

**MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING**

**WEDNESDAY, AUGUST 1, 2013 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

**21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Jerry Binder, Chairman**

**Invocation by Mr. Groby**

**Pledge of Allegiance by Ms. O'Brien**

**Roll Call:**

<b>Marty Dean</b>	
<b>Dennis Sharp</b>	
<b>James A. (Red) Thompson</b>	
<b>R. Reid Falconer</b>	
<b>Martin W. Gould, Jr.</b>	<b>ABSENT</b>
<b>Richard E. Tanner</b>	
<b>Jerry Binder</b>	
<b>Jacob (Jake) Groby</b>	
<b>Chris Canulette</b>	
<b>E. L. Gene Bellisario</b>	
<b>Maureen O'Brien</b>	
<b>Steve Stefancik</b>	<b>ABSENT</b>
<b>Richard Artigue</b>	
<b>Thomas (T.J.) Smith, Jr.</b>	

**PRESENTATIONS**

**Binder - 1. Introduction of Junior Council Member for August - Kathryn Ryan. (Binder)**

**Binder - Ms. Ryan had to go out of town unexpectedly, so I would like to postpone this item indefinitely.**

**Binder - 2. Certificate of Recognition to Bonnie C's Restaurant as Business of the Month for August. (Binder)**

**Binder, Artigue and Brister - presented the certificate to Owners, Bonnie Copeland and Tim Thompson.**

**Binder - the food is delicious and plentiful and either Mr. Tim or Ms. Bonnie will come to your table to check on you every time you visit.**

**Tim Thompson - thanks the Council for giving them such a great honor. They want to make sure all of their customers are happy.**

**Binder - 3. Certificate of Recognition to Troop 85 Eagle Scout - Andy Slama. (Falconer/Gould)**

**Falconer and Brister - presented the certificate.**

**Falconer - he knows Andy has set high standards and goals for himself.**

**Binder - 4. Presentation to recognize the 75th Anniversary of the Caplan Eye Clinic. (Brister)**

**Brister - presented certificate to Dr. Daniel Caplan. The Eye Clinic is the oldest Eye Care Clinic in Louisiana. The Mandeville location was established in 1995. They provide quality eye care using the latest technology.**

**Falconer - moved to open the Off-the-Floor Agenda to move up Item #1, second by Tanner. Unanimous with 2 absent (Gould, Stefancik).**



7. Ord. Cal. No. 5052 - Ordinance to correct the Road and Drainage Inventory to include Greenhouse Road Lateral; Salt Lick Lane Lateral; 16TH Section Road Lateral; W-15 L-1 Canal a/k/a Civic Club Lane Lateral; and to remove a portion of Josephine Street. (Wards 3, 6, & 8) (Districts 2, 6, 8 & 11) (Binder/Brister)

8. Ord. Cal. No. 5053 - Ordinance to rename Post Oak Drive (R09C020) as Pin Oak Drive (R09C021). (Ward 9, District 11) (Binder/Brister)

10. Ord. Cal. No. 5055 - Ordinance to Amend the 2013 Operating Budget-Amend. No. 6. (Binder/Brister)

11. Ord. Cal. No. 5056 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions, for rezoning or resubdivision of property, not previously applied for, located north of Interstate 12 and abutting or having access to Airport Road, within the unincorporated boundaries of Ward 9, District 11. (Stefancik)

### RESOLUTIONS

1. Resolution C.S. No. C-3779 - Resolution to approve and authorize the Parish President to sign and/or execute an Intergovernmental Cooperative Endeavor Agreement between the Louisiana Department of Transportation and Development and the Parish for the purpose of construction of a right-of-way levee ramp at US Hwy 11. (Ward 9, Districts 12 and 13) (Binder/Brister)

2. Resolution C.S. No. C-3780 - Resolution Establishing Performance and Warranty Obligations. (Binder/Brister)

4. Resolution C.S. No. C-3782 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Binder/Brister)

5. Resolution C.S. No. C-3783 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Other (Fund 419-14). (Binder/Brister)

6. Resolution C.S. No. C-3784 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - District 4 - (Fund 304). (Binder/Brister)

7. Resolution C.S. No. C-3785 - Resolution requesting the Louisiana Department of Transportation and Development reduce the speed limit to 45 mph for a portion of Highway 21 east of its intersection with Highway 40 at the Fifth Ward Jr. High School to its intersection with Highway 41. (Ward 5, District 6) (Tanner)

8. Resolution C.S. No. C-3786 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish of St. Tammany and The Louisiana Department of Natural Resources for the purpose of annual renewal of the Parish local coastal program contract. (Binder/Brister)

### END OF CONSENT CALENDAR

Canulette - moved to refer the Consent Calendar, less items pulled, to the full Council, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik).

