

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, NOVEMBER 3, 2011 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Martin Gould, Jr., Chairman

Invocation by Jerry Binder

Pledge of Allegiance by Becky Howell

Roll Call: Marty Dean
Gary Cooper
James A. "Red" Thompson
R. Reid Falconer
Rebecca Howell
Al Hamauei
Marty Gould
Chris Canulette
E. L. Gene Bellisario
Henry Billiot
Steve Stefancik
Jerry Binder
Richard Artigue
Ken Burkhalter

**SPECIAL ITEMS - PUBLIC HEARING
2012 PARISH OPERATING/CAPITAL BUDGETS**

Gould - 1) Ord. Cal. No. 4647 - Ordinance adopting the 2012 Parish Operating Budget. (Introduced 9/28/11)

Canulette - moved to table, second by Stefancik. Unanimous with no one absent.

Gould - 2) Ord. Cal. No. 4648 - Ordinance adopting the 2012-2016 Parish Capital Improvement Budget and Program, and further identify Fixed Assets & Grants Awards. (Introduced 9/28/11)

Artigue - moved to table, second by Burkhalter. Unanimous with no one absent.

PRESENTATIONS

Gould - 1. Certificate of Recognition to Len Finley for his years of service on the Board of St. Tammany Parish Sewerage District No. 4. (Falconer) (Tabled 10/6/2011)

Falconer - moved to table, second by Thompson. Unanimous with no one absent.

Gould - 2. Certificate of Recognition to David Spicuzza for his years of service to the Town of Abita Springs. (Gould)

Gould - thanked Mr. Spicuzza for his efforts in designing the architecture for the new park in Abita Springs. (Read certificate)

Louis Fitzmorris - Mayor of Abita Springs - it is great to have Mr. Spicuzza as Citizen of the Year. He participates in all kinds of events and always steps up to provide help. Mr. Spicuzza was instrumental in the Trailhead Park Project and was there every day. He is a wonderful part of the Abita Springs community.

David Spicuzza - he thanks the Parish for giving him this award. He is just one of many volunteers, and he hopes other volunteers will be recognized. He accepts this recognition on behalf of all the unsung Citizens of the Year.

Kevin Davis - introduced Parish President Elect Pat Brister.

Gould - 3. Recognition of Management Information Systems for its achievement being named one of America’s top Digital County Governments. (Gould/Davis)

Burkhalter - introduced Rick Loggins, Director of MIS/GIS, and Suzanne Parsons Stymies, Director of Cultural & Governmental Affairs.

Rick Loggins - the Parish completed a survey regarding where it is technologically and entered the contest against 5000 other counties. The Parish came in 9th place against counties with same population. All of the MIS/GIS and GAC staff enjoy what they do.

Bellisario - moved to open the Off-the-Floor Agenda, second by Binder. Unanimous with no one absent.

Binder - moved to move up Item No. 3 from the Off-the-Floor Agenda, second by Burkhalter. Unanimous with no one absent.

Gould - 3. Recognition of members of the military, veterans and their families thanking them for their service to this country as Veteran’s Day approaches on November 11, 2011. (Binder)

Binder - as the world gets more difficult, he has come to realize more and more the sacrifices the military makes for our freedom. Sunday there is a Veteran’s Day parade in Slidell at 1:00 p.m. starting at Slidell High School.

Gould - call to Council and Audience for items to be pulled from the Consent Calendar.

Ord. Cal. No. 4637	Ord. Cal. No. 4645	Ord. Cal. No. 4655
Ord. Cal. No. 4675	Ord. Cal. No. 4677	Ord. Cal. No. 4681
Resolution C.S. No. C-3190	Resolution C.S. No. C-3207	Resolution C.S. No. C-3244
Resolution C.S. No. C-3252	Resolution C.S. No. C-3253	Resolution C.S. No. C-3255
Resolution C.S. No. C-3263	Resolution C.S. No. C-3265	

Consent Calendar less items pulled:

CONSENT CALENDAR

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually. (Call to Council Members and Audience for items to pull)

MINUTES

Regular Council Meeting	October 6, 2011
Council Committee Meeting	October 26, 2011

ORDINANCES FOR INTRODUCTION

(Public Hearing: December 1, 2011)

4. Ord. Cal. No. 4662 - Ordinance authorizing the Parish President, to accept the act of dedication and donation of a portion of Red Rooster Road for inclusion into the road maintenance system. (Ward 8, District 9) (Bellisario) (Tabled 10/6/11)

5. Ord. Cal. No. 4673 - Ordinance amending the Official Parish Zoning Map of to reclassify 28,183 square feet located north of LA Highway 36, east of St. Landry Street, west of Manor Street from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (ZC11-10-081) (Zoning Commission approved 10/4/11) (Gould/Davis)

6. Ord. Cal. No. 4674 - Ordinance amending the Official Parish Zoning Map to reclassify 100.43 acres located south of Thibodeaux Road, east of Stafford Road from A-1 (Suburban District) to an A-1-A (Suburban District). (Ward 2, District 2) (ZC11-10-084) (Zoning Commission approved 10/4/11) (Gould/Davis)

8. Ord. Cal. No. 4676 - Ordinance to authorize the Parish President, to lease a portion of a transmission tower from Cleco Power, LLC for regional data communications. (Gould/Davis)

10. Ord. Cal. No. 4678 - Ordinance to authorize the Parish President to purchase or otherwise acquire certain parcels, rights-of-way and/or servitudes located in Little Creek Center Subdivision. (Gould/Davis)

11. Ord. Cal. No. 4679 - Ordinance to authorize the Parish President to acquire certain parcels, rights-of-way and/or servitudes for Arthur Court. (Gould/Davis)

