRECIATION DAY"**

IN ST. CHARLES PARISH AND INVITE ALL REALTORS® TO ATTEND THE EVENT AT THE HILTON NEW ORLEANS RIVERSIDE. MORE DETAILED INFORMATION IS AVAILABLE AT WWW.NOMAR.ORG.

s/V.J. ST. PIERRE, JR.
V.J. ST. PIERRE, JR.
PARISH PRESIDENT
s/MARY TASTET
MARY TASTET
COUNCILWOMAN AT LARGE, DIV. B
s/TERRELL D. WILSON
TERRELL D. WILSON
COUNCILMAN, DISTRICT I
s/WILLIAM BILLY WOODRUFF
WILLIAM BILLY WOODRUFF
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/TRACI A. FLETCHER
TRACI A. FLETCHER
COUNCILWOMAN, DISTRICT VI
s/JULIA FISHER-PERRIER
JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

2014-0015

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PARKS & RECREATION)

ORDINANCE NO. 14-2-1

An ordinance approving and authorizing the execution of a Lease Agreement between the St. Charles Parish School Board and the St. Charles Parish Department of Parks and Recreation for the use of various School sites for recreational purposes.

WHEREAS, the School Board is the owner of certain School sites that are used by the Department of Parks and Recreation for recreational purposes; and,

WHEREAS, on January 10, 1994 and April 5, 2004 the Parish Council adopted Ordinances 94-1-6 and 04-4-2 respectively to approve a Lease Agreement for the use of various school sites for recreational purposes for a ten year period; and,

WHEREAS, it is the desire of the School Board and the Department of Parks and Recreation to approve a new Lease Agreement for the use of said facilities.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Lease Agreement between the St. Charles School Board and the St. Charles Parish Department of Parks and Recreation is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Lease Agreement on behalf of the St. Charles Parish Department of Parks and Recreation.

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

YEAS: SCHEXNAYDRE, TASTET, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 3rd day of February, 2014, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: 2-4-14
APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: 2-4-14
AT: 4:00pm RECD BY: [Signature]

LEASE AGREEMENT

This agreement is made and entered into on this _____ day of _____, 2014 by and between:

THE ST. CHARLES PARISH SCHOOL BOARD (SCPSB), 13855 River Road, Luling, LA 70070, herein represented by John W. "Jay" Robichaux, its President, duly authorized by resolution of the St. Charles Parish School Board, dated _____ hereinafter sometimes for brevity referred to as "School Board."

And

THE ST. CHARLES PARISH DEPARTMENT OF PARKS AND RECREATION, 274 Judge Edward Dufresne Parkway, Luling, LA 70070 herein represented by V. J. St. Pierre, Parish President, duly authorized by Ordinance No. 14-2-1 dated 2/3/14 herein sometimes for brevity referred to as "Parish;"

WITNESSETH THAT:

WHEREAS, The School Board is the owner of certain school sites located in St. Charles Parish, Louisiana, more specifically described on Exhibit 1 attached hereto; and,

WHEREAS, The Parish utilizes these public facilities for recreational purposes for the residents of St. Charles Parish; and,

WHEREAS, The School Board desires to assist the Parish by making these public facilities available for use through the Department of Parks and Recreation; and,

NOW, THEREFORE, BE IT AGREED, for and in consideration of the mutual agreements and covenants of the parties hereto, that:

- 1 The School Board hereby grants to the Parish, for a period of ten (10) years, beginning on April 1, 2014 and ending on March 31, 2024 the use of the facilities noted on Exhibit 1 for the organized team sports listed thereon. It is understood by the parties to this lease that the only buildings included are those gymnasiums that are to be used for basketball and volleyball and that the Parish shall have the use of the property rent free. In addition, the use of athletic fields in Exhibit 1 shall also be rent free. It is further understood and agreed that, in the event the Parish becomes unable or unwilling to fund the operations of the Department of Parks and Recreation, any facilities constructed on the property will become the property of the School Board at no cost to the Board and the agreement will thereby terminate.
- 2 The Parish agrees to:
 - a) Use the above described property only for recreational purposes. Such use is not contrary to present or future School Board policies, rules and regulations for the use of school grounds and facilities, including the prohibition of the sale or consumption of any alcoholic beverages or tobacco products on the property.

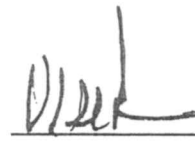
- b) Accept in the present condition and subject to any servitudes the above described property.
 - c) Obtain the written consent of the School Board for any additions or alterations to any recreational facilities to be constructed or added to the said property.
 - d) Properly maintain the property, which said maintenance includes, but is not limited to, landscaping, sodding, cleaning, fencing, if any, and in general, keeping said area in a clean, neat, and sanitary condition, all the expense of the Parish.
 - e) Provide to the School Board, its staff and students, full access to the right to use any portion of the said property during school hours as necessary for the education programs of the School Board.
 - f) Provide that its use of this property shall not interfere with the operations of the school system.
 - g) The leased property shall be used only for recreational purposes by and under the direction and supervision of the St. Charles Parish Department of Parks and Recreation during the time that it is not being used for school purposes.
- 3 The School Board agrees to provide reasonable access to the property herein.
- 4 General Obligations:
- a) To the fullest extent permitted by law, the Parish shall defend, indemnify and hold SCPSB, its officers, agents and employees, harmless from and against any and all claims, suits, liabilities, losses, expenses, liens, costs, demands and causes of action of every kind and character including those of the Parish, its agents and employees for death, bodily injury, personal injury, damage or destruction of real or personal property, including costs, attorneys' fees and settlements arising out of or in any way connected with the negligent performance of the work performed under this Contract, by any negligent act or omission, whether performed by the Parish or any other Subcontractor or any independent contractor or any agent, employee, invitee or licensee of the Parish, whether resulting from or contributed to by the negligence in any form by its officers, agents or employees whether active or passive. All parties agree that the provisions and limitations of LA. Rev. Stat. 9:2780.1 and 38.2195 apply and are guiding when construing this indemnity agreement. The Insurance required to be maintained under this Contract by the Parish shall insure the performance of this indemnification as set forth herein, but nothing in the insurance shall in any way limit the indemnification provided for hereunder. The Parish shall pay all reasonable legal fees and costs incurred by SCPSB under the Contract to enforcing the indemnification articulated under this Section.
 - b) The Parish shall at its sole cost and expense, but for the mutual benefit of both the Parish and the School Board, maintain personal injury and property damage liability insurance, including coverage for contractual liability against claims for bodily injury, death or property damage, with policy limits of not less than \$1,000,000 in respect of bodily injury or death to any one person, and of not less than \$1,000,000 in respect of any one accident. Upon execution of this agreement and annually thereafter, the Parish shall provide a certificate of insurance to the School Board to verify coverage. Each such policy or certificate

issued by the insurer that such policy shall not be cancelled without at least ten (10) days prior written notice to the School Board. In connection with the aforementioned liability insurance policies, and as a further condition of this agreement, the Parish will cause the School Board to be shown as additional named insured as to the property herein leased.

