



St. Charles Parish

Introductions

Parish Council

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

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
www.stcharlesgov.net

Monday, December 1, 2014

6:00 PM

Council Chambers, Courthouse

Final

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, December 15, 2014, 6:00 pm, Council Chambers, Courthouse, Hahnville

2012-0129 An ordinance to amend the Code of Ordinances Chapter 15 Motor Vehicles and Traffic by adding Sec. 15-25 Shrubs, trees, and plantings within Parish right of ways, easements, and servitudes.

Sponsors:

Mr. Hogan

Legislative History

4/17/12	Legislative Committee	Meeting Cancelled
5/16/12	Legislative Committee	Meeting Cancelled
5/22/12	Legislative Committee	Meeting Cancelled
5/24/12	Legislative Committee	Meeting Cancelled
7/21/14	Council Member(s)	Introduced
7/21/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
8/4/14	Parish Council	Public Hearing Requirements Satisfied
	Reported:	
	Councilman Hogan Recommended:	Approval
8/4/14	Parish Council	Approved
	Council Discussion	
	Public Works/Wastewater Director Sam Scholle spoke on the matter.	
	Planning & Zoning Director Kim Marousek spoke on the matter.	
8/18/14	Council Member(s)	Introduced
8/18/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
9/2/14	Parish Council	Public Hearing Requirements Satisfied
	Reported:	
	Councilman Hogan Recommended:	Approval

9/2/14	Parish Council Council Discussion	Postponed Indefinitely
	Chairman Fisher-Perrier asked Assistant Parish Attorney David Moyer to speak on the matter.	
	Mr. Moyer spoke on the matter stating that the parish had a lawsuit filed against them concerning a similar issue.	
	Discussion: to postpone indefinitely File No. 2012-0129 until Mr. Moyer can provide the council with a copy of the lawsuit judgment and a better ordinance can be drafted.	
10/6/14	Council Member(s)	Introduced
10/6/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
10/20/14	Parish Council	Public Hearing Requirements Not Satisfied
10/20/14	Parish Council	Tabled.
10/20/14	Parish Council	Tabled.
11/3/14	Parish Council	Tabled.
11/17/14	Parish Council	Postponed Indefinitely (Council Rule 8)
	Councilman Hogan motioned to remove File No. 2012-0129 from the table. Motion failed for lack of a second.	
	File No. 2012-0129 postponed indefinitely per Parish Council Rule 8. #8. Ordinances/Resolutions Which Have Been Tabled [Shall only appear on two (2) subsequent regular meeting Agendas]	

2014-0401 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning reclassification from OL to M-1 of the northern 5000 ft. of the lower 1/3 of the Mary Hotard Holmes Tract (589 CC Road) Montz, as requested by Cembell Industries.

Sponsors: Ms. Fletcher

S* 2014-0402 An ordinance to approve and authorize the execution of a Construction Contract with Circle Construction, LLC for Parish Project No. P081102-5, Dunleith Canal Bank Stabilization - Phase IV, in the amount of \$1,427,563.00 which includes the Base Bid, Alternate No. 1, Alternate No. 2, and Alternate No. 3.

Sponsors: Mr. St. Pierre Jr. and Department of Public Works

S* 2014-0389 An ordinance to approve and authorize the execution of a contract with Fleming Construction, for project P090201-3 Primrose Ellington Canal Road Crossing in the amount of \$1,999,453.40.

Sponsors: Mr. St. Pierre Jr. and Department of Public Works

Legislative History

11/17/14 Parish President Introduced

11/17/14 Parish Council Postponed Indefinitely from Intro.

11/17/14 Parish Council Postponed Indefinitely from Intro.

S* 2014-0403 An ordinance to amend the 2014 Consolidated Operating and Capital Budget to adjust Beginning Fund Balances to Actuals and to adjust Revenues and Expenditures in various funds.

Sponsors: Mr. St. Pierre Jr. and Department of Finance

~ 2014-0404 An ordinance to amend the Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. By adding Section 2-76 Retiree Health Benefits to provide for the annual appropriation of funds necessary to provide health insurance benefits to the retired employees and their dependents of St. Charles Parish until entitled to Medicare.

Sponsors: Mr. St. Pierre Jr., Ms. Schexnaydre, Mr. Lewis, Mr. Wilson, Mr. Woodruff, Ms. Benedetto, Mr. Hogan, Mr. Cochran, Ms. Fletcher and Ms. Fisher-Perrier

~ 2014-0405 An ordinance to approve and authorize the execution of an Act of Sale by Margaret Gaudet Conklin, et als to St. Charles Parish for property located on a portion 15042 River Road Hahnville, Louisiana.