12. Ord. Cal. No. 4680 - Ordinance to authorize the Parish President to enter into a lease agreement for certain parcels for the Fishing Pier Parking Lot. (Gould/Davis)

14. Ord. Cal. No. 4682 - Ordinance to correct the Road and Drainage Inventory to include Highway 41 Lateral. (Ward 6, District 6) (Gould/Davis)

15. Ord. Cal. No. 4683 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structures on property within the boundaries of the subdivision known as Serenity Oaks. (Ward 9, District 14) (Burkhalter)

RESOLUTIONS

3. Resolution C.S. No. C-3210 - Resolution to support Fire Protection District No. 2's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing updated Extrication Equipment. (Gould/Davis) (Tabled 10/6/11)

4. Resolution C.S. No. C-3212 - Resolution to support Fire Protection District No. 4's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a Radiological Monitoring System. (Gould/Davis) (Tabled 10/6/11)

6. Resolution C.S. No. C-3245 - Resolution Establishing Performance and Warranty Obligations. (Gould/Davis)

7. Resolution C.S. No. C-3246 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

8. Resolution C.S. No. C-3247 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

9. Resolution C.S. No. C-3248 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards, to make changes to the District 2 Capital Improvements List. (Gould/Davis)

10. Resolution C.S. No. C-3249 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards, to make changes to the District 3 Capital Improvements List. (Gould/Davis)

11. Resolution C.S. No. C-3250 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards, to make changes to the District 6 Capital Improvements List. (Gould/Davis)

12. Resolution C.S. No. C-3251 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

15. Resolution C.S. No. C-3254 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the St. Tammany Parish Tourist Commission for northshore culinary experience and tourism promotion. (Gould/Davis)

17. Resolution C.S. No. C-3256 - Resolution stating the Parish Council's endorsement of The Ear & Balance Institute, Inc.-Gobio Land, LLC for participation in the benefits of the Louisiana Enterprise Zone Program. (Gould/Davis)

18. Resolution C.S. No. C-3257 - Resolution stating the Parish Council's endorsement of Nunmaker Yachts, Inc. for participation in the benefits of the Louisiana Enterprise Zone Program. (Gould/Davis)

19. Resolution C.S. No. C-3258 - Resolution stating the Parish Council's endorsement of Slidell Dental Associates, LLC for participation in the benefits of the Louisiana Enterprise Zone Program. (Gould/Davis)

20. Resolution C.S. No. C-3259 - Resolution stating the Parish Council's endorsement of Walgreen Louisiana Co. Inc. for participation in the benefits of the Louisiana Enterprise Zone Program. (Gould/Davis)

21. Resolution C.S. No. C-3260 - Resolution stating the St. Tammany Parish Council's endorsement of Jackson Cabinetry, LLC for participation in the benefits of the Louisiana Enterprise Zone Program. (Gould/Davis)

22. Resolution C.S. No. C-3261 - Resolution requesting the Louisiana Office of Community Development/Disaster Recovery Unit accept and fund the St. Tammany Parish Planning Capacity Grant Proposal. (Gould/Davis)

23. Resolution C.S. No. C-3262 - Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a Grant under 49, CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program. (Gould/Davis)

25. Resolution C.S. No. C-3264 - Resolution to encourage the St. Tammany Parish Tourist Commission to promote fishing and the fishing guide industry as an important attraction within St. Tammany Parish. (Artigue)

END OF CONSENT CALENDAR

Stefancik - moved to adopt the Consent Calendar less items removed, second by Burkhalter. Unanimous with no one absent.

Gould - 1. Ord. Cal. No. 4637 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to Cemeteries and Mausoleums. (Gould) (Tabled 9/1/11 & 10/6/11)

Gould - this ordinance needs to be amended and then it can be introduced.

Stefancik - moved to amend, second by Burkhalter. Unanimous with no one absent.

Stefancik - moved to introduce, second by Burkhalter; becomes Ord. Cal. No. 4637AA.

Gould - 2. Ord. Cal. No. 4645 - Ordinance to amend St. Tammany Parish Code of Ordinances, Section 2-050.01, Selection of Persons for Professional Services, to provide with respect to preference for in-parish providers of professional services. (Billiot) (Tabled 9/1/11 & 10/6/11)

Billiot - moved to table, second by Canulette. Unanimous with no one absent.

Gould - 3. Ord. Cal. No. 4655 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Alamosa Park Subdivision, Phases 3A & 3B. (Ward 4, District 7) (Gould/Davis) (Tabled 10/6/11)

Hamauei - moved to remove, second by Thompson. Unanimous with no one absent.

Gould - 7. Ord. Cal. No. 4675 - Ordinance amending the Official Parish Zoning Map to reclassify 7,548 square feet located at the end of Ridgewood Drive, south of Brown's Village Road, Slidell Ozone Heights Subdivision from A-4 (Single Family Residential District) to A-8 (Multi Family Residential District). (Ward 9, District 14) (ZC11-10-086) (Zoning Commission approved 10/4/11) (Gould/Davis)

Burkhalter - moved to introduce, second by Stefancik.

Gould - 9. Ord. Cal. No. 4677 - Ordinance to amend Ordinance C.S. No. 11-2561, adopted July 7, 2011, which established and validated rates and fees for sewerage and water services provided by systems owned and operated by the Parish. (Gould/Davis)

Falconer- there have been discussions about the idea of consolidating all of the sewerage fees along with a side discussion to do a cost index. He just wanted to make sure the public was aware when the cost index is associated with the consolidation, there may be a rate increase.

Falconer - moved to introduce, second by Bellisario.

Gould - 13. Ord. Cal. No. 4681 - Ordinance to Authorize the Parish President to acquire certain conservation servitudes for Bedico Creek Preserve. (Gould/Davis)

Bob Broadus - he and the Homeowners have a number of questions regarding this Ordinance. (See attached Exhibit A) They are asking the Council to table this matter for 90 days in order for their questions to be answered.