Binder - 9. Ord. Cal. No. 5054 - Ordinance to authorize the Parish President to acquire by Act of Donation certain Rights-of-Way and/or Servitudes located along Oalman Road East and further for the Parish to incorporate the donated property into the Parish Maintenance System. (Binder/Brister)

Homer Dutsch - this property adjoins his property. At first the Parish had a 60-foot right-of-way, but the Parish did not maintain it, so he began cutting and maintaining it. Then he received a letter

from the Parish stating a formal dedication of the right-of-way could not be found. Since the Parish was not maintaining the right-of-way, he built a fence to include it in his property except for 18 inches on the opposite side of the ditch, and now the Parish wants a donation after the fact.

Kelly Rabalais - they have been working with Public Works on this matter. When the right-of-way was researched, no formal dedication was found. The property owner's daughter indicated she wanted to donate the property. Code Enforcement has been working with the owners because they made the original request.

Tanner - moved to introduce, second by Thompson.

Binder - 3. Resolution C.S. No. C-3781 - Resolution to support and authorize the Parish President to submit an action plan to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant - Disaster Recovery (CDBG-DR) funding. (Binder/Brister)

O'Brien - this is only regarding disaster recovery?

Gina Campo - it is to approve the filing of an action plan to use disaster recovery funds received from Hurricane Isaac.

Bellisario - moved to adopt, second by Smith. Motion passed 11 yeas, 1 nay (Groby) and 2 absent (Gould, Stefancik).

#### APPEALS

Binder - 1. Andreas Antzoulis appealing the Zoning Commission DENIAL of a Plan Review for a 2,041 square foot retail building located west of Highway 21, south of Arborwalk Drive, north of Dummyline Road being 339 Hwy 21, Covington. (Ward 1, District 1) (PR13-04-001) (Postponed 7/11/13)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of a resolution.

Brian Pichon- he represents the owner of the property, and they are in agreement to comply with the Staff and Mr. Dean's recommendations.

Dean - this is an abnormal shaped property with boundary issues because of its location in the Highway 21 corridor. If the property owner followed all of the regulations, then he would only be able to build a building on 3 feet of the property. The owner wants to build a 2000 square foot building instead of 750 square feet. He is going to approve them to do this with 5 variances, including planting more trees to buffer the building from the neighboring residential property. He cannot require the owner to keep the property out of commerce.

Sandra Slifer - the Association of Associations unanimously voted against the variances because they fear it will set an example for other buildings in the corridor. The residents have already expressed their concerns, and they asked her to request meetings in order to put a new plan in place for the Highway 21 corridor. They are concerned about the way future small areas will be handled.

Dean -this is not a rezoning issue and no property has been rezoned in the area since comprehensive rezoning. He would be happy to meet with the residents to make plans for other small areas. This is a Plan Review. He does not believe there is another piece of property like this on Highway 21, and he cannot tell the owners they cannot build without causing legal issues regarding the taking of property.

Terry Hand - he does not think this will set a precedent because of the strange shape of this property, and it will be considered a taking of property, if the Parish tells the owner they are not allowed to build.

Dean - moved to override the Zoning denial, second by Sharp. Unanimous with 2 absent (Gould, Stefancik).

Dean - moved to adopt a resolution, second by Thompson. Unanimous with 2 absent (Gould, Stefancik); becomes Resolution C.S. No. C-3787.

Binder - 2. Matthew Allen and Little Tchefuncte River Association appealing the Planning Commission Approval on June 11, 2013 of Preliminary Subdivision Review of Pruden Creek (Resubmitted) (Ward 3, District 3) (Applicant Pruden Creek Properties, LLC.

