

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2196

COUNCIL SPONSOR: BAGERT/DAVIS

PROVIDED BY: ENGINEERING

**A RESOLUTION ESTABLISHING PERFORMANCE AND WARRANTY OBLIGATIONS.**

Whereas, the Department of Finance and the Department of Engineering have notified the Parish Council that certain securities for subdivision Warranty Obligations are maturing in the near future; and

Whereas, these Warranty Obligations have been reviewed by said Departments which have made recommendations thereon to the Parish Council;

THE PARISH OF ST. TAMMANY HEREBY RESOLVES, by the St. Tammany Parish Council acting in it's capacity as the governing authority, that is hereby accepts the recommendations of the Department of Finance and the Department of Engineering, and approves the following action regarding Warranty Obligations as shown.

BE IT FURTHER RESOLVED, that failure to renew or to post an acceptable security on its due date will cause same to be called, and the Department of Finance and the Department of Engineering are hereby authorized and directed to do so.

**PERFORMANCE**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Angelic Estates S/D, PH 1A (a.k.a. The Birg) Amount: \$26,000 Expires: October 30, 2007 Ward: 3 District: 5	EXTEND FOR SIX (6) MONTHS OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED.

**WARRANTY**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Brookstone Subdivision, Phase 3 Amount: \$26,300 Expires: November 4, 2007 Ward: 4 District: 5	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED.
Guste Island Subdivision, Parcel "A" (The Village) Amount: \$31,000 Expires: November 3, 2007 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED.
Hickory Dell Subdivision Amount: \$8,400 Expires: November 15, 2007 Ward: 6 District: 6	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM.
Northshore Commercial Park Amount: \$40,500 Expires: November 15, 2007 Ward: 4 District: 7	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED.

Tallow Creek Subdivision, Phase 1-I-1  
Amount: \$23,900  
Expires: November 17, 2007  
Ward: 1 District: 1

EXTEND FOR ONE (1) YEAR OR UNTIL  
WORK IS SATISFACTORILY  
ACCOMPLISHED.

Timberlane Subdivision, Phase 2  
Amount: \$46,800  
Expires: September 12, 2008  
Ward: 1 District: 1

RELEASE L.O.C.  
THIS IS A PRIVATE SUBDIVISION AND  
THE PARISH IS NOT RESPONSIBLE  
FOR ANY MAINTENANCE.

Penn Mill Lake Subdivision, Phase 2B  
Amount: \$64,600  
Expires: November 8, 2007  
Ward: 3 District: 3

EXTEND FOR ONE (1) YEAR OR UNTIL  
WORK IS SATISFACTORILY  
ACCOMPLISHED.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON  
WAS AS FOLLOWS:

MOVED FOR ADOPTION BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007 AT A  
REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING  
PRESENT AND VOTING

\_\_\_\_\_  
BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
DIANE HUESCHEN, COUNCIL CLERK



**ST. TAMMANY PARISH**  
DEPARTMENT OF ENGINEERING  
P. O. BOX 628  
COVINGTON, LA 70434  
PHONE: (985) 898-2552 OR (985) 898-2575  
FAX: (985) 898-5205  
e-mail: eng@stpgov.org

*C-2196*

*Kevin Davis*  
*Parish President*

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Angelic Estates (a.k.a. The Birg) Subdivision, Phase 1A  
Performance Obligation (\$26,000)**

Honorable Council Members:

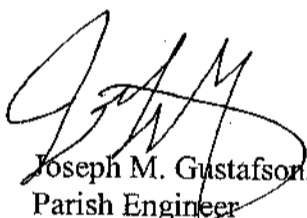
The above referenced Performance Obligation was established by the Parish Council at the February 1, 2007 meeting and expires on October 30, 2007 and is scheduled for review at the October 3, 2007.

The work covered by the Performance Obligation has not been accomplished. However, the developer is in the process of accomplishing the work and has requested an extension of time. (See attached letter).