Sponsors: Mr. St. Pierre Jr. and Department of Legal Services

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

2014-0404

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
ST. CHARLES PARISH COUNCIL

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. By adding Section 2-76 Retiree Health Benefits to provide for the annual appropriation of funds necessary to provide health insurance benefits to the retired employees and their dependents of St. Charles Parish until entitled to Medicare.

WHEREAS, it is the desire of the Parish President and Council to provide for the appropriation during the preparation of the annual budget of the necessary funds to adequately fund the Parish portion of retiree health benefits; and,

WHEREAS, the recent changes to the Retiree Health Benefits policy significantly reduced the required funds to comply with Government Accounting Standards Board Statement 45 to fully fund future retiree health benefits; and,

WHEREAS, all Parish employees who are active members of the Parish's group health insurance for three (3) consecutive years prior to retirement, and who retire in accordance with the employees' retirement eligibility requirements of the Parochial Employees' Retirement System of Louisiana, Plan A ("Eligible Retiree"), are eligible to continue their group health insurance coverage with the Parish upon retirement and until the retiree is entitled to Medicare; and,

WHEREAS, the Eligible Retiree's spouse until Medicare entitled to and the Eligible Retiree's dependents until age twenty-six (26) are eligible to continue under the Eligible Retiree's group health insurance coverage with the Parish; and,

WHEREAS, the Parish President and Council desire the Finance Officer to allocate the appropriate funds in the proposed annual budget necessary to finance the Parish portion of the retiree health benefits.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Department of Finance shall submit as stated in the Home Rule Charter at least seventy-five days before the beginning of the fiscal year a balanced line item budget which will provide the funding necessary to finance at least fifty percent (50%), as required by law, of the cost to provide health insurance to the Parish retirees and dependents until entitled to Medicare under the below conditions:

1. all Parish employees who are active members of the Parish's group health insurance for three (3) consecutive years prior to retirement, and who retire in accordance with the employees' retirement eligibility requirements of the Parochial Employees' Retirement System of Louisiana, Plan A ("Eligible Retiree"), are eligible to continue their group health insurance coverage with the Parish upon retirement and until the retiree is entitled to Medicare; and,
2. the Eligible Retiree's spouse until entitled to Medicare and the Eligible Retiree's dependents until age twenty-six (26) are eligible to continue under the Eligible Retiree's group health insurance coverage with the Parish.

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

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

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2014-0405

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

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of an Act of Sale by Margaret Gaudet Conklin, et als to St. Charles Parish for property located on a portion 15042 River Road Hahnville, Louisiana

WHEREAS, prior to the construction of the Emergency Operations Center, a portion of property situated in Hahnville, St. Charles Parish, Louisiana, was expropriated from the Gaudet Family, said property adjoining the Madere's Garage property; and,

WHEREAS, in the expropriation suit a portion of the property was not acquired by the Parish because a portion of a building owned by Madere's Garage was partially situated on the Gaudet property; and,

WHEREAS, it is necessary that St. Charles Parish acquire this portion of land by authorizing the Parish President to execute on behalf of the Parish the attached Act of Sale purchasing 1,458.63 square feet of land for the price of \$5,484.45.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Sale by Margaret Gaudet Conklin, et als to St. Charles Parish for the above described property in the amount of \$5,484.45. is hereby approved.

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

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

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

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

CASH SALE

UNITED STATES OF AMERICA

FROM: MARGARE T G. CONKLIN, ET AL

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this ____ day of _____, in the year two thousand and fourteen(2014).

BEFORE ME, LEON C. VIAL, a Notary Public in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

MARGARET G. CONKLIN, (SS# _____) a person of the full age of majority, domiciled in the Mount Laurel Township, State of New Jersey, who declared that she has been married but once and then to Robert Conklin with whom she lived and resided with at 1228 Thornwood Drive, Mount Laurel, NJ 08054;

LAURA G. WHITE, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that she has been married but once and then to Donald D. White with whom she is living and residing at 115 St. Nicholas Street, Luling, LA 70070;

BECKY GAUDET YOUNG, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that she has been married twice, first to Dane Vedros from whom she was divorced and secondly to Ryan Young with whom she is living and residing at 114 Edna Drive, Bayou Gauche, LA 70030;

JESSE M. GAUDET, (SS# _____) a person of the full age of majority, domiciled in the Parish of Lafayette, State of Louisiana, who declared that he has never been married and is living and residing at 1215 Mar Drive, Apt. R1, Lafayette, LA 70374;

EARL P. GAUDET, JR., (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that he has been married but once and then to Sylvia T. Gaudet with whom he is living and residing at 138 Wanda St., Luling, LA 70070;

TONI G. BENOIT, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that she has been married but once and then to Bobby J. Benoit with whom she is living and residing at 307 St. Nicholas St., Luling, LA 70070;