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of a resolution.

Matthew Allen - President of the Little Tchefuncte River Association seven years have gone by and nothing has happened on this property. This property floods and with the threat of rising insurance rates this contradicts what the Parish has been working toward. The majority of this property is in flood zones on the current map. Over one-third of the houses in this development are in Flood Zone A. The plan shows that the houses will be built at 32 feet, but he is worried about the cars and the roads flooding. If the houses are instead built on slabs on a grade, then it will put Penn Mill Estates in danger of flooding. This property has gone completely underwater eight times in the last 50 years which is an average of once every six years. The developer is not living up to the original agreement. He is also worried about the gravity fed sewerage system. With the treatment plant at the lowest location air will not be allowed to flow through the system properly. If the sewerage plant is approved, it should moved to higher ground with a forced main. He would like to see the whole project go back through the whole planning process. Also, he thinks there needs to be a new traffic study.

Amy Guillet - resident of Penn Mill Road across from this subdivision. It seems like the creek floods during every heavy rain. Also, this is another subdivision down from them which has gone bankrupt and has never been built and another two subdivisions have been approved.

Alex Entrap - with the Nature Conservancy - he is asking the new developer to stick to the seven agreements the first developer agreed to.

Jeff Schoen - he represents the new developer, Pruden Creek, this is 24-acres which has already received PUD and preliminary plan approval. If has been approximately six years since the last approval. According to Parish regulations, if a work order is not applied for within a year of PUD approval, the approval will expire. His client agrees to develop and build according to the Nature Conservancy requests and the original plan filed and approved in 2006 and 2010 with the exception the drainage plan was going to drain with effluent natural drain, but due to the concerns of the citizens, they are going to move the effluent flow across the conservancy to the north of the property, so it will not cause any adverse effects. The previous traffic study was not required but was conducted and has not expired. There will be no net fill and the run off must be reduced in the development track by 25 percent over the undeveloped tract. The Planning Commission unanimously approved and the original memorandum with the agreements will be a part of this plan.

Allen - he is not talking about heavy runoff or flooding of the property, he is concerned about the creek overflowing and the building of raised pads will change the way the water flows. Also, the sewers will be below flood level.

Schoen - the drainage issue has been addressed and the drainage specifications meet code, and they will do what is necessary to meet all requirements of different agencies, including the DEQ. The drainage changes generated by this development will change the way the water flows, but it will be 25 percent less than it is now. They know there is a history of water in the area, but that does not mean the developer cannot meet the standards and even make it better.

Grobby - will there be lift stations?

Schoen - lift stations and manhole covers.

Thompson - they had these same conversations in 2006 and 2007. The only thing which has changed is the drainage flow?

Sidney Fontenot - according to the original PUD plans, nothing else has changed.

Thompson - he does not know of any other development built out there. As far as the Penn Mill flooding, it is caused because the Parish has not been allowed to clean the canals in the Conservancy.

Thompson - moved to concur with the Planning approval, second by Falconer. Unanimous with 2 absent (Gould, Stefancik).

Thompson - moved to adopt a resolution, second by Falconer. Unanimous with 2 absent (Gould, Stefancik); becomes Resolution C.S. No. C-3788.

#### ORDINANCES FOR ADOPTION

Binder - 1. Ord. Cal. No. 5008 - Ordinance amending the Official Parish Zoning Map to reclassify 5.0192 acres located south of Browns Village Road, west of US Highway 11, being 38008 Browns Village Road from HC-3 (Highway Commercial District) to I-1 (Industrial District). (Ward 8, District 14) (ZC13-05-029) (ZC approved 5/7/13) (Introduced 6/6/13) (Postponed 7/11/13)

Smith - we are waiting on some answers from the property owner. Mr. Fontenot - have you or Ms. Lambert received a deed restriction or information regarding planting on this property?

Fontenot - I do not know, but I can go research it and get the answer before the end of the meeting.

Smith - moved to table to later in the meeting, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik).