- 5 The parties hereto agree that at no time during the term of this agreement will the School Board be required to maintain, supervise, or in any way assume responsibility for the recreational programs being conducted on the leased property.
- 6 During the time said property is being used for the Department of Parks and Recreation purposes, it is the responsibility of the Parish to :
 - a) provide supervision of spectators and participants at all recreational activities and provide protection of the facilities.
 - b) provide stadium attendant or gym monitor to open and be present at property during recreational usage
 - c) pay for any repairs to school buildings, grounds, and facilities made necessary by the failure to provide such supervision and protection.

THUS DONE AND SIGNED in the presence of the undersigned witnesses on the date first written.


Witness



V. J. St. Pierre, President
St. Charles Parish
Department of Parks & Recreation

Witness

John W. "Jay" Robichaux, President
St. Charles Parish School Board

**EXHIBIT I
ST. CHARLES PARISH PUBLIC SCHOOLS
RECREATION DEPARTMENT SITES USED**

EAST BANK

School	Football	Basketball	Baseball/ Softball	Soccer	Volleyball	Summer Camp	Covered Play Area
Cammon Middle	X	X	X	X	X	X	
Destrehan High*	X		X	X			
Hurst Middle	X	X	X	X	X	X	
New Sarpy Elementary				X			X
Norco Primary							X
Norco Elementary	X		X		X		X
St. Rose Elementary							X
Schoeffner Elementary				X		X	X

WEST BANK

School	Football	Basketball	Baseball/ Softball	Soccer	Volleyball	Summer Camp	Covered Play Area
Allemands Elementary							X
Carver Early Lrn. Ctr.		X					
Hahnville High*	X	X		X			
Lakewood Elementary	X	X	X	X	X	X	X
Landry Alt. Ctr.	X	X			X	X	
Luling Elementary						X	X
J. B. Martin Middle		X	X	X	X	X	
R. K. Smith Middle	X	X	X	X	X		
R. J. Vial Elementary				X			X

Monsanto tennis courts (Hahnville High School uses from January to May 15 from 3:00 – 6:00 p.m.)

Keller Playground (E. J. Landry Alternative Center)

*These sites are not to be used on a regular basis. To use any site at any time, approval must be granted by St. Charles Parish Public Schools, Physical Plant Services.

**ST. CHARLES PARISH PUBLIC SCHOOLS
ST. CHARLES PARISH RECREATION DEPARTMENT ASSIGNED RESPONSIBILITIES**

EAST BANK

SCHOOL	LOCATION	ASSIGNED RESPONSIBILITY
Cammon Middle	Ball field in back	Grass cutting
	Gym (basketball)	Clean gym
	Covered play area	Area to be left litter free
Destrehan High*	Near baseball field 3½ yards	Grass cutting
	Home side stands stadium (football championships every other year)	Clean
Hurst Middle	Ball field & football field	Grass cutting
	Gym (basketball)	Clean gym
	Football field for middle school games	Line off field – chalk
New Sarpy Elementary	Covered play area	Area to be left litter free
Norco Elementary	Ball field	Grass cutting
	Walkway from restroom to dugout	Grass cutting
	Covered play area	Area to be left litter free
St. Rose Elementary	Covered play area	Area to be left litter free
Schoeffner Elementary	Covered play area	Area to be left litter free

WEST BANK

SCHOOL	LOCATION	ASSIGNED RESPONSIBILITY
Allemands Elementary	Covered play area	Area to be left litter free
Hahnville High*	Football field	Deliver seating stands & pick up of bleachers for playoff games
	Home side stands stadium (football championships every other year)	Clean
Lakewood Elementary	Ball fields/soccer/football/walking track	Grass cutting
	Near field and fence	Spray round up to kill weeds
	Fields behind school	Spray ant poison to kill ants
	Outside locations	Empty garbage cans two times per week
	Covered play area	Area to be left litter free
E. J. Landry Alternative Center	Football field and parking lot area	Grass cutting
	Football field for middle school games	Line off field – chalk
	Outside locations	Empty garbage cans two times per week
	Fields	Spray round up to kill weeds
Luling Elementary	Fields behind school	Spray ant poison to kill ants
	Covered play area	Area to be left litter free
	J. B. Martin Middle/R. J. Vial Elementary	Ball fields/soccer/football

	Near field	Spray round up to kill weeds
	Fields behind school	Spray ant poison to kill ants
	Outside locations	Empty garbage cans two times per week
	Fields	Add dirt to repair holes for proper water flow
Mimosa Park Elementary	Covered play area	Area to be left litter free
R. K. Smith Middle	Gym and baseball, softball, and soccer fields	Grass cutting
	Baseball, softball, and soccer fields	Spray ant poison
	Outside locations	Empty garbage cans two times per week
	Three fields	Line off with paint
R. J. Vial Elementary	Covered play area	Area to be left litter free

NOTES:

Recreation will line off baseball and softball fields for middle schools, lay out tracks on fields for Hurst and Cammon Middle, purchase paint for lining of fields and tracks, and provide labor during parish hours (81 hours of overtime) for stripping of gym floors at E. J. Landry Alternative Center.

St. Charles Parish Public Schools shall have the use of Edward A. Dufresne Community Center free of charge for four events per year chosen by the Superintendent.

Based upon availability, each party of this agreement shall have access to each other's parking facilities at R. K. Smith Middle School and Edward A. Dufresne Community Center for events that deem it necessary. Notification must be given in writing or electronically.

2014-0014

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

An ordinance to amend the Zoning Ordinance of 1981, to change the land use zoning classification from R-1A to C-2 on Lots 14 and 15 of Square 19 of Lot D Subdivision of Good Hope Subdivision, fronting undeveloped Barreca Street in Norco as requested by Airline and Apple, LLC.

WHEREAS, Lots 14 and 15 of Square 19 of the Lot D Subdivision of Good Hope are zoned R-1A and vacant; and,

WHEREAS, the property owner has requested a change of zoning from R-1A to C-2; and,

WHEREAS, the St. Charles Parish Planning and Zoning Department recommend approval of the request; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended denial of the request at its regular meeting of January 16, 2014.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve the land use zoning classification change from R-1A to C-2 on Lots 14 and 15 of Square 19 of Lot D Subdivision of Good Hope Subdivision, fronting undeveloped Barreca Street in Norco and shown on a survey by Richmond Krebs, PLS as requested by Airline and Apple, LLC.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Map to reflect this reclassification from R-1A to C-2 on Lots 14 and 15 of Square 19 of Lot D Subdivision of Good Hope Subdivision, fronting undeveloped Barreca Street in Norco and shown on a survey by Richmond Krebs, PLS as requested by Airline and Apple, LLC.