Kelly Rabalais - this is a donation, so the Parish will not be paying for it. However, the Parish is fine with tabling for 90 days in order to address the Homeowners' needs.

Falconer - moved to postpone for 90 days, second by Dean. Unanimous with no one absent.

Gould - 1. Resolution C.S. No. C-3190 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 2.3299 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) with municipal address of 58445 Pearl Acres Road, Slidell. (No. SL2011-05) (Ward 8, District 13) (Gould/Davis) (Tabled 9/1/11 & 10/6/11)

Stefancik - if we table this again, won't it automatically be approved because it is past the time as agreed upon by the Parish and the City of Slidell?

Mike Sevante - yes, the agreement with the City of Slidell does state when an annexation is an intensification from Parish zoning, then after 90 days, it will automatically be approved. However, in this instance, the zoning request is lateral, so the time limit does not apply.

Artigue - moved to table, second by Binder. Unanimous with no one absent.

Gould - 2. Resolution C.S. No. C-3207 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 0.826 acre from Parish NC-4 (Neighborhood Institutional District) to City of Slidell C-2 (Neighborhood Commercial District) located at Lot 1-B, Square 1, Robbert Park Subdivision Annex #2, municipal address of 58465 Tyler Drive, Slidell. (Ward 8, District 13) (No. SL2011-06) (Gould/Davis) (Tabled 10/6/11)

Artigue - moved to concur, second by Canulette. Unanimous with no one absent.

Gould - 5. Resolution C.S. No. C-3244 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 20.859 acres located in Section 38, Township 6 South, Range 11 East, from Parish PUD (Planned Unit Development District) to City of Covington PRD (Planned District). (Ward 3, District 3) (No. CO2011-0) (Gould/Davis)

Thompson - moved to remove, second by Dean. Unanimous with no one absent.

Gould - 13. Resolution C.S. No. C-3252 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the National Alliance on Mental Illness (NAMI) St. Tammany, Inc. for the prevention of suicide. (Gould/Davis)

Falconer - he appreciates the opportunity to pull this resolution. He feels that this issue of suicide should be handled as more than an issue of course.

Bill Oiler - as of October, the suicide action teams have averaged 2 call-outs per day. Two-thirds of the people who called were entered into a suicide prevention program. There has been a very positive movement with this program.

Hamauei - he, Mr. Davis and Mr. Bellisario all work with the United Way.

Davis - the United Way and VOA are in partnership to man the 211 system to provide health care referrals to those in need. The suicide prevention campaign is to get out the word it is okay to talk about thoughts of suicide.

Falconer - moved to adopt, second by Thompson. Unanimous with 1 absent (Burkhalter).

Gould - 14. Resolution C.S. No. C-3253 - Resolution to approve and authorize the Parish President to sign and/or execute a water/wastewater utility service agreement between the Parish and N59 Ventures, LLC and Sebred 59, LLC (and/or their affiliates) for the purpose of providing water and sewerage services to the northeast intersection of Highway 59 and East Koop Drive. (Gould/Davis)

Falconer - he does not want to be contradictory about his facts on the cost index. Environmental services is doing very well in consolidating utilities.

Greg Gordon - there is currently a sewerage treatment plant at Church of the King that is almost at capacity. The Parish will be building a new sewerage plant off of Koop Drive East. The plan is eventually all of the sewage will be rerouted from Church of the King and the plant near the Castine Center to the new plant and the other two plants will be closed leaving one central system.

Falconer - moved to adopt, second by Canulette. Unanimous with 1 absent (Burkhalter).

Gould - 16. Resolution C.S. No. C-3255 - Resolution to approve recommendations and authorize Executive Counsel for the Parish President to proceed with the settlement of certain lawsuits related to Post-Katrina debris contracts. (Gould/Davis)

Gould - this need to be tabled until after the Executive Session.

Thompson - moved to table, second by Cooper. Unanimous with 1 absent (Burkhalter).

Gould - 24. Resolution C.S. No. C-3263 - Resolution ordering and calling for special elections to be held in (i) St. Tammany Parish Lighting District No.1, (ii) St. Tammany Parish Lighting District No. 4, and (iii) St. Tammany Parish Lighting District No. 7, to authorize the renewal of special taxes therein. (Gould/Davis)

Grant Schlueter - Foley and Judell - these are routine millage renewals scheduled for the March 24, 2012 election. The millages will expire at the end of 2012, so the election is for the renewed millages to begin in 2013. None of the millages are being increased.

Stefancik - moved to adopt, second by Artigue. Unanimous with 2 absent (Falconer, Burkhalter).

Gould - 26. Resolution C.S. No. C-3265 - Resolution providing for canvassing the returns and declaring the result of the special election held in the Parish on Saturday, October 22, 2011, to authorize an additional homestead exemption for certain disabled veterans and surviving spouses. (Gould/Davis)

Grant Schlueter - this resolution is to canvass the returns from the disabled veterans homestead exemption proposal. The measure passed overwhelmingly and will hopefully be implemented immediately.

Stefancik - moved to adopt, second by Binder. Unanimous with 2 absent (Falconer, Burkhalter).

APPEALS

Gould - 1. Applicant Michael Saucier for Goodbee Land Company, LLC appealing the Zoning Commission DENIAL on September 6, 2011 to rezone 4.91 acres located on the southeast corner of LA Highway 1085 and LA Highway 1077 from HC-2 (Highway Commercial District) to HC-3 (Highway Commercial District). (Ward 1, District 1) (ZC11-06-054) (Tabled 10/6/11)

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 introduction of an ordinance.