Binder - 2. Ord. Cal. No. 5013 - Ordinance to amend and reenact the Parish Code of Ordinances, Chapter 3 Alcoholic Beverages, Article VII All Wards, to add provisions for the issuance of special event permits, and making necessary renumbering and other technical amendments.(Introduced 6/6/13) (Postponed 7/11/13)

Bellisario - he would like to leave the definition of a restaurant which grosses at least 60% of its average monthly revenue from the sale of food at 60% rather than changing it to 50%.

Mike Sevante - he would like to propose, the ordinance be amended to make some technical changes which are necessary.

Tanner - wants to make sure the ordinance does not change the requirement age of servers to 21. He would like to see it remain at 18.

Carlos Hernandez - he agrees with the amendments and technical changes suggested, but he would also like to clarify an amendment which he requested. When the regulations were passed to allow permits to be issued for serving alcohol, the drinking age was 18, now the drinking age is 21. There are several national chains which have a policy where only staff over the age of 21 are allowed to serve alcohol. He thinks it is okay for 18 year-olds to work as wait staff, but they should not be able to serve alcohol. He also thinks a person should be 21 before they are able to obtain an alcoholic beverage permit and to enter a bar.

Bellisario - moved to amend the ordinance as recommended, second by Dean. Unanimous with 2 absent (Gould, Stefancik); becomes Ord. Cal. No. 5013AA.

Tanner - moved to adopt as amended, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2988.

Binder - 3. Ord. Cal. No. 5016 - Ordinance amending the official zoning map of St. Tammany Parish, LA, to reclassify 1.153 acres in Hickory Hills Subdivision located in Section 32, Township 8 South, Range 15 East from its present A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufacturing Housing Overlay) (Ward 8, District 9) (ZC13-06-041) (Postponed 6/6/13) (Introduced 7/11/13)

Bellisario - moved to postpone, second by Canulette. Unanimous with 2 absent (Gould, Stefancik).

Binder - 4. Ord. Cal. No. 5023 - Ordinance to revoke a portion of Bryan Drive Right-of-way, located in Slidell Ozone Heights Subdivision. (Ward 9, District 14) (Rev13-05-001) (Introduced 6/6/13) (Postponed 7/11/13)

Smith - moved to postpone, second by Canulette. Unanimous with 2 absent (Gould, Stefancik).

Binder - 5. Ord. Cal. No. 5024 - Ordinance to rename Carey Court (R09A047) as Chelsea Court. (Ward 9, District 11) (Postponed 7/11/13)

O'Brien - moved to adopt, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2989.

Binder - 6. Ord. Cal. No. 5034 - Ordinance amending the Official Parish Zoning Map to reclassify 21,000 square feet located south of Ball Street, west of Iron Street, being Lot 9, Square 16, Hillcrest Country Club Estates, Addition No. 2 from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 10, District 6) (ZC13-06-039) (ZC approved 6/4/13) (Introduced 7/11/13)

Tanner - moved to adopt, second by Thompson. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2990.

Binder - 7. Ord. Cal. No. 5035 - Ordinance amending the Official Parish Zoning Map to reclassify 4.39 acres located on the northeast corner of LA Highway 1080 and LA Highway 40 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC13-06-040) (ZC approved 6/4/13) (Introduced 7/11/13)

Thompson - moved to adopt, second by Dean. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2991.

Binder - 8. Ord. Cal. No. 5036 - Ordinance amending the Official Parish Zoning Map to reclassify 40,000 square feet located north of US Highway 190 East, east of Red Mill Drive, being lot 21, O. Faciane Subdivision and 42249 Highway 190 East, Slidell from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing District). (Ward 8, District 13) (ZC13-06-042) (ZC approved 6/4/13) (Introduced 7/11/13)

Artigue - moved to adopt, second by Smith. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2992.

Binder - 9. Ord. Cal. No. 5037 - Ordinance amending the Official Parish Zoning Map to reclassify 100 acres located south of LA Highway 36, east of Abita Airport, west LA Highway 434 from TND-1 (Traditional Neighborhood District) to I-2 (Industrial District). (Ward 6, District 7) (ZC13-06-043) (ZC approved 6/4/13) (Introduced 7/11/13)

Groby - moved to adopt, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2993.

Terry Louis Stevens - were the adjacent properties in this case personally notified to these zoning changes.

Sidney Fontenot - the law does not require any more than advertising the changes and posting signs on the property.