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

YEAS: HOGAN

NAYS: SCHEXNAYDRE, TASTET, WILSON, WOODRUFF, BENEDETTO,
COCHRAN, FLETCHER, FISHER-PERRIER

ABSENT: NONE

**PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY
ON FEBRUARY 3, 2014.**

2014-0014 Fail Airline and Apple, LLC rezone

2014-0012

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

ORDINANCE NO. 14-2-2

An ordinance to approve and authorize the execution of Change Order No. 1 and final for the West Bank Water Storage Tank (Project No. WWKS 56) to increase the contract time by 78 calendar days and to decrease the contract amount by \$57,247.43.

WHEREAS, Ordinance No. 12-11-6 adopted November 5, 2012, by the St. Charles Parish Council, approved and authorized the execution of a contract with Gottfried Contracting, LLC for the West Bank Water Storage Tank (Project No. WWKS 56) in the amount of \$1,690,217.00; and,

WHEREAS, it is now necessary to increase the contract time by 78 calendar days and to decrease the contract amount by \$57,247.43.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Change Order No. 1 and final for the West Bank Water Storage Tank (Project No. WWKS 56) to increase the contract time by 78 calendar days and to decrease the contract amount by \$57,247.43 is hereby approved and accepted.

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, TASTET, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
- NAYS: NONE
- ABSENT: NONE

And the ordinance was declared adopted this 3rd day of February, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: 2-4-14

APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 2-4-14

AT: 4:00 pm RECD BY: [Signature]

CHANGE ORDER

No. One (1) and Final

DATE OF ISSUANCE _____

EFFECTIVE DATE _____

OWNER St. Charles Parish Department of Waterworks

CONTRACTOR Gottfried Contracting, LLC

Contract: WWKS-56 West Bank Water Storage Tank

Project: West Bank Water Storage Tank

OWNER's Contract No. WWKS-56

ENGINEER's Contract No. 89170.4

ENGINEER Shread-Kuyrkendall & Assoc.

You are directed to make the following changes in the Contract Documents:

Description: *See attached example on how to fill in this information*

1. Delete the Following Work Items:

- a. Contract Item # 34: Relocation of Infrastructure Items

Delete item in its entirety. (-\$ 50,000.00)

Total of Deducted Items = (-\$50,000.00)

2. Add the Following Work Items:

- a. None

Total of Added Work Items = (+\$00.00)

3. Revise the Following Work Item Quantities:

- a. Contract Item #7: 12" DI Water Line with Restrained Joints
The quantity is to be changed to 62 LF (-\$ 1549.47)
- c. Contract Item #8: 16" DI Water Line with Restrained Joints
The quantity is to be changed to 176 LF (-\$ 6056.08)
- d. Contract Item #9: 20" DI Water Line with Restrained Joints
The quantity is to be changed to 229 LF (-\$ 4665.36)
- e. Contract Item #11: 16" - 22 1/2 Degree Bend
The quantity is to be changed to 2 EA (+\$943.55)
- f. Contract Item #13: 16" - 90 Degree Bend
The quantity is to be changed to 3 EA (+\$1044.12)
- g. Contract Item #16: 20" - 45 Degree Bend
The quantity is to be changed to 3 EA (-\$ 1388.49)
- h. Contract Item #24: 12" PVC Storm Drain
The quantity is to be changed to 40 LF (-\$ 1537.60)
- i. Contract Item #25: 18" PVC Storm Drain
The quantity is to be changed to 85 LF (+\$ 571.80)
- j. Contract Item #30: Site Grading
The quantity is to be changed to 166 CY (+\$ 5390.10)

Total of Change in Work Items Quantity = (-\$7247.34)

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

- 1. Deleted Work Items
 - a. No Infrastructure Items required relocation.
- 2. Add Work Items
 - a. No Items were added to the project
- 3. Revise Work Item Quantities
 - a. This was an estimated quantity for underground pipe which after exposed did not require the entire quantity.
 - b. This was an estimated quantity for underground pipe which after exposed did not require the entire quantity.

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00806-1

- c. This was an estimated quantity for underground pipe which after exposed did not require the entire quantity.
- d. This was an estimated quantity for underground pipe which after exposed did not require the entire quantity.
- e. An additional bend was required to make the proper tie-in once the existing pipe was exposed.
- f. An additional bend was required to make the proper tie-in once the existing pipe was exposed.
- g. One of these bends was not required for the tie-in to existing lines.
- h. Not all of the contract amount was needed to provide the necessary drainage
- i. Additional 18" storm drain was necessary for drainage
- j. Due to the required elevation of the tank and the existing site contour, additional site grading was required.

Attachments: (List documents supporting change)

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CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>1,690,217.00</u>
Net Increase (Decrease) from previous Change Orders No. ___ to ___: \$ <u>N/A</u>
Contract Price prior to this Change Order: \$ <u>1,690,217.00</u>
Net decrease of this Change Order: \$ <u>57,247.43</u>
Contract Price with all approved Change Orders: \$ <u>1,632,969.57</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>July 30, 2013 (180 days)</u> Ready for final payment: <u>45 days after substantial</u> (days or dates)
Net change from previous Change Orders No. ___ to No. ___: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>July 30, 2013 (180 days)</u> Ready for final payment: <u>45 days after substantial</u> (days or dates)
Net increase this Change Order: Substantial Completion: <u>258</u> Ready for final payment: <u>45 days after substantial</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>October 16, 2013 (258 days)</u> Ready for final payment: <u>45 days after substantial</u> (days or dates)

RECOMMENDED:

By: R. M. [Signature]
ENGINEER (Authorized Signature)

APPROVED:

By: [Signature]
OWNER (Authorized Signature)

ACCEPTED:

By: John D. Smith
CONTRACTOR (Authorized Signature)

Date: 1/2/14

Date: 2/4/14

Date: 1-6-14

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.

2014-0013

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

ORDINANCE NO. 14-2-3

An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for Project No. P130103, Storm Window Retrofit Public Works Office Building Project to decrease the contract amount by \$15,000.00 and decrease the contract time by thirty two (32) days.

WHEREAS, Ordinance No. 13-9-12, adopted September 16, 2013, by the St. Charles Parish Council, approved and authorized the execution of a contract with Wainwright Construction, Inc. Project No. P130103, Storm Window Retrofit Public Works Office Building Project in the amount of \$124,432.00; and,

WHEREAS, The decrease in the lump sum contract amount resulted from the decrease of one (1) Schedule of Values line item in the amount of \$15,000.00; and,

WHEREAS, The decrease in contract time of thirty two (32) days was a result of a reduction in days due to completion of work in advance of the originally scheduled Completion Date.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS,

SECTION I. That Change Order No. 1(Final) for Parish Project No. P130103, Storm Window Retrofit Public Works Office Building Project to decrease the contract amount by \$15,000.00 and decrease the contract time by thirty two (32) days is hereby approved and accepted.