Michael Saucier - for Goodbee Land Company, LLC - after much discussion with Mr. Dean and the citizens, they have determined HC-3 zoning is not appropriate for this area. Rouses is still committed to coming to that area. Goodbee Land Company is withdrawing the appeal.

Dean - the problem was never about Rouses. It is a great store with a great history. The problem has always been about the zoning.

Dean - moved to concur with the Zoning denial, second by Cooper. Unanimous with 2 absent (Falconer, Burkhalter).

Dean - moved to adopt a resolution, second by Cooper. Unanimous with 2 absent (Falconer, Burkhalter); becomes Resolution No. C-3265-A.

Artigue -the next two s are related, but I think more are here in opposition to #3, so he thinks it should be heard first.

Gould - 3. Applicant Paul Mayronne on behalf of Thomas and Patricia Griffith to rezone 1.69 acres located east of Apple Pie Ridge Road, south of Highway 190 East from A-1 (Suburban District) to I-2 (Industrial District). (Ward 8, District 13) (ZC11-10-085)

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 introduction of an ordinance.

Paul Mayronne - this property is located in the far southeast corner of the Parish. There has been very little development in the area since the storm when everything was decimated. Right now there are only 2 residences, one at each end of the road. The question has become what is appropriate zoning for this area. Prior to the hurricane, this property was a mechanic shop and the zoning requested will accommodate that type of shop. Given those facts, he is asking the Council to consider changing the recommendation of denial from the Zoning Commission. At the Commission meeting, the opposition gave comments not pertaining to the rezoning request. There was concern about violations from an enforcement point of view.

Barry Weddleton - he lives 1000 feet from this property and has lived there since 1971. This street is a beautiful place. The building before the storm was for storage, not a mechanic shop. There has been work happening on this property and, as his house is raised, he can see them dumping debris. Also, heavy trucks have been coming in and out.

Gould - a problem of dumping debris or heavy trucks does not have to do with why the property should not be rezoned.

Weddleton - it should not be rezoned because it is a beautiful street. The road is only 17 feet wide. The trucks are destroying the street. Industrial districts are supposed to be located along major arteriales. According to Google, an arterial is a two-lane road. Apple Pie Ridge does not qualify as an arterial. Also, he has called the DEQ about the debris they are dumping.

Gould - the DEQ has nothing to do with rezoning.

Weddleton - RLS enterprises disposes of asbestos, and he does not want that type of industry near him.

Michael King - he lives on Ann Street, and his property borders Apple Pie Ridge Road. He came back after Katrina, but many people did not and some just pushed all of the debris into the marsh. This property was his grandfather's. It would just add insult to injury to let the property be industrial. Code Enforcement has cited them, and they are committing environmental crimes. He is trying to keep the tradition of the area.

Artigue - you saw them bury stuff and called the EPA?

King - he talked to the DEQ and EPA who have both been out and made a report. They told him to take pictures (Exhibit B).

Mayronne - this is a 1.6 acre tract and the requested use is in line with what was there. They are not talking an industrial park. They just want to continue what they were doing.

Binder - Mr. Fontenot - this building has been on the property and been used as storage for how long?

Mayronne - it was used for storage and as a mechanic shop.

Binder - the metal building is not for a home? Its intended use is for storage?

Mayronne - storage and repair of vehicles.

Bellisario - how long have they been bringing material in?

Mayronne - they have not brought material in. The materials that were there were debris from the storm, which was removed from the property and properly disposed of. There have been inspections by the Parish and the DEQ, and as far as he knows, the property is in compliance.

Artigue - he has been out to the property and the Griffith's property is the only clean property out there.

Artigue - moved to override the Zoning denial, second by Mr. Burkhalter. Motion passed with 11 yeas, 2 nays (Howell and Hamauei) and 1 abstention (Bellisario).

Artigue - moved to introduce, second by Burkhalter; becomes Ord. Cal. No. 4685.

2. Applicant Charles Ross ing the Zoning Commission DENIAL on October 4, 2011 to rezone 9375 square feet located south of Ann Street, east of Apple Pie Ridge Road, Blue Haven Subdivision from A-1 (Suburban District) to I-2 (Industrial District). (Ward 8, District 13) (ZC11-10-083)

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 introduction of an ordinance.

Charles Ross - he believes Mr. Mayronne stated it all. They have seen zoning changes from rural to SA to A-1 with more restrictions to the properties, but the use of the land has not changed. They all still uses the land as rural land. When he first bought the lane, he parked his trailer and stored building materials. He did not know he was in Code violation for doing that.

Artigue - how many lots do you own on Ann Street and how many of those do you want to use to store wooden boats, trailers, etc.?

Ross -He owns 12 lots and is asking to rezone 3. He would eventually like to use all 12 lots.

Michael King - he lives across the street from this property. He was cited by Code Enforcement and had to get rid of his grandfather's Cadillac and clean his properties. He was fined and had to come to Administration Court. He thinks the standards he has been held to are higher than ones in this case. He has a report from an engineer saying his structure has been damaged from all of the trucks and construction (Exhibit B).

Artigue - he has also been to this lot. Mr. Ross builds wooden boats for a living, and he always keeps his work and property clean.

Nancy Rivers - since yesterday, two mattresses have been dumped on their road.

Artigue - illegal dumping is a big problem in this area, but it has nothing to do with what these gentlemen want to do with their properties.

Canulette - he does not think people are going to build houses out in this area again. Need to get more people to build out there so people are present to catch people dumping.

Rivers - the Parish needs to install a camera and get volunteers to help clean it up.

Canulette - he hunts in this area and does not like to see all of the trash. He will work with Mr. Artigue to find a solution to stop illegal dumping.

Bellisario - he also does not see residents moving back in to this area. He thinks the Council needs to do some more comprehensive rezoning to build back this part of the Parish.