The Department of Engineering has no objection to an extension of time.

Therefore, it is recommended that the Performance Obligation in the amount of \$26,000 be extended for six (6) months or until the work is satisfactorily accomplished.

Sincerely,



Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

*enc.* Letter dated September 13, 2007

*xc:* Honorable Marty Gould  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long  
Mr. Earl J. Magner, P.E.  
Helenbirg Properties  
CEI

**HELENBIRG PROPERTIES, LLC.**  
**69160 HWY 59, SUITE 1**  
**MANDEVILLE, LA 70471**  
**985.875.2090 FAX:985.892.6588**



September 13, 2007

Mr. Marty Gould  
St. Tammany Parish Council  
PO Box 628  
Covington, LA 70434

Re: Angelic Estates Subdivision  
a/k/a The Birg Subdivision

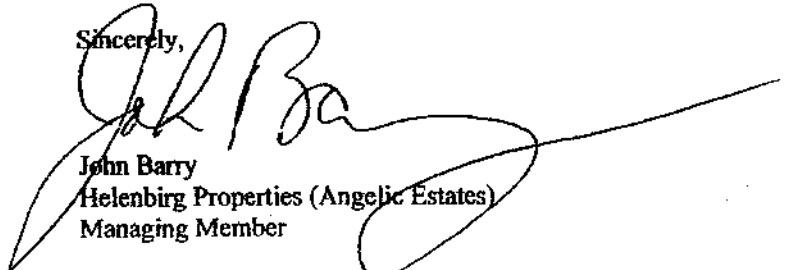
Dear Mr. Gould:

This letter is to request an extension on the \$26,000.00 Performance Obligation, which is due to expire in October of this year.

Helenbirg Properties has been working with the Engineering and Drainage Department of St. Tammany Parish to make sure that all alterations and changes made to complete this project comply with the subdivision guidelines. However, extreme weather has delayed us, causing me to ask for this extension.

We are focused to complete this project in a timely manner. Thank you for your consideration.

Sincerely,



John Barry  
Helenbirg Properties (Angelic Estates)  
Managing Member

xc:

Mr. Earl J. Magner, P. E.  
Mr. Joseph M. Gustafson, P.E.



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C-2196

*Kevin Davis*  
*Parish President*

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Brookstone Subdivision, Phase 3  
Warranty Obligation (\$26,300)**

Honorable Council Members:

The Extended Warranty Obligation in the amount of \$26,300, expires November 4, 2007 and is scheduled for review by the Parish Council at the October 4, 2007 meeting.

The developer was notified on July 9, 2007 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior that expiration of the obligation, that the punch list has been completed. If not, the obligation will be automatically called.

This office has received such notification, however some punch list items remain.

Therefore this obligation would normally be called. However, in accordance with Resolution Council Series No. C-1528, passed at the September 28, 2005 Special Parish Council meeting regarding Hurricane Katrina, the Warranty Obligation will be extended for one (1) year from the expiration date shown.

The following Punch List items remain:

1. Outfall culvert between Lots #22/23 is damaged and must be replaced;
2. Riprap splash pads and gratings have not been installed at the end of the outfall culverts as stated by your engineer in his letter dated December 6, 2005; AS-BUILT drainage is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Gustafson".

Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable Marty Gould  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long  
Mr. Earl J. Magner, P.E.  
McHugh & Associates  
B.I.L., LLC



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C-2196  
Kevin Davis  
Parish President

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Guste Island Subdivision, Parcel "A" (The Village)  
Warranty Obligation (\$31,000)**

Honorable Council Members:

The Warranty Obligation in amount of \$31,000 expires November 3, 2007 and is scheduled for review by the Parish Council at the October 4, 2007.

The developer was notified on July 10, 2007 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed.

This office has not received such notification. Therefore, this obligation must be extended for one (1) year or until the work is satisfactorily accomplished.

