

*Ord.*  
2007-0107

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT  
(DEPARTMENT OF FINANCE)

ORDINANCE NO. 07-4-8

An ordinance approving and authorizing the execution of an Intergovernmental Agreement between the Des Allemands Volunteer Fire Department of the Parish of St. Charles, State of Louisiana and the Parish of St. Charles, State of Louisiana; providing funding for the construction of a building at 16960 Highway 90; providing for appropriating not exceeding \$920,000 for such purpose and declaring the intent to repay such advance from future bond proceeds.

**WHEREAS,** the Constitution of the State of Louisiana and the Local Services Law of the State of Louisiana provided for political subdivisions to engage in cooperative endeavors for public purposes with any public or private association, corporation or individual; and,

**WHEREAS,** both the Parish of St. Charles, State of Louisiana (the "Parish") and the Des Allemands Volunteer Fire Department of the Parish of St. Charles, State of Louisiana (the "Department") are authorized by law to provide fire protection service; and,

**WHEREAS,** there exists a need to construct a building for the Department at 16960 Highway 90; and,

**WHEREAS,** the Department is not in a financial position to construct said building without funds being made available to cover the expense until sales tax bonds are issued from the one-eighth of one-percent (1/8%) sales tax authorized by an election held in the Parish on December 8, 1979 (the "Bonds"); and,

**WHEREAS,** it is the desire of the Parish President and the Parish Council to provide said funds to be repaid to the Parish from the issuance of the Bonds in accordance with the terms of the Intergovernmental Agreement.

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

**SECTION I.** That the Intergovernmental Agreement between the Parish and the Department, is hereby approved.

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

**SECTION III.** That the Director of Finance is hereby authorized and directed to advance not exceeding \$920,000 of monies from the Parish's General Fund for the construction of a building at 16960 Highway 90.

**SECTION IV.** That the Director of Finance is directed to repay the advance from the Bonds to be issued for fire protection purposes.

**SECTION V.** That any such advance of the proceeds of the sales tax revenue bonds for reimbursement will be with respect to capital expenditures (as defined in the United States Treasury Regulation 1.150-1[b]) and will be made upon the delivery of the sales tax revenue bonds and not later than one year after the later of (i) the date such expenditure was paid or (ii) the date on which the building was placed in service.

**SECTION VI.** This ordinance is intended to be a declaration of official intent within the meaning of United States Treasury Regulation 1.150-2.

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

YEAS: MARINO, FAUCHEUX, HILAIRE, RAMCHANDRAN, WALLS, BLACK,  
DUHE  
NAYS: NONE  
ABSENT: FABRE, MINNICH

And the ordinance was declared adopted this 16th day of April, 2007,  
to become effective five (5) days after publication in the Official Journal.

St Charles and Des Allemands FD

CHAIRMAN: *George Black*

SECRETARY: *Barbara Jane Tucker*

DLVD/PARISH PRESIDENT: April 17, 2007

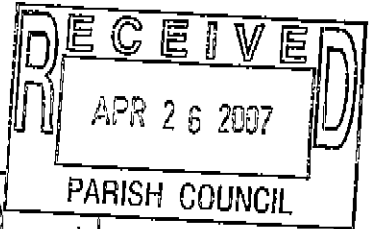
APPROVED: *[Signature]* DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: *Albert D. Laque*

RET/SECRETARY: April 17, 2007

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

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
ST. CHARLES PARISH  
AND  
DES ALLEMANDS VOLUNTEER FIRE DEPARTMENT



This Agreement is made and entered into on this 23 day of April, 2007,  
by and between:

St. Charles Parish, 15045 River Road, P.O. Box 302, Hahnville, LA 70057, herein represented by Albert D. Laque, its Parish President, duly authorized by Ordinance No. 07-4-8 adopted on the 16th day of April, 2007.

AND

The Des Allemands Volunteer Fire Department of the Parish of St. Charles, State of Louisiana, P.O. Box 817, Des Allemands, LA 70030, herein represented by Julie Troche, its President duly authorized by Resolution of the Des Allemands Volunteer Fire Department adopted on the 23 day of April, 2007

**WHEREAS,** the Constitution of the State of Louisiana and the Local Services Law of the State of Louisiana provided for political subdivisions to engage in cooperative endeavors for public purposes with any public or private association, corporation or individual; and,

**WHEREAS,** both the Parish of St. Charles, State of Louisiana (the "Parish") and the Des Allemands Volunteer Fire Department of the Parish of St. Charles, State of Louisiana (the "Department") are authorized by law to provide fire protection service; and,

**WHEREAS,** there exists a need to construct a building at 16960 Highway 90 for the Department; and,

**WHEREAS,** the Department is not in a financial position to construct said building without funds being made available to cover the expense until sales tax bonds are issued from the one-eighth of one-percent (1/8%) sales tax authorized by an election held in the Parish on December 8, 1979 (the "Bonds"); and,

**WHEREAS,** it is the desire of the Parish President and the Parish Council to provide said funds to be repaid to the Parish from the issuance of the Bonds in accordance with the terms of the Intergovernmental Agreement.

**NOW THEREFORE, IT IS HEREBY AGREED THAT:**

St. Charles Parish shall:

- 1) Appropriate and allocate up to \$920,000 for the construction of a building at 16960 Highway 90 for the Department, being the cost of said building and related expenses determined by public bid.
- 2) Provide said funding as invoices are received and approved by the Des Allemands Volunteer Fire Department.
- 3) When the Bonds are issued, to deduct the debt service of the \$920,000 being used to repay the Parish for the advance from the amount normally distributed to the Department.

Des Allemands Volunteer Fire District shall:

- 1) Assume all liability for the construction of a building at 16960 Highway 90 and hereby agrees to indemnify and save harmless the Parish from and against any and all claims, suits, damages, costs (including attorney's fees) losses and expense which it may suffer or pay out by reason of, resulting from or arising out of the purchase of said building, and does hereby agree to maintain and provide General Liability along with Property and Fire Insurance with replacement cost value.
- 2) Execute any required documents necessary to facilitate the object of this Agreement.

Thus done, executed and signed in St. Charles Parish, Louisiana, on the day, month and year first written, in the presence of the below listed witnesses:

WITNESSES:

PARISH OF ST. CHARLES

Barbara Jacob Tucker

By: Albert D. Laque  
Albert D. Laque, Parish President

Valarie Berthelet

Tracy L. Sparks

DES ALLEMANDS VOLUNTEER FIRE DEPARTMENT

Elly

By: Julie Troche

STATE OF LOUISIANA

PARISH OF ST. CHARLES

I, the undersigned Secretary of the St. Charles Parish Council, do hereby certify that the foregoing pages constitute a true and correct copy of an ordinance adopted by the St. Charles Parish Council on April 16, 2007, approving and authorizing the execution of an Intergovernmental Agreement between the Des Allemands Volunteer Fire Department of the Parish of St. Charles, State of Louisiana and the Parish of St. Charles, State of Louisiana; providing funding for the construction of a building at 16960 Highway 90; providing for appropriating not exceeding \$920,000 for such purpose and declaring the intent to repay such advance from future bond proceeds.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said District at Hahnville, Louisiana, on this, the 18th day of April, 2007.

(SEAL)

  
Secretary