Artigue - moved to override Zoning denial, second by Burkhalter. Motion passed with 11 yeas, 2 nays (Howell and Hamauei) and 1 absent (Gould).

Artigue - moved to introduce, second by Burkhalter; becomes Ord. Cal. No. 4684.

Gould - 4. Shirley & Daniel Wagner, et al, ing the Planning Commission APPROVAL of Tentative Subdivision Review of Lakeshore Motor Home Resort. (Developer/Owner: Tammany Holding Corp.) (Ward 9, District 13) (SD11-10-003)

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

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

Shirley Wagner - she feels once this property is rezoned, it will become an anything on wheels park. She does not feel Mr. Torres will stay true to his restrictions for the resort mobile home park, just like he did not behind the gates of Lakeshore Estates.

Elaine Yuratich- she thinks any person's actions should be considered based on his prior actions. Mr. Torres promised a "haven" in Lakeshore Estates when he does not follow his own covenants. He leased the property across from their canal to destroy the Twin Spans for the moving and crushing of the remains of the bridge. It starts early in the morning and runs to the evening and on weekends (Exhibit C). She is a doctor and moved to Slidell so she could live in a quiet neighborhood. Mr. Torres has shown he will do anything he pleases for money. Their property values have decreased 40% because of the destruction of the bridge. This park is just going to be another disaster.

Wayne Collier - represents Tammany Holding Company - presented a DVD (Exhibit D).

Mike Sevante -the Council office reviewed this DVD and it falls within the time limit.

Murphy Yuratich - he wants to bring to the Council's attention the misconceptions Mr. Torres has proposed. When Mr. Torres is trying to pass something through the homeowner's association, people pass the word to not attend because he already has all of the votes. He does what he wants because he donates land to the Parish. Mr. Torres runs dump trucks illegally because the Parish President told the State Police not to ticket them.

Collier - he also submitted plans into the record and to the residents of Lakeshore Estates. He has letters of support from other residents (Exhibit D). All of the residents who spoke against the tentative subdivision review just mentioned complaints that are not germane to this review. There is nothing Tammany Holding has to apologize for in Lakeshore Estates. The whole area was designed to be premier mixed uses.

Donnie Natal - they were the first people to build in Lakeshore Estates and none of the computer drawings they were shown have been built.

Wayne Lamberlaine - he agrees the talk has not been on point about the trailer park, but the video you just saw is not what Lakeshore Estates is.

Debra Hilton - she is a doctor in Slidell and relocated here in 2003 to try and support the community she lived in. She moved to Lakeshore because of the promises Mr. Torres made. She is disappointed at the upkeep of the properties and the roads. They all rebuilt after the storm.

Richie Stevens - he was one of the first homes built in Lakeshore. He stayed there during the Storm and afterwards Bobby Torres came in a helicopter to support the people. Mr. Torres also brought in people to clean up the streets. Mr. Torres has done everything he has said. He supports the RV resort, and he is just a neighbor of Mr. Torres, not an employee. He's sorry for the neighbors near the concrete destruction, but they need to talk to the concrete people, not the owner of the land.

Collier - asks the Council to consider what was said that is germane to the subdivision review.

Dean - Mr. Collier? Mr. Torres is setting some history for himself if people have paid for water and beauty and all they see is concrete. Then he comes along and says he wants to build a motor coach park.

Collier - LADOTD went to real estate agents looking for property to rent to use to demolish the bridge. Mr. Torres did not seek them out. The bridge needs to come down and they have a limited time frame to do it in. This is not in their back or front yards, and when it is finished and the rocks are crushed, it will all be gone.

Dean - what is a motor coach resort?

Collier - it is a recent trend. People are buying lots and building a small home along with an area to park a Class A motor coach, so they will have a home to stay in when they are not traveling.

Gould - he has been to one of these parks before as he is a motor home enthusiast. What size will these lots be?

Collier - 40 x 120. It will be an investment of \$350,000 or more. All of the covenants will come later in the development. When they become lots of record, they will have a place to park a motor coach and a clubhouse in a gated community.

Binder - he thinks this should be taken out of the prevue of whether Mr. Torres is good or bad. He has never met Mr. Torres. We need to bring this back to the matter at hand. **Sidney** - this motor home development was approved 7 years ago? RV stays were waived and setbacks were changed?

Sidney Fontenot - yes. It is one portion of the multi-use planned community. In this subdivision only, the 90 day restriction on RVs being parked will be waived and with the size of the lots proposed he thinks the side yard needs to be a little bigger. The rear yards will back up to water.

Collier - the rear yards are on water and there is 30 feet of green space. The difference in the smaller setbacks is because there will just be paving where the RV will be parked.

Council Discussion ensued.

Collier - they are going to build pre-approved structures approximately 800 square feet with a large living area and a driveway to park the motor coach with electric and sewerage hook-ups. Also, the properties will all be owned, not rented, and the owner must have a motor coach. They are not selling a place for someone to live and just park a car. Only one family can live on the property, not one in the motor coach and one in the clubhouse. There will be about 200 houses.

Artigue - he has tried to have the concrete problem moved, but it is a necessary evil. He has been promised once it is finished, it will be finished. He can hear it and breathe it from his house, too. But, it does not have anything to do with the motor coach park. He does not have any doubt Mr. Torres and his people are going to build anything less than a first class property. He thinks the park will be a good thing. Also, it is not in your subdivision. It is across and up a 4 lane road and the water.

Artigue - moved to concur with the Zoning approval, second by Burkhalter. Motion passed with 11 yeas, 2 nays (Howell, Billiot) and 1 absent (Cooper).

Stefancik - moved to adopt a resolution, second by Bellisario. Motion passed with 12 yeas, 1 nay (Howell) and 1 absent (Cooper); becomes Resolution C.S. No. C-3266.