The following punch list items remain:

1. The roadway needs to be broomed for a meaningful inspection to be made;
2. Roadside ditches are silted up and need to be regraded to provide positive flow;
3. Cross culverts need to be checked for possible silt removal;
4. Need "NO OUTLET" sign at entrance to cul de sac;
5. Detention pond structure does not conform to the approved hydro report and drawings and submit for our review and approval.
6. Sedimentation control measures are not being employed and causing silt to travel into roadside ditches and eventually into detention pond then exiting onto adjacent property. Satisfactory sedimentation control measures must be employed immediately; contact this office for further instructions to prevent this from happening;
7. Detention pond slopes need to have erosion protection applied immediately;
8. Replace blue reflectors.

Sincerely,

Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable Marty Dean  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long  
Mr. Earl J. Magner, P.E.

KB Homes  
McHugh & Associates  
Guste Island Holding Company, LLC



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C-2196  
Kevin Davis  
Parish President

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Hickory Dell Subdivision  
Warranty Obligation (\$8,400)**

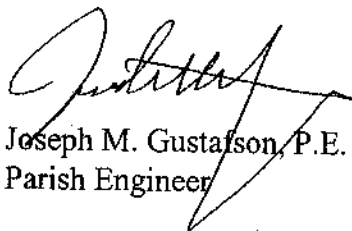
Honorable Council Members:

The Warranty Obligation in the amount of \$8,400 expires November 15, 2007 and is scheduled for review at the October 4, 2007 meeting.

This office has inspected the site. All work covered by this Warranty Obligation is satisfactory.

Therefore it is recommended that the Warranty Obligation be released upon expiration. This is a public access subdivision and the parish will maintain the roadways and drainage. The property owners will maintain the detention pond.

Sincerely,



Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable Gary Singletary  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long  
Mr. Shannon Davis  
Mr. Earl J. Magner, P.E.  
Hickory Dell, LLC  
J.V. Burkes & Associates



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C-2196

*Kevin Davis*  
*Parish President*

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Northshore Commercial Park Subdivision  
Warranty Obligation (\$40,500)**

Honorable Council Members:

The Warranty Obligation in the amount of \$ 40,500 expires November 15, 2007 and is scheduled for review by the Parish Council at the October 4, 2007 meeting.

The developer was notified on July 12, 2007 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed.

This office has not received such notification Therefore, this obligation must be extended for one (1) year or until the work is satisfactorily accomplished.

The following punch list items remain:

1. The six (6) foot boulevard median needs to be constructed as shown on the AS-BUILT drawing;
2. Roadside ditches are silted up and need to be regraded to provide positive flow. Erosion protection must be applied so that siltation does not occur prior to building construction on the lots;
3. Check cross culverts for possible silt removal needed;
4. "No outlet" sign needs to be straightened;
5. Replace blue reflectors as needed;
6. Detention pond slopes need to be dressed. A mature stand of grass needs to be present on the top, slopes and bottom before the Parish can accept the pond for maintenance;
7. AS-BUILT drawing needs to be revised to show how the drainage functions along the east side of the boulevard entrance;
8. Show 8 foot fence on the as-built drawing;
9. The 70% living screen needs to be planted at the sewer treatment plant;
10. The access road to the sewer treatment plant needs to have adequate surface material and adequate roadside drainage with erosion protection;
11. Remove temporary sign frame from entrance;
12. All roadside ditch slopes that are not fronting a "lot of record" must be dressed and adequate erosion protection applied before the Parish can accept the ditches for maintenance.

Sincerely,

Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable Al Hamauei  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long

Mr. Shannon Davis  
Mr. Earl J. Magner, P.E.  
CEI  
Hi-Rollers Investments, LLC





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C-2196

*Kevin Davis*  
*Parish President*

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Tallow Creek Subdivision, Phase 1-I-1  
Warranty Obligation (\$23,900)**

Honorable Council Members:

The Warranty Obligation in the amount of \$23,900 expires November 17, 2007 and is scheduled for review by the Parish Council at the October 4, 2007 meeting.