STEVEN M. GAUDET, (SS# _____) a person of the full age of majority, domiciled in the Parish of West Feliciana, State of Louisiana, who declared that he has been married but once and then to Lynn M. Gaudet with whom he is living and residing at P. O. Box 90, Wakefield, LA 70784;

CHRISTIANA G. OCMAND, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that she has been married but once and then to Kirk Ocmad with whom she is living and residing at 303 Maryland Drive, Luling, LA 70070;

CAROL G. LESAGE, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that she has been married but once and then to Richard E. LeSage, Jr. with whom she is living and residing at 319 Ormond Oaks, Destrehan, LA 70047;

SIDNEY J. VIAL, JR., (SS# _____) a person of the full age of majority, domiciled in the Parish of Jefferson, State of Louisiana, who declared that he has been married but once and then to Paula Jenevein with whom he is living and residing at 4733 Carthage Drive, Metairie, LA, 70002;

TIMOTHY J. VIAL, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that he has been married but once and then to Rhea Gassen with whom he is living and residing at 110 Cottage Drive, Luling, LA 70070;

KIMM VIAL KELLER, (SS# _____) a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared that she has been married twice, first to Emmett J. Thomas from whom she was divorced on March 30, 1987 in the 29th Judicial District Court for the Parish of St. Charles, and secondly to Eric L. Keller, Jr. with whom she is living and residing at 255 Lowe Street, Hahnville, LA 70057;

hereinafter designated as "vendors" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendors do by these presents sell, grant, bargain, assign, transfer, deliver, and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by V. J. St. Pierre, Jr., its Parish President, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. _____ adopted by the St. Charles Parish Council on _____ a copy of which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to wit:

That certain portion of ground shown on a survey of Lucien Gassen, PLS, entitled "Survey of Two Portions of Property being Purchased By St. Charles Parish" dated January 6, 2010, and situated toward the northern end of the Gaudet property on the North side of the property as shown on said survey. The dimensions of this parcel are 17.6 feet by 91.76 feet by 14.19 feet by 91.83.

Being a portion of the same property acquired by vendors herein by Acts as follows: Dated September 8, 2006, COB 678, folio 242; Dated June 27, 1997, COB 523, folio 75; Dated February 26, 2002, COB 600, folio 270; Dated August 15, 2003, COB 624, folio 236; Dated August 23, 1979, COB 232, folio 844 and duly recorded as shown in and for the Parish of St. Charles.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of **FIVE THOUSAND FOUR HUNDRED EIGHTY-FOUR AND 454/100 (\$5,484.45) DOLLARS**, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor.

The vendors hereby acknowledge that the property being sold herein is their separate and paraphernal property.

Taxes for 2013 are paid. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release me, Notary, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by me, Notary, and agree to relieve, release, defend, save, hold harmless, and indemnify me, Notary, from any and all claims, liabilities, and responsibilities

in connection therewith.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors," and whenever the word "purchaser" is used it shall be construed to include "purchasers."

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

THUS DONE, READ AND PASSED at my office in the City of Hahnville, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:

SIDNEY J. VIAL, JR.

TIMOTHY J. VIAL

KIMM V. KELLER

TONI G. BENOIT

EARL P. GAUDET, JR.

STEVEN M. GAUDET

CHRISTINA G. OCMAND

CAROL G. LESAGE

BECKY G. YOUNG

JESSE M. GAUDET

LAURA G. WHITE

PARISH OF ST. CHARLES

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

NOTARY PUBLIC
LEON C. VIAL, III
BAR NO. 13061

NAME:

MARGARET G. CONKLIN

NAME:

ACKNOWLEDGEMENT

STATE OF NEW JERSEY

COUNTY OF _____

BEFORE ME, personally came and appeared _____,
who, after being duly sworn, deposed and said that (he) (she)
witnessed the above signature MARGARET G. CONKLIN and that said
signature above is true and genuine and was signed in the presence
of the witnesses whose names are affixed thereto.

WITNESSES:

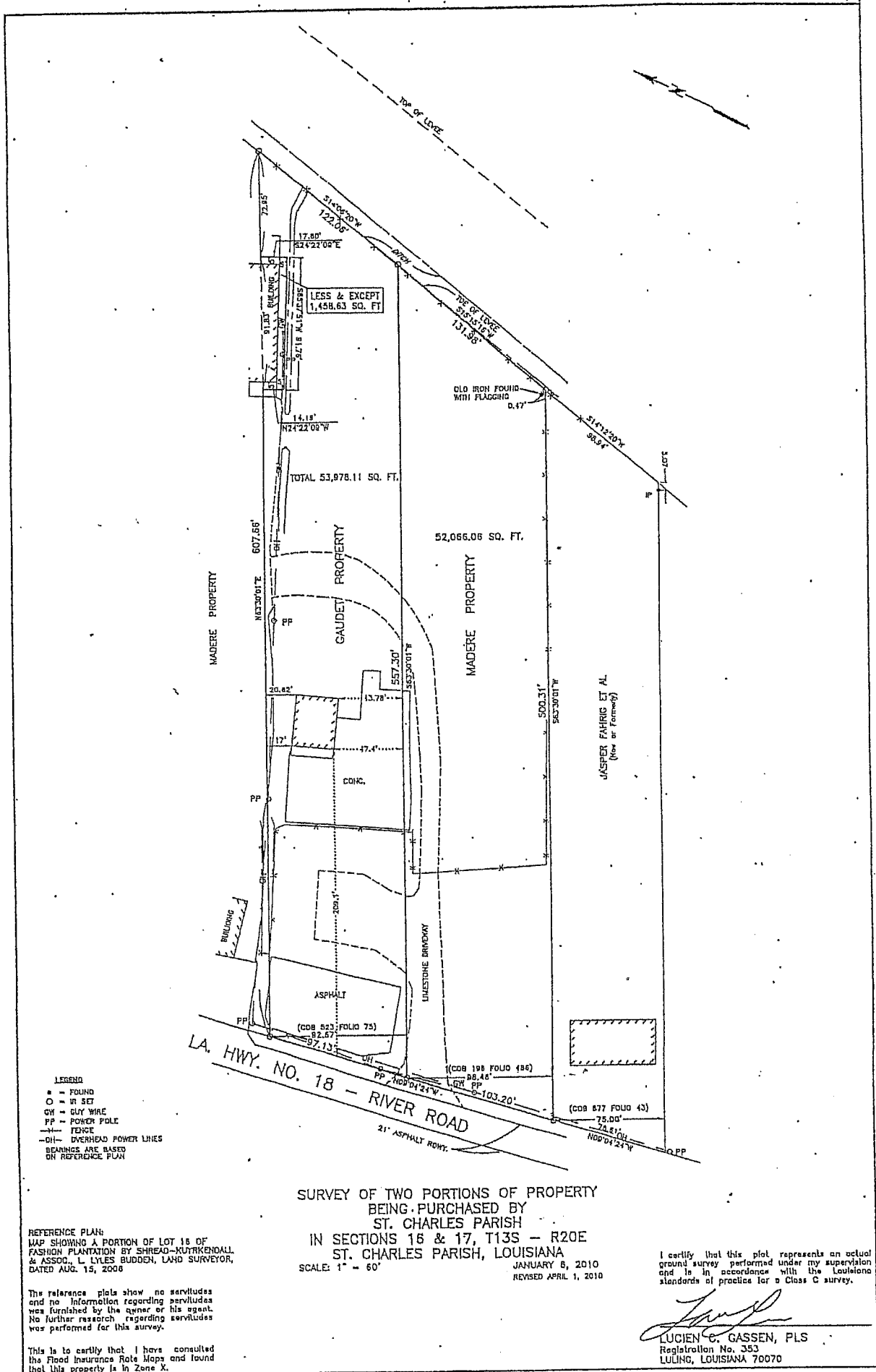
Sworn to and subscribed before me this _____ day of
_____, 2014.

NOTARY PUBLIC

PARISH OF ST. CHARLES

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

NOTARY PUBLIC
LEON C. VIAL, III
NO. 13061



LEGEND
 * - FOUND
 O - IN SET
 CW - GUY WIRE
 PP - POWER POLE
 --- FENCE
 -OH- OVERHEAD POWER LINES
 BEARINGS ARE BASED
 ON REFERENCE PLAN

REFERENCE PLAN:
 MAP SHOWING A PORTION OF LOT 18 OF
 FASHION PLANTATION BY SHREAD-KUTRKENOALL
 & ASSOC., L. LYLES BUDDEN, LAND SURVEYOR,
 DATED AUG. 15, 2006

The reference plots show no servitudes
 and no information regarding servitudes
 was furnished by the owner or his agent.
 No further research regarding servitudes
 was performed for this survey.

This is to certify that I have consulted
 the Flood Insurance Rate Maps and found
 that this property is in Zone X.

**SURVEY OF TWO PORTIONS OF PROPERTY
 BEING PURCHASED BY
 ST. CHARLES PARISH
 IN SECTIONS 16 & 17, T13S - R20E
 ST. CHARLES PARISH, LOUISIANA**

SCALE: 1" = 60' JANUARY 6, 2010
 REVISED APRIL 1, 2010

I certify that this plot represents an actual
 ground survey performed under my supervision
 and is in accordance with the Louisiana
 standards of practice for a Class C survey.

Lucien C. Gassen
LUCIEN C. GASSEN, PLS
 Registration No. 353
 LULING, LOUISIANA 70070