Stevens - that does not answer my question.

Patricia Brister - we posted and advertised the changes as the law requires.

Groby - we are trying to find a new way to notify the adjacent properties. However, we cannot make citizens check their mail, e-mail or the internet. Other parishes require the owner of the property requesting the zoning change to pay for certified mail to notify adjacent properties.

Binder - 10. Ord. Cal. No. 5038 - Ordinance amending the Official Parish Zoning Map to reclassify 0.54 acre located east of Lake Road, south of Elenore Drive from PF-2 (Public Facilities District) to A-1 (Suburban District). (Ward 7, District 7) (ZC13-06-044) (ZC approved 6/4/13) (Introduced 7/11/13)

Groby - moved to adopt, second by Canulette. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2994.

Binder - 11. Ord. Cal. No. 5039 - Ordinance establishing a speed limit of 25 MPH on a portion of Beverly Drive (3-D-022). (Ward 3, District 3) (Introduced 7/11/13)

Thompson - moved to adopt, second by Tanner. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2995.

Binder - 12. Ord. Cal. No. 5040 - Ordinance to Amend the 2013 Operating Budget - Amendment No. 5. (Introduced 7/11/13)

Bellisario - moved to adopt, second by Artigue. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2996.

Binder - 13. Ord. Cal. No. 5041 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically entering the right-of-way of Palm Plaza Subdivision, Phase 2. (Ward 3, District 2) (Introduced 7/11/13)

Sharp - moved to adopt, second by Tanner. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2997.

Binder - 14. Ord. Cal. No. 5042 - Ordinance to amend Section 2-092.00 of the Parish Code of Ordinances to allow for the addition of an officer within the President's Office. (Introduced 7/11/13)

Bellisario - moved to adopt, second by Thompson. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2998.

Binder - 15. Ord. Cal. No. 5044 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of Zoning permit applications and Planning Commission review and on the issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Introduced 7/11/13)

Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Gould, Stefancik); becomes Ordinance C.S. No. 13-2999.

Smith - moved to remove Ord. Cal. No. 5008 from the table, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik).

Binder - 1. Ord. Cal. No. 5008 - Ordinance amending the Official Parish Zoning Map to reclassify 5.0192 acres located south of Browns Village Road, west of US Highway 11, being 38008 Browns Village Road from HC-3 (Highway Commercial District) to I-1 (Industrial District). (Ward 8, District 14) (ZC13-05-029) (ZC approved 5/7/13) (Introduced 6/6/13) (Postponed 7/11/13)

Fontenot - we have not received any information on this matter from the property owner.

Smith - moved to postpone to the next meeting, second by Bellisario. Unanimous with 2 absent (Gould/Stefancik).

**NOMINATIONS**

**Binder - 1. Nominate two (2) members to the Board of Directors for the St. Tammany Parish Development District. (Current appointees: Peter Egan and Keith Baker - Terms Expire July 31, 2013) (Parishwide) (Binder)**

**Sharp - nominated Peter Egan.**

**Bellisario - nominated Keith Baker.**

**Canulette - moved to close the nominations, second by Tanner. Unanimous with 2 absent (Gould, Stefancik).**

**Canulette - moved to suspend the rules and appoint, second by Tanner. Unanimous with 2 absent (Gould, Stefancik); becomes Resolution C.S. No. C-3789.**

**Binder - 2. Nominate two (2) members to the Board of Directors for the St. Tammany Parish Communications District No. 1. (Parishwide) (Bellisario)**

**Tanner - nominated Mark Dyer.**

**Canulette - nominated Marty Gould.**

**O'Brien - nominated Jake Groby.**

**Bellisario - moved to close the nominations, second by Tanner. Unanimous with 2 absent (Gould, Stefancik).**

**Binder - this is a Parishwide nomination, so it needs to layover until next month for a vote.**

**Bellisario - the new Board of Directors needs to be in place no later than September 1. He would like to have a vote on this before then. He is requesting a Special Meeting be set.**

**APPOINTMENTS**

**Binder - 1. Resolution to reappoint James Core to Ward 2 of St. Tammany Parish Hospital District No. 1 (St. Tammany Parish Hospital). (Term expires: September 21, 2013) (Districts 2, 3, 6) (Thompson)**