Hamauei - 5. St. Tammany Parish Recreation District #1ing the exemption decision of the Parish Road and Drainage Impact Fees Administrator.

NOTE: To concur with the Administrator decision, a simple majority vote is required and adoption of a resolution.

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

Dr. Steve Meyer - he is the vice-chair of Recreation District No. 1. They are asking this matter to be postponed for 30 days, so they can consult with their counsel about this fee. The board was surprised by this fee because they have never had to pay an impact fee before.

Gould - understanding that this issue is being worked out. He doubts this issue will arise again because they do not have room for future expansion.

Meyer - they are just about out of room.

Gould - moved to table, second by Stefancik. Unanimous with 4 absent (Cooper, Thompson, Canulette, Artigue).

Gould - 6. Carlo Hernandez ing the Planning Commission APPROVAL of Tentative Subdivision Review of Falconbridge. (Developer: Weyerhaeuser Real Estate Development Company) (Ward 4, District 7) (SD11-10-004)

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

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

Carlo Hernandez - On October 11, the Planning Commission approved this review, but not unanimously. At the time, he requested a copy of the Traffic Impact Analysis, but he just received it this week and has not had time to completely review it. Holly Morales and he request this matter be tabled, so the TIA can be fully reviewed. They are concerned the entrance to Loretta Drive is not wide enough to accommodate 2 turning cars. They would like to know what the peak hour per household is and how they determined trip rates. Also, Forestbrook, Quail Creek and other subdivisions already have issues turning onto 1088, so he does not see that improving when another subdivision is added.

Holly Morales - she lives on Loretta Drive and just received the TIA today. She concurs with Carlo's questions and feels the entrance to Loretta Drive is just not big enough.

Joyce Castleman - subdivision is planning for 600 homes and a 30 acre business park. It's already hard to turn onto Highway 1088, and there is only one way in and one way out of this subdivision planned.

Jeff Schoen - this is just a tentative subdivision review approved by the Planning Commission. It is a PUD development, so this plan is identical to the PUD plan. The only difference is the introduction of the traffic issue. All subdivisions must obtain traffic analysis before getting approved. It is approved by the Parish traffic engineer. He had his traffic consultant confer with the Parish engineer Ms. Lala, when Mr. Hernandez filed his . The meeting resulted in a revised TIA as per Ms. Lala's e-mail. (Exhibit E). His client accepts Ms. Lala's comments and realizes they will be required if approval is given. They have agreed to wait until the intersection is opened and some time passes to reevaluate how the intersection is going to effect traffic. The DOTD is also reviewing the traffic study.

Council discussion ensued.

Billiot - moved to concur with the Planing approval, second by Bellisario. Unanimous with 2 absent (Cooper, Stefancik).

Billiot - moved to adopt a resolution, second by Thompson. Unanimous with 3 absent (Cooper, Thompson, Stefancik); becomes Resolution C.S. No. C-3267.

Gould - 7. Carlo Hernandez ing the Planning Commission APPROVAL of proposed amendments to Ordinance No. 499, Section 40-045.00 Minor Subdivision Review. (Ordinance Calendar No. 4653)

NOTE: To concur with Planning APPROVAL, a simple majority vote is required and adoption of Ordinance Cal. No. 4653 from the agenda.

NOTE: To override Planning APPROVAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4653 from the agenda.

Falconer - pursuant to Legal Counsel's advice, he is recusing himself from this matter.

Carlo Hernandez - the issue here is the changes being added would not require a public hearing for zoning changes to subdivided properties. He has requested to review administrative permits in the past, but not all of the permits could be located and some he was not allowed to see due to a caveat in the public records law.

Hall - this ordinance amendment was proposed after a consult with Mr. Fontenot and Ron Keller. The Subdivision Ordinance has always had problems with residential areas and causing safety issues because of private driveways. He did not, at the time, take into consideration commercial property. This amendment recognizes commercial property needs to meet a minimum size and the original parcel can only go through the administrative process once.

Barbara Dodds - her concern is transparency when dealing with commercial or industrial property, such as if an industrial property would subdivide to have more than 2 different industries on one property. She would like to see this go through the Planning Commission, not administration. This ordinance was originally created for families, not commercial.

Hall - he thinks the minor subdivision has always been about residential property, but the problem is state statute allows for the creation of 5 or less lots with only one driveway. At one point this allowed 72 lots along a highway, it was amended so all 5 lots has to have public road access. The purpose of this amendment was to address commercial property.

Billiot - he recalls amendments being made regarding families, but he does not see any reason to give consideration to commercial and industrial property.

Billiot - moved to override Planning approval, second by Bellisario. Motion passed with 9 yeas, 1 nay (Canulette) and 4 absent (Cooper, Falconer, Hamauei, Burkhalter).

Gould - will remove Ord. Cal. No. 4653 from the agenda when it comes up for adoption.

Gould - 1. Ord. Cal. No. 4591 - Ordinance amending the Official Parish Zoning Map to reclassify 2 acres located north of Brewster Road, west of Powerline Road, being parcels A & B from A-2 (Suburban District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC11-05-038) (Council overrode Zoning Commission denial - Introduced 6/2/11) (Tabled 7/7/11, 8/4/11, 9/1/11 & 10/6/11)

Dean - moved to amend by rezoning Parcel B only to A-5 subject to the land owner providing a deed restriction as discussed, second by Thompson. Unanimous with 3 absent (Cooper, Falconer, Billiot).

Dean - moved to reintroduce as amended, second by Thompson; becomes Ord. Cal. No. 4591AA.