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, TASTET, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 3rd day of February, 2014 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: 2-4-14

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 2-4-14

AT: 4:50 pm RECD BY: [Signature]

CHANGE ORDER

No. One (1)

DATE OF ISSUANCE January 7, 2014

EFFECTIVE DATE January 7, 2014

OWNER St. Charles Parish Public Works
 CONTRACTOR Wainwright Construction, Inc.
 Contract: Construction
 Project: Strom Window Retrofit Public Works Office Building
 OWNER's Contract No. P130103-1 ARCHITECT's Contract No. CD 2107
 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. Delete the Following Work Items:
 - a. Contract Item #: *Relocation of Infrastructure*
Delete item in its entirety. (-\$ 15,000.00)

Total of Deducted Items = (-\$15,000.00) - 32 days

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

1. Deleted Work Items
 - a. Item not used.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$124,432.00
Net Change from previous Change Orders No. ___ to ___: \$0.00
Contract Price prior to this Change Order: \$124,432.00
Net decrease of this Change Order: \$15,000.00
Contract Price with all approved Change Orders: \$109,432.00

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: 120 days January 22, 2014 Ready for final payment: <u>March 8, 2014</u> (days or dates)
Net change from previous Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: December 20, 2013 Ready for final payment: <u>45 days with Clear lien certificate</u> (days)
Contract Times prior to this Change Order: Substantial Completion: 120 days Ready for final payment: <u>45 days</u> (days or dates)
Net decrease this Change Order: Substantial Completion: decrease 32 days Ready for final payment: <u>45 days with clear lien certificate</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: 88 days December 20, 2013 Ready for final payment: <u>45 days with clear lien certificate</u> (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By: [Signature] By: [Signature] By: [Signature]
 ENGINEER (Authorized Signature) OWNER (Authorized Signature) CONTRACTOR (Authorized Signature)
 Date: 1/13/14 Date: 2/4/14 Date: 1-7-14

EJCDC 1910-8-B (1996 Edition)

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2012-0057

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

An ordinance to revise the Code of Ordinances
Appendix A, Section VI. E. Batture Districts.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix A, Section VI. E. Batture districts be revised as follows:

AS-WRITTEN:

E. *Batture districts:* The regulations in the Batture District are as follows:

[I.] *B-1 Non-industrial batture district:*

1. Use Regulations:
 - a. Land shall be used only for the following purposes:
 - (1) Barge mooring (if no obnoxious odors exist).
 - (2) Those activities not related to other manufacturing or industrial activity.
 - (3) Recreation facilities.
 - (4) Restaurants.
 - (5) Riverboat docks.
 - (6) Site-built hunting or fishing camps.
 - (7) Aids to navigation (as deemed necessary by the U.S. Coast Guard).
 2. Prohibited Uses:
 - a. Manufacturing; industrial; and resource extraction activities, excepting logging activities.
 - b. Medical waste storage, treatment, or disposal facilities.

[II.] *B-2. Industrial batture district:*

1. Use Regulations:
 - a. Land shall be used only for the following purposes:
 - (1) Commercial and/or industrial port facilities.
 - (2) Sand extraction pits.
 - (3) Fueling dock and/or facilities.
 - (4) Electrical generating plants.
 - (5) Coal handling, transfer, and storage facilities.
 - (6) Petroleum and petroleum by-products and storage facilities.
 - (7) Seaplane facilities.
 - (8) Milling facilities and support uses.
 - (9) Any other similar manufacturing or industrial establishment which shall adhere strictly to all State and Federal mandates, and which, under normal operations, will not be injurious to employees and the general public from health or safety factors.
 - (10) Aids to navigation (as deemed necessary by the U.S. Coast Guard).
 2. Prohibited Uses:
 - a. Medical waste storage, treatment, or disposal facilities.

AS REVISED:

E. *Batture districts:* The regulations in the Batture District are as follows:

[I.] Definitions – the following definitions shall apply to the batture districts.

1. *Bulk cargo related port facility* – a port facility designed to handle merchant ships known commonly as a bulk carrier, a bulk freighter, or bulker specially designed to transport unpackaged bulk cargo such as grains, coal, ore, and cement in its cargo holds.
2. *Container* - An intermodal container, commonly known as a container, freight container, ISO container, shipping container, hi-cube container, box, conex box, and sea can, is a standardized reusable steel box used for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system.

3. *Container related port facility* – a port facility where containers are transported between different transport vehicles such as container ships and land vehicles for onward transportation.
4. *Industrial port facility* – a port facility related to the chemical and petrochemical industry.
5. *Ship breaking* – a method of ship disposal involving the breaking up and/or dismantling of ships for recycling purposes.

[II.] *B-1 Non-industrial batture district.*

1. Use Regulations:
 - a. Land shall be used only for the following purposes:
 - (1) Barge mooring (if no obnoxious odors exist).
 - (2) Those activities not related to other manufacturing or industrial activity.
 - (3) Recreation facilities.
 - (4) Restaurants.
 - (5) Riverboat docks.
 - (6) Site-built hunting or fishing camps.
 - (7) Aids to navigation (as deemed necessary by the U.S. Coast Guard).
2. Prohibited Uses:
 - a. Manufacturing; industrial; and resource extraction activities, excepting logging activities.
 - b. Medical waste storage, treatment, or disposal facilities.

[III.] *B-2(M) Moderate Industrial batture district:*

1. Use Regulations:
 - a. Land shall be used only for the following purposes:
 - (1) Sand extraction pits.
 - (2) Any port related facilities other than bulk cargo related port facilities.
 - (3) Loading and unloading facilities for earthen materials.
 - (4) Shipyards associated with the construction, repair, and maintenance of tugboats, push boats, inland barges and offshore deck barges, dredges, and other similar marine vessels.
 - (5) Fueling docks and/or facilities.
 - (6) Aids to navigation (as deemed necessary by the U.S. Coast Guard).
2. Prohibited Uses:
 - a. Medical waste storage, treatment, or disposal facilities.

[IV.] *B-2 Industrial batture district:*

1. Use Regulations:
 - a. Land shall be used only for the following purposes:
 - (1) All uses in the B-2(M) Moderate Industrial batture district.
 - (2) Industrial related port facilities and container/bulk cargo related port facilities.
 - (3) Shipyards capable of handling the repair, maintenance, and construction of vessels designed and equipped to travel on the open seas, offshore drilling rigs, offshore drilling platforms, and other similar objects.
 - (4) Electrical generating plants.
 - (5) Coal handling, transfer, and storage facilities.
 - (6) Petroleum and petroleum by-products and storage facilities.
 - (7) Ship breaking and similar type facilities.
 - (8) Milling facilities and support uses.
 - (9) Any other similar manufacturing or industrial establishment, which shall adhere strictly to all State and Federal mandates, and which, under normal operations, will not be injurious to employees and the general public from health or safety factors.