**Thompson - moved to appoint, second by Tanner. Unanimous with 2 absent (Gould, Stefancik); becomes Resolution C.S. No. C-3790.**

**DISCUSSIONS AND OTHER MATTERS**

**Binder - 1. Motion to refer to Zoning Commission for recommendation on the proposed re-zoning of 6.33 acres located in Section 37, Township 8 South, Range 13 East from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7) (Groby)**

**Groby - moved to refer, second by Canulette. Unanimous with 2 absent (Gould, Stefancik).**

**Binder- we are going to consider each item on the Off-the-Floor Agenda separately.**

**ITEMS OFF-THE-FLOOR**

**Thompson - moved to open Off-the-Floor Item No. 2, second by Sharp. Unanimous with 2 absent (Gould, Stefancik).**

**Binder - 2. Resolution to authorize the chairman of the St. Tammany Parish Council, or in his absence the Vice Chairman, and the Parish President to enter into Cooperative Agreements with the municipalities located within the Parish of St. Tammany, and to abide with and conform to all the terms and conditions of the Housing and Community Development Act of 1974. (Bellisario)**

O'Brien - there are a lot of concerns coming from her district considering the current Community Development Block Grant is only funded through September 2013, what happens if this is not adopted.

Gina Campo - yes. If this is not approved, then the Cooperative Endeavor Agreements with the cities will not be valid and they will not be able to receive additional grant funds. This Resolution is only giving the President the authority to enter into the Agreements with the municipalities, so the municipalities can opt into the Development Grants in order to avail themselves of the money.

Brandy Morris - resident of Northpark Subdivision, the problem she has is with the federal oversight of the housing requirements when the grant funds are accepted. She pulled a number of discrimination suits which were filed against the federal government. She thinks they need to be discussed before the grant is accepted. When some northern states accepted this grant, properties were devalued.

O'Brien - Ms. Morris - we will address acceptance of these funds at another time. This is just to decide if the cities in the Parish want to accept the funds.

Binder - we had the same situation with the same concerns when Kevin Davis was President. Mr. Davis and his staff worked with everyone to address their concerns. With that grant, which the Council approved, have we encountered any problems with strong-handedness from the federal government?

Campo - she would have to say they have not received any high-handedness or pressure from the federal government on how to use any grants funds received. All grant funds the Parish accepts are subject to audit.

Brister - we have had 4 public meetings on this issue and it has been posted on the website since June 5<sup>th</sup>. The funds received in the past have been given to the Volunteers of America for their Repairs on Wheels program which repairs the homes of the elderly. The Town of Alton received funds to repair water and sewage. The Parish public transportation, GoSTAT also received funds for some of its programs.

Morris - only 5 to 10% of the funds are actually used for the projects mentioned. The remainder of the funds go toward urban development, such as Section 8 housing. She is concerned the Federal Government may come back at a later date and say the Parish did not live up to its obligations.

Bellisario - he serves on the Community Action Agency Advisory Board with Ms. O'Brien and Mr. Artigue. The Board reviews the projects which are being funded and they do not go toward urban development. The federal government has never questioned the Parish as to how the money is being used.

Smith - he is embarrassed that the question of urban development is coming up. These Grants are exactly what they say they are. Ms. Morris is suggesting there is too much oversight, but all the Parish is trying to do is to provide safety for the communities. He has a serious problem with people picking on spending money to help people who cannot help themselves. Ms. Morris is comparing property value to the needs of the people. Parish Government is responsible for the health and welfare of the public.

Canulette - one of the jobs of the Council is to make funds and opportunities available to the cities. The Council does not tell the cities how to use the money.

Binder - he served on the Council for the City of Slidell, and they did not have problems with the federal government overseeing how the funds were used.

Morris - she is not a part of a cities, so it effects her how the Parish uses the grant money. She is not condoning helping people, she just thinks the Parish needs to make sure the federal government does not dictate how the money is used.

Brister - out of over 3000 counties in the U.S., it is impressive that only 15 of those counties did not use the money correctly. This Parish has a wonderful grants department who follow the rules, and she will stand behind them every day.