Gould - 2. Ord. Cal. No. 4621 - Ordinance revoking the dedication of the unopened, unnamed street right-of-way which is located on a parcel of ground identified as Lot 6, 5 acre farm lots, in the SW 1/4 of Section 14, Township 8 South, Range 14 East. (Introduced 8/4/11) (Referred to the Planning Commission 9/1/11) (Tabled 10/6/11) (Planning Commission approved 10/11/11)

Bellisario - moved to table, second by Canulette. Unanimous with 2 absent (Cooper, Billiot).

Gould - 3. Ord. Cal. No. 4646 - Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 4, Animals, Fowl and Reptiles, Section 4-121.00 Definition of private kennels in relation to the requirements for animal establishment permits. (Introduced 9/1/11) (Tabled 10/6/11)

Hall - this needs to be amended to adjust the fees paid by owners of hunting dogs. It can be adopted once it is amended.

Canulette - moved to amend, second by Binder. Unanimous with 3 absent (Cooper, Billiot, Burkhalter).

Canulette - moved to adopt as amended, second by Binder. Unanimous with 3 absent (Cooper, Billiot, Burkhalter); becomes Ordinance C.S. No. 11-2616.

Gould - 4. Ord. Cal. No. 4649 - Ordinance amending the Official Parish Zoning map to reclassify 10.72 acres located south of Ellis Jourdan Road, west of Booth Road from A-1 (Suburban District) and RO (Rural Overlay) to A-1-A (Suburban District) and RO (Rural Overlay). (Ward 2, District 3) (ZC11-08-073) (Zoning Commission approved 9/6/11) (Introduced 10/6/11)

Thompson - moved to adopt, second by Dean. Unanimous with 3 absent (Cooper, Billiot, Burkhalter); becomes Ordinance C.S. No. 11-2617.

Gould - 5. Ord. Cal. No. 4650 - Ordinance amending the Official Parish Zoning map to reclassify 14.13 acres located north of LA Highway 40, east of House Creek Road, west of Press Sharp Road from A-1 (Suburban District) to A-1-A (Suburban District). (Ward 2, District 2) (ZC11-09-078) (Zoning Commission approved 9/6/11) (Introduced 10/6/11)

Thompson - moved to adopt, second by Falconer. Unanimous with 3 absent (Cooper, Billiot, Burkhalter); becomes Ordinance C.S. No. 11-2618.

Gould - 6. Ord. Cal. No. 4651 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain rights-of-way and/or servitudes located at the southeast intersection of Highway 59 and Highway 1088. (Introduced 10/6/11)

Hamauei - moved to adopt, second by Thompson. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2619.

Gould - 7. Ord. Cal. No. 4652 - Ordinance amending and ratifying Ordinance C.S. No. 11-2547 to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 2 Definitions, creating Section 5.36 SWM-1 Solid Waste Management District, Section 5.37 SWM-2 Solid Waste Management District and amending Section 8.01 Minimum Standards. (Introduced 10/6/11)

Sandra Slifer - they have been asking the Council to consider modifying the buffer requirements for C&D landfills, such as having distance use buffers. They are not suggesting a land owner needs to

own all of the property. This ordinance is not adequate in its current form.

Bellisario - the Council needs to approve this. The Solid Waste Management Committee worked on this for 8 months. We are not going to allow a C&D landfill near a residence. He understands the issue and does not have a problem reconsidering it, but not adopting it tonight would be injurious.

Rick Richter - this ordinance since it left the Planning Commission has been amended 3 times, and now there is litigation related to this. The definition of public facilities is not included in any of the amendments. What is happening here is they are trying to cover some discrepancies from the court. The UDC published online already includes SWM 1 and 2, and they have not been adopted.

Emma Delarent - she attends Montelone Junior High and is studying the Constitution. Read a statement into the record (Exhibit F).

Hall - all ordinances introduced are based upon the guidelines given to him by the Council. When it is introduced it is subject to public comment and lays over for 30 days. As related to the paragraph regarding litigation, it is regarding future litigation. However, there is not only one litigation ongoing regarding waste transfer stations. Other transfer stations are already in I-2 and in litigation and they need to be considered separate and apart from all others. Whether you call waste transfer station a public utility or not, it specifically states what the uses are. It is there to define the Waste Transfer Stations that have already been issued permits: Highway 59, Highway 25 and Highway 434. If the Highway 434 permit is revoked by the Court, then they would have the right to ask to be zoned SWM.

Bellisario - he will request at the January meeting for the Solid Waste Management Committee to be reconvened.

Stefancik - he attended the Committee meetings. Somewhere in the Parish, there needs to be a waste transfer station and he thinks solid waste management clearly explains what it is. He agrees the Council needs to go forward with this and has no problem making changes to it in the future. He agrees the Committee needs to convene again, and he encourages people to come to the meetings. Right now, the Council is just trying to get away from placing waste transfer stations in I-2.

Canulette - he was also at the Committee meetings. This is a difficult and delicate situation. No one stopped the public from coming to these meetings. We saw the same people attend each meeting.

Bellisario - moved to adopt, second by Hamauei. Motion passed with 11 yeas, 1 abstention (Howell) and 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2620.

Gould - 8. Ord. Cal. No. 4653 - Ordinance to amend St. Tammany Parish Code of Ordinances, Appendix B, Chapter 40, Subdivision Regulatory Ordinance No.499, Section 40-045.00 Minor Subdivision Review, particularly paragraphs B and D thereof. (Introduced 10/6/11) (Planning Commission approved 10/11/11)

Stefancik - moved to remove (following the actions taken on the), second by Burkhalter. Unanimous with 2 absent (Cooper, Billiot).