2. Prohibited Uses:

a. Medical waste storage, treatment, or disposal facilities.

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

YEAS: SCHEXNAYDRE, WOODRUFF, HOGAN

NAYS: TASTET, WILSON, BENEDETTO, COCHRAN, FLETCHER,
FISHER-PERRIER

ABSENT: NONE

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY
ON FEBRUARY 3, 2014.

2014-0016

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

ORDINANCE NO. 14-2-4

An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for Parish Project No. P080502-4, East Bank Master Drainage Plan - Dunleith Canal Level Recharge System Project to decrease the contract amount by \$26,027.27 and increase the contract time by 62 days.

WHEREAS, Ordinance No. 13-5-1 adopted May 6, 2013, by the St. Charles Parish Council, approved and authorized the execution of a contract with Volute, Inc. for Parish Project No. P080502-4, East Bank Master Drainage Plan - Dunleith Canal Level Recharge System in the amount of \$181,419.00; and,

WHEREAS, the decrease in contract amount resulted from one (1) deleted bid line item in the amount of -\$35,000.00, and an addition of three (3) bid line items in the amount of +\$789.73, and a change in four (4) bid line items in the amount of +\$8183.00; and,

WHEREAS, the decrease in the contract amount was a result of adjusted and deleted bid line item quantities and materials; and,

WHEREAS, due to delays in equipment delivery, the contract time needs to be extended by 62 days.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS,

SECTION I. That Change Order No. 1 (Final) for Parish Project No. P080502-4, East Bank Master Drainage Plan - Dunleith Canal Level Recharge System Project to decrease the contract amount by \$26,027.27 and to increase the contract time by 62 days is hereby approved and accepted.

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, TASTET, WILSON, WOODRUFF, BENEDETTO, HOGAN,
COCHRAN, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 3rd day of February, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: [Signature]
APPROVED: DISAPPROVED:
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: [Signature]
AT: 4:00 pm RECD BY: [Signature]

CHANGE ORDER

DATE OF ISSUANCE November 25, 2013

EFFECTIVE DATE

OWNER	St. Charles Parish Department of Public Works and Wastewater	
CONTRACTOR	Volute, Inc.	
Contract:	Dunleith Canal Level Recharge System	
Project:	P080502-4 - Dunleith Canal Level Recharge System	
OWNER's Contract No.	P080502-4	ENGINEER's Contract No. 2008-21-810
ENGINEER	Evans-Graves Engineers, Inc.	

You are directed to make the following changes in the Contract Documents:

Description:

1. Delete the Following Work Items:
 - a. Contract Item No. 9 Relocation of Infrastructure
Delete item in its entirety. (\$35,000.00)

Total of Deducted Items = (\$35,000.00)

2. Add the Following Work Items:
 - a. Contract Item No. X1-1 Installation of Thread-o-let for siphon break
Add item in its entirety. \$631.47
 - b. Contract Item No. X1-2 Helical Anchors for pipe
Add item in its entirety. \$890.74
 - c. Contract Item No. X1-3 Rip-Rap for Item 7 supplied by Owner, credit for materials only
Add item in its entirety. (\$732.48)

Total of Added Work Items = \$789.73

3. Revise the Following Work Item Quantities:
 - a. Contract Item No. 3 Embankment
The quantity is to be deducted by 100 CY (\$4,000.00)
 - b. Contract Item No. 4 12" Piping, Fittings, Couplings and Anchors
The quantity is to be increased by 19 LF \$3,743.00
 - c. Contract Item No. 6 Geotextile Fabric
The quantity is to be increased by 80 SY \$3,200.00
 - d. Contract Item No. 7 Rip-Rap
The quantity is to be increased by 10 CY \$5,240.00

Total of Change in Work Items Quantities = \$8,183.00

TOTAL CHANGE IN PROJECT COST (CREDIT) = (\$26,027.27)

See Attachment No. 1 – Description of Changes, for more detail.

Reason for Change Order:

1. Deleted Work Items
 - a. Contract Item No. 9 was not required. The Entergy power pole and overhead powerline relocation was done directly by Entergy forces under a separate work order from the Parish. There were no other hidden infrastructure items or conflicting utilities discovered.

2. Add Work Items
 - a. Contract Item No. X1-1 was added at the Parish's request. Instead of installing the manufacturer's vent on the discharge line, the Contractor installed the Parish-fabricated and supplied vent. This price is for installation only; the material was fabricated, coated, and furnished by the Parish.
 - b. Contract Item No. X1-2 was added at the direction of the Engineer to provide additional stability and restraint support for the pipe, due to the change in alignment resulting from field conditions, levee profile, and sump area to minimize erosion and disturbance of existing ground.

- c. Contract Item No. X1-3 was added at the Parish's request to provide a credit to the Parish for supplying the rip-rap utilized in Item No. 7 from their own stockpile and salvage, instead of the contractor furnishing the riprap as called for in the Bid Documents for Item No. 7.
3. Revise Work Item Quantities
- a. Contract Item No. 3 The finished in-place quantity of embankment after placement and compaction was determined through pre-construction and post-construction surveys to be 240 CY. The estimated bid quantity from the design survey and the estimated final cross-section was 340 CY.
 - b. Contract Item No. 4 19 LF of piping was added at the direction of the Engineer due to the change in alignment resulting from field conditions, levee profile, and sump area to minimize erosion and disturbance of existing ground.
 - c. Contract Item No. 6 At the direction of the Engineer and per manufacturer's recommendations, a sump of rip-rap on a prepared foundation of geotextile fabric was added to provide a stable foundation under the pump intake piping and minimize intake of silt and debris into the pump.
 - d. Contract Item No. 7 At the direction of the Engineer and per manufacturer's recommendations, a sump of rip-rap on a prepared foundation of geotextile fabric was added to provide a stable foundation under the pump intake piping and minimize intake of silt and debris into the pump.

Attachments: No. 1 – Description of Changes
Request for Change Order by Volute, Inc.; dated 11-25-13

CHANGE IN CONTRACT PRICE:
Original Contract Price \$181,419.00
Net increase (Decrease) from previous Change Orders No. ___ to ___: \$0.00
Contract Price prior to this Change Order: \$181,419.00
Net increase (decrease) of this Change Order: (\$26,027.27) _____
Contract Price with all approved Change Orders: \$155,391.73

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: September 13, 2013 Ready for final payment: October 28, 2013
Net change from previous Change Orders No. ___ to No. ___: Substantial Completion: 0 Ready for final payment: 0
Contract Times prior to this Change Order: Substantial Completion: September 13, 2013 Ready for final payment: October 28, 2013
Net increase (decrease) this Change Order: Substantial Completion: 62 Ready for final payment: 62
Contract Times with all approved Change Orders: Substantial Completion: November 14, 2013 Ready for final payment: December 29, 2013

RECOMMENDED:  APPROVED:  ACCEPTED: 
 By: _____ By: _____ By: _____
 ENGINEER (Authorized Signature) OWNER (Authorized Signature) CONTRACTOR (Authorized Signature)
 Date: 12-18-13 Date: 2/4/14 Date: 12/20/13

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.