The developer was notified on July 18, 2007 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed.

This office has not received such notification. Therefore, this obligation must be extended one (1) year or until the work is satisfactorily accomplished.

The following punch list items remain:

1. Roadway needs to be broomed for a meaningful inspection to be made;
2. Replace blue reflectors.

Sincerely,

Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable Marty Dean  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long  
Mr. Earl J. Magner, P.E.  
J.V. Burkes & Associates  
Lonesome Development, LLC



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C-2196

*Kevin Davis*  
*Parish President*

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Timberlane Subdivision, Phase 2  
Warranty Obligation (\$46,800)**

Honorable Council Members:

The extended Warranty Obligation in the amount of \$46,800 expires September 12, 2008.

This office has inspected the site. The following work has been satisfactorily completed:

1. Roadside ditches have been regraded to drain properly;
2. All signage has been installed;
3. Blue reflectors have been replaced;
4. Recreation facilities have been constructed;
5. Cross culverts have been cleared out;
6. Dumpsters have been removed from roadway;
7. Outfall ditch has been constructed properly so that detention pond functions as designed;
8. Excess silt has been removed from detention pond.

Therefore it is recommended that the Warranty Obligation be released.

This is a private subdivision and the Parish will not maintain any infrastructure.

Sincerely,

Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable Marty Dean  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long  
Mr. Shannon Davis  
Mr. Earl J. Magner, P.E.  
Tchefuncta Trace South  
McHugh & Associates



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C-21.96  
*Kevin Davis*  
*Parish President*

September 21, 2007

St. Tammany Parish Council  
P.O. 628  
Covington, LA 70434

**Re: Penn Mill Lakes Subdivision, Phase 2B  
Warranty Obligation (\$64,600)**

Honorable Council Members:

The Extended Warranty Obligation in the amount of \$64,600 expires November 8, 2007 and is scheduled for review by the Parish Council at the October 4, 2007 meeting.

The developer was notified on July 9, 2007 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed. If not, the obligation will be automatically called.

This office has not received such notification. Therefore, this obligation would normally be called. However, in accordance with Resolution Council Series No. C-1528, passed at the September 28, 2005 Special Parish Council meeting regarding Hurricane Katrina, the Warranty Obligation will be extended for one (1) year from the expiration date shown.

The following Punch List items were submitted to the developer on July 9, 2007 and remain:

1. The roadway needs to be broomed for a meaningful inspection to be made;
2. Many roadside swales and driveway swales do not drain properly. This phase needs to be reviewed by your engineer to ensure that positive flow is provided at all driveways;
3. The northwest corner of Lakeview Lane and Huseman Lane is holding water; swales need to be graded to provide positive flow and eliminate standing water in the roadway;
4. Northeast entrance to Foal Court and Lakeview Lane is holding water; swales need to be graded to provide positive flow and eliminate standing water in the roadway;
5. Foal Court cul de sac is holding water in the front of lots #s 120, 121, 122, 125 and 126; grass swales and possibly driveway swales need to be regraded and reconstructed properly to provide positive flow to flush grates;
6. Revise AS-BUILT drawing to show location and grade of the culvert at the rear of lots #s 51, 52 & 53 that drains into the 40' drainage servitude;
7. Replace and/or straighten all signage where required;
8. Replace blue reflectors where needed;
9. "NO OUTLET" signs are needed at the entrance to the cul de sacs;
10. Silt abatement measures are not functioning along Lakeview Lane where house construction is under way.

Sincerely,

Joseph M. Gustafson, P.E.  
Parish Engineer

JMG/bas

xc: Honorable James A. "Red" Thompson  
Mr. Ron Keller  
Mr. Greg Gorden  
Ms. Leslie Long

Mr. Earl J. Magner, P.E.  
CEI  
Penn Mill Lakes, LLC