**Bellisario - what is the due date to submit this application?**

**Campo - the final package needs to be submitted by August 16<sup>th</sup>. The Cooperative Endeavor Agreements need to be executed immediately. The actual substance of the plan has been on the website since June 5<sup>th</sup>, and she can make it available to anyone who would like to see it.**

**Dean - any money accepted from the federal government has specific criteria which need to be met by the Parish. If the Parish does something wrong, the Department of Justice will come to ensure the Parish is using the money properly.**

**Sara Wood - lives in the City of Mandeville. Was the Cooperative Endeavor Agreement made available on the website?**

**Campo - the Agreements are not normally on the website.**

**Wood - she thinks the Council needs to approve the final agreements before they approve the President to sign. She has been told, the home investment plan is not involved, but she would like to see it.**

**Campo - the Parish has not ever accepted the Home Investment Plans.**

**Wood - she wants to know about the consolidated plan through 2017. The main information coming across in the emails is that this CDBG has nothing to do with Section 8, but the consolidated plan shows that it does contain Section 8 housing.**

**Campo - the consolidated plan provides for programs such as transportation, home energy audits, weatherization public service allocations to food banks, dental clinics, and family empowerment.**

**Brister - she meets with the Council on all documents, she does not just sign agreements all on her own.**

**Campo - the Cooperative Endeavor Agreements are renewed every 3 years with Covington, Mandeville, Madisonville, Abita Springs and Pearl River. This is a renewal for the next 3 year cycle.**

**Wood - the Louisiana's 3,000 Unit Permanent Supportive Housing Initiative, mentioned on the Louisiana Housing Corporation website, lists St. Tammany Parish as a major player.**

**Campo - that is not the Parish but the Florida Parishes Human Services Authority.**

**Wood - she is in favor of helping the needy, but when you look at the use of the funds, the Parish receives 20% of the grant funds. She does not think it is a good idea for the Parish to accept the money. She thinks someone needs to take a stand against the federal government.**

**Brister - in 2008 to 2009 the Parish Administrative cost was \$200,000 out of 1 million. The reason they have to take the administration costs is to ensure that they keep track of the funds and follow the rules. You are complaining about using federal funds, but those are the funds of the people, don't you want your money to come back to our Parish to help our citizens?**

**Bellisario - moved to adopt, second by Smith. Motion passed with 10 yea, 2 nay (Groby, O'Brien) and 2 absent (Gould, Stefancik); becomes Resolution C.S. No. C-3791.**

**Binder - 3. Set the salary of Executive Director for the Coroner's Office. (Bellisario)**

**Bellisario - moved to open Off-the-Floor Item No. 3, second by Artigue.**

**Binder - upon advice by legal counsel, the floor can be opened for discussion before a vote is taken.**

**Kort Hutchinson - the salary proposed for a new hire for the Coroner's Office is ridiculous until the audit is finished. He thinks with as little work as is done by the Coroner's Office, no one new should be hired. The salaries for the Coroner's in Jefferson and Orleans are in the \$70,000 range, and their workload is 90% higher the St. Tammany Parish.**

**Chuck Branton - he is here on behalf of the Coroner. This Executive Director position is a necessary position which is currently vacant. St. Tammany Parish is the only Coroner's Office certified to do toxicology, psychiatric evaluations, and DNA analysis. The Jefferson Parish Coroner's Office uses the Sheriff's Office. The individuals who work for the Coroner all have specific skill sets. The salary requested of \$115,000 is less than the previous Executive Director. The Coroner hired a firm to search for applicants and the current applicant was the only one who qualified for all 5 of the criteria advertised. This candidate is needed to help maintain the accreditations the Coroner's office has attained.**

**Binder- was the previous CEO a forensic expert?**

**Branton - no.**

**Binder - there are a lot of good workers in the Coroner's Office. The issues at hand are not their problem, but if the previous CEO did not have experience, why is this particular candidate needed now?**

**Branton - the previous CEO was a manager and in-house counsel. This candidate is needed to keep accreditation and manage the day to day operations, but this is not a normal manager job. The office has outstanding doctors and death investigators, but they need someone to manage them.**