ATTACHMENT NO 1 - DESCRIPTION OF CHANGES

P080502-4 Dunleith Canal Level Recharge System

Item No.	Description	Unit	Unit Price	Original Contract		Change Order No. 1		Change Order No. 2		Total to Date		Increases	Decreases	Deletions	Additions
				Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost				
1	Mobilization / Demobilization	Lump Sum	\$7,000.00	1	\$7,000.00					1.00	\$7,000.00				
2	Clearing and Grubbing	Lump Sum	\$2,000.00	1	\$2,000.00					1.00	\$2,000.00				
3	Embankment	Cubic Yard	\$40.00	340	\$13,600.00	(100.00)	(\$4,000.00)			240.00	\$9,600.00		(\$4,000.00)		
4	12" Piping, Fittings, Couplings and Anchors	Linear Feet	\$197.00	118	\$23,246.00	19.00	\$3,743.00			137.00	\$26,989.00	\$3,743.00			
5	Pump and Drive Unit Including Foundation and Electrical Work	Lump Sum	\$98,000.00	1	\$98,000.00					1.00	\$98,000.00				
6	Geotextile Fabric	Square Yard	\$40.00	10	\$400.00	80.00	\$3,200.00			90.00	\$3,600.00	\$3,200.00			
7	Rip-Rap	Cubic Yard	\$524.00	2	\$1,048.00	10.00	\$5,240.00			12.00	\$6,288.00	\$5,240.00			
8	Hydroseed	Square Yard	\$2.25	500	\$1,125.00					500.00	\$1,125.00				
9	Relocation of Infrastructure Items	Lump Sum	\$35,000.00	1	\$35,000.00	(1.00)	(\$35,000.00)			0.00	\$0.00		(\$35,000.00)		
X1-1	Installation of Thread-o-let for siphon break	Lump Sum				1.00	\$631.47			1.00	\$631.47				\$631.47
X1-2	Helical Anchors for pipe	Each				4.00	\$890.74			4.00	\$890.74				\$890.74
X1-3	Rip-Rap for Item 7 supplied by Owner, credit for materials only	Tons	\$43.60			(16.80)	(\$732.48)			(16.80)	(\$732.48)		(\$732.48)		
				TOTALS:		\$181,419.00	(\$26,027.27)	\$0.00		\$155,391.73	\$12,183.00	(\$4,732.48)	(\$35,000.00)		\$1,522.21

RESULTING COST INCREASE (DECREASE) TO ST. CHARLES PARISH

(\$26,027.27)

-14.35% of Base Bid

2014-0021

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)

RESOLUTION NO. 6065

A resolution providing mandatory supporting authorization to endorse the resubdivision of Lots 3-A-1-A and 4B, Ormond Center Ormond Plantation, into Lots 3-A-1-A-1, 3-A-1-A-2, Lot 4B-2, 4B-3, 5, 6, 7 and to create Tract OCC for access, Ormond Center Ormond Plantation at 12609, 12627 Airline Hwy, 110, 121, 131, 141, 150 Ormond Center Court, and 3001 Ormond Blvd, with waivers to the required 60' width on a developed public street and to the requirements that all side lot lines be at right angles to straight street lines.

WHEREAS, the St. Charles Parish Subdivision Ordinance of 1981 (as amended) requires a Supporting Resolution of the Parish Council to waive the requirements for minimum frontage width on a developed public street; and,

WHEREAS, the St. Charles Parish Subdivision Ordinance of 1981 (as amended) requires a Supporting Resolution of the Parish Council to waive requirements the that all side lot lines be at right angles to straight street lines; and,

WHEREAS, proposed Lots 3-A-1-A-2, 4B-2, 4B-3, 5 and 7 do not meet the requirements for minimum frontage width on a developed public street; and,

WHEREAS, the side lot lines of proposed Lots 4A-1 and 6 are not at right angles to straight street lines; and,

WHEREAS, at their January 16, 2013 meeting, the Planning Commission approved, as stipulated, PZS-2014-01 with the noted waivers to the subdivision regulations.

NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL, does hereby provide this supporting resolution of the approval of PZS-2014-01, a subdivision of Lots 3-A-1-A and 4B, Ormond Center Ormond Plantation, into Lots 3-A-1-A-1, 3-A-1-A-2, Lot 4B-2, 4B-3, 5, 6, 7 and to create Tract OCC for access, Ormond Center Ormond Plantation at 12609, 12627 Airline Hwy, 110, 121, 131, 141, 150 Ormond Center Court, and 3001 Ormond Blvd, with waivers to: the required 60' width on a developed public street for proposed Lots 3-A-1-A-2, 4B-2, 4B-3, 5 and 7 and to the requirements that all side lot lines be at right angles to straight street lines for Lots 4A-1 and 6 with the following stipulations:

1. The applicant shall submit for review, approval and recordation a servitude agreement that clearly outlines the ownership and maintenance of Tract OCC. Said agreement shall be recorded in conjunction with the subdivision.
2. The applicant shall submit for review and approval of a parking analysis showing all proposed lots meet or exceed the parking requirements. Should shared parking be required, it shall be noted on the subdivision map and/or recorded in a Parking Agreement in conjunction with the subdivision filing.

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

YEAS: SCHEXNAYDRE, TASTET, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 3rd day of February, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Julia St. Pierre*

SECRETARY: *[Signature]*

DLVD/PARISH PRESIDENT: 24-14

APPROVED: DISAPPROVED:

PARISH PRESIDENT: *VJ St Pierre*

RETD/SECRETARY: 24-14

AT: 4:00 pm RECD BY: *[Signature]*

STATE OF LOUISIANA

PARISH OF ST. CHARLES

ACCESS FOR SERVITUDE AND PRIVATE ROAD MAINTENANCE AGREEMENT

Before the undersigned Notary Public, duly commissioned and qualified, appeared the undersigned property owners:

ORMOND CENTER ONE, LLC, Tax Identification Number XX-XXX____, a Limited Liability Company organized and existing under and by virtue of the laws of the State of Louisiana, domiciled in St. Charles Parish, within said State, represented by PAUL J. MURRAY, III, its manager by virtue of a Certificate of Authority, a copy of which is annexed hereto and made a part hereof, whose present mailing address is C/O June Murray, 13760 River Road, Destrehan, Louisiana 70047 ;

