

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO C-1848

COUNCIL SPONSOR MR. IMPASTATO PROVIDED BY D.A.'S OFFICE

RESOLUTION AUTHORIZING LEGAL COUNSEL TO SETTLE LAWSUIT ENTITLED "RIVER OF COMPASSION MINISTRIES", 22ND JUDICIAL DISTRICT COURT NO. 2005-14673 "F", PER THE RECOMMENDATION OF THE ST. TAMMANY PARISH DISTRICT ATTORNEY.

WHEREAS, a lawsuit, entitled "River of Compassion Ministries", 22nd Judicial District Court No. 2005-14673 "F", was filed against St. Tammany Parish.

WHEREAS, in an attempt to resolve this lawsuit with the plaintiff, River of Compassion Ministries, the Parish of St. Tammany wishes to settle this matter; and

WHEREAS, it is in the best interest of the Parish of St. Tammany to accept said settlement.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES, that by recommendation of the St. Tammany Parish District Attorney, the Parish of St. Tammany hereby agrees to settle the matter of "River of Compassion Ministries" with the following conditions:

1) St. Tammany Parish will grant the conditional use permit to River of Compassion Ministries under Case No. 05-02-017 - use: Maternity Home on 1.25 acre parcel of land on the south side of LA Highway 1088, west of Forest Brook Blvd. in Section 5, Township 8 South, Range 12 East in Ward 4 District 7, of the Parish of St. Tammany subject to these conditions:

- a) Reposition the maternity home so that there is a 95 foot minimum distance from the nearest point of the rear of the building to the rear property line, and an 80 foot minimum distance from the left side of the building to the left property line. (See attached Exhibit "A")
- b) A 20 foot landscape buffer to be approved by the Department of Planning on the rear and left side of the property facing the Forest Brook Subdivision.
- c) An 8 foot privacy fence to be approved by the Department of Planning in the rear and left side of the property facing the Forest Brook Subdivision.
- d) Standard conditions outlined in staff report, Case No. 05-02-017.
- e) All other applicable local, State and Federal regulations.

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

MOVED FOR ADOPTION BY BAGERT, SECONDED BY BINDER

YEAS: FITZMORRIS, THOMPSON, BRISTER, IMPASTATO, CANULETTE, BAGERT, BILLIOT, BINDER (8)

NAYS: DEAN, STEFANCIK (2)

ABSTAIN: 0

ABSENT: GOULD, SINGLETARY, THOMAS, BURKHALTER (4)

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 3RD DAY OF AUGUST 2006, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

Steve Stefanick
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:
Diane Hubschen
DIANE HUBSCHEN, COUNCIL CLERK

TWENTY SECOND JUDICIAL DISTRICT COURT
FOR THE PARISH OF ST. TAMMANY
STATE OF LOUISIANA

DOCKET NO: 2005-14673

DIVISION "F"

RIVER OF COMPASSION MINISTRIES

VERSUS

PARISH OF ST. TAMMANY

FILED: _____

DEPUTY CLERK

JOINT MOTION & ORDER TO DISMISS WITH PREJUDICE

On Joint motion of William Magee, attorney for plaintiff, River of Compassion Ministries, and of the defendant Parish of St. Tammany Parish, through the undersigned counsel, and on suggesting to the Court that:

The plaintiffs and defendant have entered into a full and complete compromise and settlement of all of the plaintiff's claims and actions against the Parish of St. Tammany, and that the plaintiff desires to dismiss his action with prejudice, each side to pay its' own costs, fees and expenses.

Considering the foregoing Joint Motion,

IT IS ORDERED, ADJUDGED AND DECREED that this action is dismissed, with prejudice.

Covington, Louisiana this _____ day of _____, 2006.

J U D G E



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