**Binder - he wanted to understand the qualifications of the previous CEO and this one.**

**Groby - cannot compare apples to bananas. Is this candidate going to manage the office and do forensics? How did the Coroner's Office obtain the accreditations before?**

**Branton - there are pending renewal accreditations for toxicology and DNA and in order to comply with the requirements, a scientist with management abilities is needed. The Coroner wants this office to run in the best way possible.**

**Groby - he thinks Dr. Galvan needs to come before the Council to request the salary be set. The Council does not have enough information to decide on a salary. He thinks this should be postponed until the next meeting.**

**Hand -we do not have an item on the floor to consider a postponement.**

**Dean - I see the Coroner made a mess of things. He does not know why the CEO or the CFO resigned. All he knows is Galvan made a mess of things, and the Council is here to fix it. We have to figure out if we should pay this person.**

**Branton - this is a simple solution in his mind. The Coroner is asking the Council to follow the law as it is. No one has questioned him until this point.**

**Falconer - it strikes him as odd that Mr. Branton is here earning his fee and is not an employee of the Coroner's Office. He is uncomfortable talking to a third party contractor. It seems to him that an Executive Director has already been elected.**

**Canulette - the Council did not ask to run the Coroner's Office, and we do not want to. He is tired of hearing how bad the office is, the things being said about the office as a whole, are not correct. These employees should not be blamed for one man's mess.**

**Bellisario - he wants to see what others are being paid, and he wants to see the position descriptions of others and how much they are being paid before he can make a decision on this candidate.**

**O'Brien - would Melanie Comeax have been fired because she was not doing her job correctly. Why was she hired as a attorney, if forensic skills are so important to this position?**

**Branton - he cannot not say because he was not there at the time. He can only speak to the present, and the Coroner thinks these skills are now needed.**

**Groby - how many mental notifications do they receive in a day? Did Ms. Comeaux's job include screening these cases?**

Branton - an average of 8 to 10 per day. He does not know if Ms. Comeaux conducted screenings. The Coroner's Office worked with a consultant to develop this job description.

Terry Stevens - on behalf of Concerned Citizens of St. Tammany, she urges the Council to table this issue and do a needs analysis before any other positions are filled. It is the Council's job to look out for the taxpayers.

Melody Martindale Blessing - she is just here as a citizen. The Coroner made the mistakes. The taxpayers voted for a tax to have a state of the art facility. Why would we not want someone with state of the art skills to manage the building. This man was sought out by professionals, he was not looking for this job.

Binder - our duty as set out by the State Legislature, is to set the salaries at the Coroner's Office. In order to do that the Council needs to decide if they are prepared and fully informed to make that decision.

Kenny Kehoe - resident of Lacombe, it has been pointed out that if we miss this opportunity, we will have a hard time finding someone as qualified. He sees the other side. We have a state of the art facility, when everything is cleaned up, we will have our pick of candidates and get anybody we want.

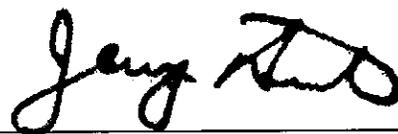
Canulette called the question and a vote on the motion to open this item. Motion failed with 10 yeas, 2 nays (Groby, O'Brien) and 2 absent (Gould, Stefancik). (\*Clerk's note - a vote to hear items from Off-the-Floor must be unanimous.)

Bellisario - moved to open Off-the-Floor Item No. 4, second by Groby. Unanimous with 2 absent (Gould, Stefancik).

Binder - 4. Resolution to appoint Chief Merrick Tassin (nominated by Parish District Fire Chiefs) and Marlin Peachy (Nominated by the Parish Sheriff) to the Board of Directors for St. Tammany Parish Communications District No. 1. (Bellisario)

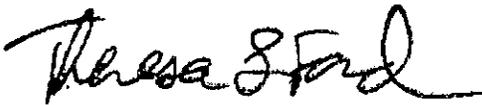
Canulette - moved to adopt, second by Bellisario. Unanimous with 2 absent (Gould, Stefancik); becomes Resolution No. C-3792.

There being no further business, meeting adjourned at the call of the Chairman.



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JERRY BINDER, COUNCIL CHAIRMAN



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THERESA L. FORD, COUNCIL CLERK