ORMOND CENTER TWO, LLC, Tax Identification Number XX-XXX____, a Limited Liability Company organized and existing under and by virtue of the laws of the State of Louisiana, domiciled in St. Charles Parish, within said State, represented by PAUL J. MURRAY, III, its manager by virtue of a Certificate of Authority, a copy of which is annexed hereto and made a part hereof, whose present mailing address is C/O June Murray, 13760 River Road, Destrehan, Louisiana 70047;

all persons of the full age of majority, in the presence of the undersigned competent witnesses, who did declare and state:

Description of Private Road

That they do hereby acknowledge the ownership of a private road running from Ormond Boulevard to Airline Highway identified as ORMOND CENTER COURT, as shown on a survey of BFM Corporation, LLC by John S. Teegarden, Licensed Professional Land Surveyor, dated December 6, 2013 and recorded at COB ____, page ____, Entry No. _____, records of St. Charles Parish, currently used as ingress and egress for lot numbers **2-A-1, 3-A-1-A-1, 3-A-1-A-2, 4A-1, 4B-2, 4B-3, 5, 6 and 7.**

Access Servitude

In consideration of their mutual advantage of access and use over the property referenced herein, the said property owners grant each other and to lots **2-A-1, 3-A-1-A-1, 3-A-1-A-2, 4A-1, 4B-2, 4B-3, 5, 6 and 7**, their heirs and assigns, occupants, guests, service and emergency vehicles and the general public a perpetual and non-revocable servitude or right of way for use of the private road known as ORMOND CENTER COURT specifically identified on the attached survey, which shall be used for ingress and egress to the properties located on Ormond Center Court but shall not be used for disposal, storage, or release of any hazardous substances or any other unlawful purpose.

Appearers shall at no time obstruct the access servitude to be used as a private roadway in a manner so as to interfere with use thereof by the other respective property owners or any other person or entity granted access by this agreement.

This agreement shall be binding on all current and subsequent property owners of the above described lots and/or any variations of said lots which might be created by resubdivision.

Current Lot Owners

<u>LOT</u>	<u>OWNER</u>
2-A-1	Archland Property I, LLC
3-A-1-A-1	Ormond Center One, LLC
3-A-1-A-2	Ormond Center One, LLC
4A-1	Baron Oil, LLC
4B-2	Ormond Center Two, LLC
4B-3	Ormond Center Two, LLC
5	Ormond Center Two, LLC
6	Ormond Center Two, LLC
7	Baron Oil, LLC

Private Road Maintenance Agreement

Appearers, their heirs and assigns, shall at all times maintain the private roadway in good order and condition and shall contribute a pro rata share for the cost of such maintenance and repair.

The pro rata share and the necessity for maintenance shall be determined by the then current titled owners of the property subject to this agreement, at their sole discretion and judgment. Said Property is currently titled to ORMOND CENTER ONE, LLC and ORMOND CENTER TWO, LLC, in fee simple interest.

At any such time that the titled owners determine that road maintenance is required, they shall notify all lot owners of the maintenance required in writing by certified mail. The written notice shall provide, at a minimum, details of the work required, the estimated cost, each titled lot owner's pro rata share of said cost and where payment should be sent. The pro rata share is defined as follows:

<u>LOT</u>	<u>PRO RATA SHARE</u>
Lot 2-A-1	0%
Lot 3-A-1-A-1	31.5%
Lot 3-A-1-A-2	5.6%
Lot 4A-1	6.7%
Lot 4B-2	19.2%
Lot 4B-3	6.5%

Lot 5	6.7%
Lot 6	14%
Lot 7	9.8%

Each owner's pro rata share shall be remitted to the designated owner provided in the written notice within 15 days of receipt of said notice.

If any assessment or any part thereof is not paid on the date(s) when due, then the unpaid amount shall become delinquent and shall, together with late charges, collection fees and service charges, thereupon become a continuing debt secured by a lien on the lot(s) of the non-paying owner(s) which shall bind such lot(s) in the hands of the owner(s), his heirs, executors, devisees, personal representatives and assigns. The personal obligation of the then-existing owner to pay such maintenance assessment shall remain his personal obligation and shall not extinguish upon transfer of the lot to his successors in title. In addition, the lien for unpaid assessments shall be unaffected by any sale or assignment of a lot and shall continue in full force and effect and shall be collectable upon the sale or assignment of the lot. No Owner may waive or otherwise escape liability for the maintenance assessment provided herein by abandonment of his lot.

Enforcement

Enforcement of this agreement, at the option of the titled owners, may be by a proceeding at law or equity. With respect to any litigation hereunder, the party seeking to enforce the access servitude and/or private road maintenance agreement shall be entitled to recover reasonable attorneys' fees from the violator.

Invalidity

Should any provision in this agreement be deemed invalid or unenforceable, the remainder of the agreement shall not be affected and each term and condition shall be valid and enforceable to the extent permitted by law.

Thus done and signed on the ___ day of _____, 2014 in the presence of the undersigned witnesses and me, Notary.

WITNESSES:

Print Name:

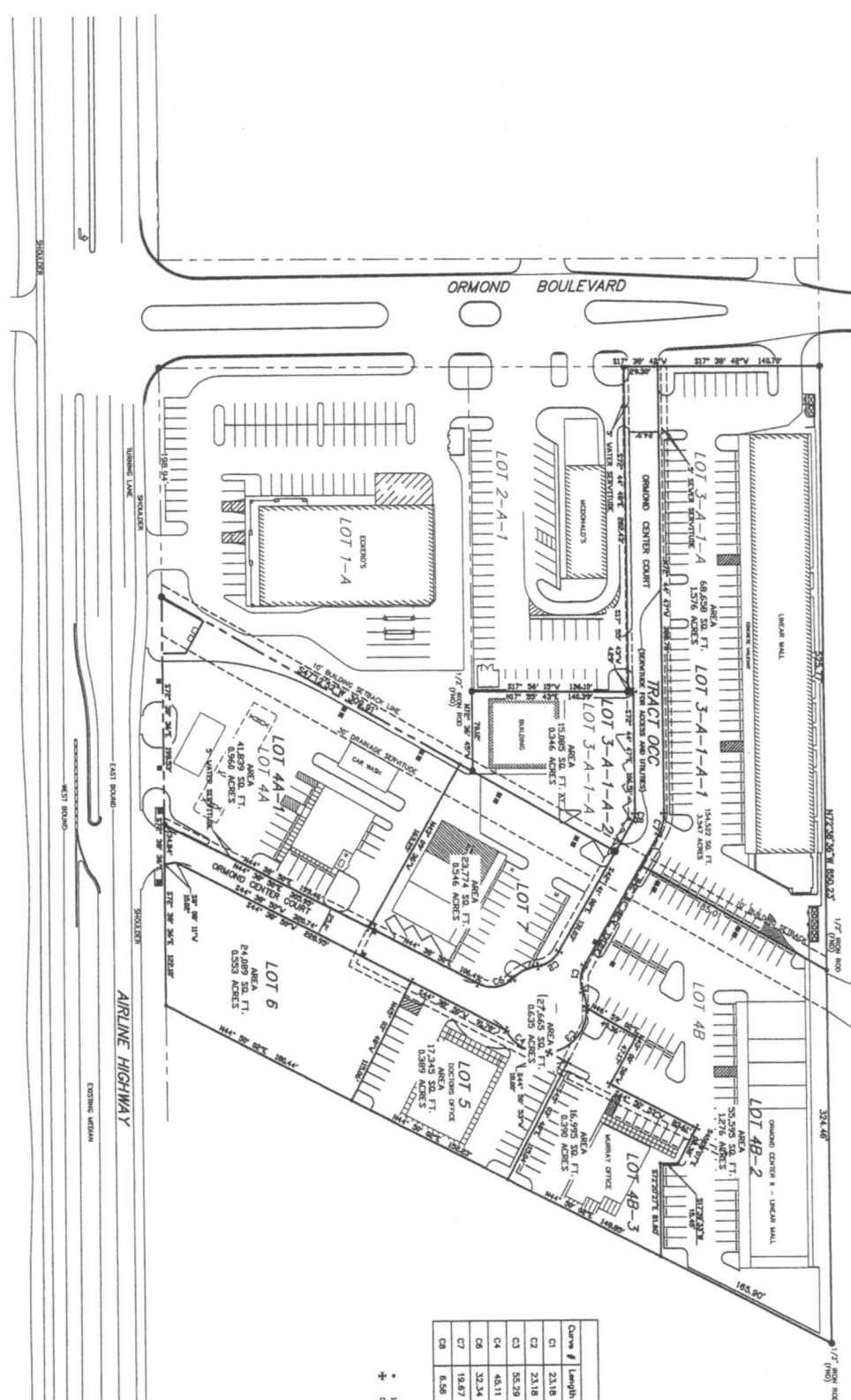
ORMOND CENTER ONE, LLC

Print Name:

ORMOND CENTER TWO, LLC

NOTARY PUBLIC
Notary ID:

ORMOND COUNTRY CLUB ESTATES SIDE
 KANSAS CITY SOUTHERN RAILROAD



Curve #	Length	Radius	CHORD DIRECTION	CHORD LENGTH
C1	23.18	25.00'	N89° 15' 03"W	23.18'
C2	23.18	25.00'	S16° 07' 14"E	23.18'
C3	55.29	37.50'	S37° 28' 41"E	55.29'
C4	45.11	37.50'	S45° 15' 28"W	45.11'
C5	32.34	25.00'	S9° 41' 09"W	32.34'
C7	18.87	37.50'	S57° 42' 38"E	18.87'
C8	6.58	12.50'	S57° 42' 38"E	6.58'

* 1/2" FROM ROB SET
 + CROSS CUT

BAISIS OF BEARING

FROM FROM RECORDED SURVEY PLAN NO. 1
 SURVEY REFERENCE
 1. AS BEAT SURVEY OF LOT 2-1, ORMOND CENTER, ORMOND PLANTATION BY M. B. BAKER, P.L.L.C., DATED 7/27/2008, RECORDED IN THE PUBLIC RECORDS OF ST. CHARLES PARISH, LOUISIANA, BOOK 100, PAGE 100.
 2. AS BEAT SURVEY OF LOT 2-1, ORMOND CENTER, ORMOND PLANTATION BY M. B. BAKER, P.L.L.C., DATED 7/27/2008, RECORDED IN THE PUBLIC RECORDS OF ST. CHARLES PARISH, LOUISIANA, BOOK 100, PAGE 100.
 3. AS BEAT SURVEY OF LOT 2-1, ORMOND CENTER, ORMOND PLANTATION BY M. B. BAKER, P.L.L.C., DATED 7/27/2008, RECORDED IN THE PUBLIC RECORDS OF ST. CHARLES PARISH, LOUISIANA, BOOK 100, PAGE 100.

GENERAL NOTES

1. THE LOCATIONS OF UNDERGROUND AND OTHER ABOVEGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED BY THE SURVEYOR FROM RECORDS AND FIELD SURVEY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER UTILITIES. THE SURVEYOR IS NOT RESPONSIBLE FOR THE LOCATION OF UTILITIES NOT SHOWN HEREON.
 2. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER UTILITIES. THE SURVEYOR IS NOT RESPONSIBLE FOR THE LOCATION OF UTILITIES NOT SHOWN HEREON.
 3. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER UTILITIES. THE SURVEYOR IS NOT RESPONSIBLE FOR THE LOCATION OF UTILITIES NOT SHOWN HEREON.
 4. ALL SETBACKS ARE TO BE MEASURED FROM THE EXTERIOR FACE OF THE WALLS UNLESS OTHERWISE SPECIFIED.

NOTES

1. All necessary easements, whether under or over utility easements, dedications or dedications shall be made under or over utility easements, dedications or dedications to the satisfaction of the engineer. THIS IS APPLICABLE TO ALL LOTS AND AREAS.
2. The Ormond Center Court is a private street and shall be maintained as such.
3. The location of any field shall be constructed between lots to provide, or otherwise, the firm and undisturbed flow of vehicular, or pedestrian, traffic, for parking and delivery access.
4. All lot corners shall be marked with iron pins and shall be maintained for parking and delivery access to other production and vehicular access.



RECORDED IN THE CLERK OF COURTS OFFICE, ST. CHARLES PARISH
 ON THE _____ DAY OF _____, 20____
 IN CONFORMANCE BOOK _____ ENTRY NO. _____

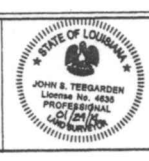
APPROVAL

DATE _____ PLANNING COMMISSION CHAIRMAN
 DATE _____ COUNCIL CHAIRMAN
 DATE _____ PARISH PRESIDENT

RESUBDIVISION OF LOTS 3-A-1-A, 48, ORMOND CENTER, ORMOND PLANTATION INTO LOTS 3-A-1-A-1, 3-A-1-A-2, LOT 48-2, 48-3, 5, 6, 7, AND TRACT OCC, ORMOND CENTER, ORMOND PLANTATION DESTREHAN, ST. CHARLES PARISH, LOUISIANA

BPM
 CORPORATION, L.L.C.
 Professional Land Surveyors
 516 WILLIAM BOULEVARD
 SUITE 200
 MONROE, LOUISIANA 70132
 Phone: (504) 487-5003
 Fax: (504) 487-5003
 CITY OF MONROE, LOUISIANA, 70002

JOHN S. TERGAARD
 LICENSE NO. 4836
 PROFESSIONAL LAND SURVEYOR
 REGISTERED PROFESSIONAL LAND SURVEYOR



NO.	DESCRIPTION	DATE	BY	CHKD.
1	REVISION RECORD			