Gould - 9. Ord. Cal. No. 4654 - Ordinance to correct the Road and Drainage Inventory to include a portion of Ford Street; Lee Settlement Road Lateral; Old Barker Road Lateral; Cypress Drive; Stewart Road Lateral; Peyton's Place and Jan Smith Drive. (Wards 2, 3, & 6) (Districts 2, 3, & 6) (Introduced 10/6/11)

Thompson - moved to adopt, second by Canulette. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2621.

Gould - 10. Ord. Cal. No. 4656 - Ordinance to revoke portions of A Street and 6th Avenue right-of-ways, located in Alexiusville Subdivision. (Ward 3, District 1) (Planning Commission approved 9/13/11) (Introduced 10/6/11)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2622.

Gould - 11. Ord. Cal. No. 4657 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 within unincorporated boundaries of Ward 9 in District 14. (Introduced 10/6/11)

Burkhalter - moved to adopt, second by Stefancik. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2623.

Gould - 12. Ord. Cal. No. 4658 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any Parish department or agency for any pain management center/clinic whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Introduced 10/6/11)

Binder - moved to adopt, second by Artigue. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2624.

Gould - 13. Ord. Cal. No. 4659 - Ordinance to impose a six (6) month moratorium on the issuance of building permits for non-processing transfer stations on property zoned I-2 (Industrial District).

Hamauei - moved to remove, second by Bellisario. Motion passed with 11 yeas, 1 nay (Bellisario), and 2 absent (Cooper, Billiot).

Gould - 14. Ord. Cal. No. 4660 - Ordinance to amend the Parish Code of Ordinances, Chapter 13, to add new sections providing for operation of motorized vehicles and enforcement of traffic controls on private streets within Arbor Walk Subdivision. (Ward 1, District 1) (Introduced 10/6/11)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2625.

Gould - 15. Ord. Cal. No. 4661 - Ordinance to amend Parish Code of Ordinances, Chapter 2, Article V, Tourist and Convention Commission, to provide for changes in Nominations and Appointments to the Commission and Nominating Committee. (Introduced 10/6/11)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2626.

Gould - 16. Ord. Cal. No. 4663 - Ordinance establishing a No Thru Truck zone on Zinnia Drive (1-D-006) and North Azalea Drive (1-D-003). (Ward1, District 1) (Introduced 10/6/11)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2627.

Gould - 17. Ord. Cal. No. 4664 - Ordinance amending the Official Parish Zoning Map to reclassify 4.035 acres located at the northeast intersection of Military Road & Oak Alley Drive from A-1 (Suburban District) to CB-1 (Community Based Facilities District) & RO Rural Overlay. (Ward 8, District 9) (ZC11-07-061) (Introduced 10/6/11)

Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2628.

Gould - 18. Ord. Cal. No. 4665 - Ordinance amending the Official Parish Zoning Map to reclassify 11 acres located north of McLain Road, east of Section Road, west of Modica Lane from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC11-09-080) (Introduced 10/6/11)

Thompson - moved to adopt, second by Dean. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2629.

Gould - 19. Ord. Cal. No. 4666 - Ordinance to correct the road and drainage inventory to include a portion of N. 8th Street. (Ward 8, District 14) (Introduced 10/6/11)

Burkhalter - moved to adopt, second by Binder. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2630.

Gould - 20. Ord. Cal. No. 4667 - Ordinance establishing a No Parking zone on John Smith Road (8-I-025). (Ward 8, District 14) (Introduced 10/6/11)

Burkhalter - moved to adopt, second by Artigue. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2631.

Gould - 21. Ord. Cal. No. 4668 - Ordinance to amend, clarify and re-certify Ordinance Police Jury Series No. 86-685, Revoking a portion of Cherry Street in the Claiborne Subdivision. (Introduced 10/6/11)

Thompson - moved to adopt, second by Falconer. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2632.

Gould - 24. Ord. Cal. No. 4669 - Ordinance to authorize the Parish President to acquire certain parcels, rights-of-way, and/or servitudes for the Covington Barn Extension Project. (Introduced 10/6/11)

Thompson - moved to adopt, second by Dean. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2633.

Gould - 25. Ord. Cal. No. 4670 - Ordinance to authorize the Parish President to acquire certain parcels, rights-of-way and/or servitudes for Meadowlake Subdivision Drainage Improvements. (Introduced 10/6/11)

Bellisario - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2634.

Gould - 26. Ord. Cal. No. 4671 - Ordinance to authorize the Parish President to acquire certain parcels of immovable property approved by the Hazard Mitigation Grant Program and Severe Repetitive Loss Program. (Introduced 10/6/11)

Artigue - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2635.

Gould - 27. Ord. Cal. No. 4672 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain rights-of-way and/or servitudes located near the Howze Beach Outfall Canal and West End Boulevard, Slidell. (Introduced 10/6/11)

Artigue - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Cooper, Billiot); becomes Ordinance C.S. No. 11-2636.

NOMINATIONS

Gould - 1. Resolution to appoint six (6) members _____, _____, _____, _____, _____, _____ to the Board of Commissioners of St. Tammany Recreation District No. 16. (Burkhalter) (Tabled 8/4/11, 9/1/11 & 10/6/11)

Burkhalter - moved to table, second by Canulette. Unanimous with 2 absent (Cooper, Billiot).

Gould - 2. Resolution to appoint one member to replace Peter Link (Term Expired) on the Finance Authority of St. Tammany Parish. (Stefancik) (Tabled 9/1/11 & 10/6/11)

Stefancik - moved to table, second by Burkhalter. Unanimous with 2 absent (Cooper, Billiot).

Gould - 3. Resolution to appoint one member to replace Dr. Kumar Amaraneni to the St. Tammany Hospital Services District No. 2 (Slidell Memorial Hospital) Permanent Nominating Committee. (Districts 6, 7, 8, 9, 11, 12, 13, 14) (Bellisario) (Tabled 10/6/11)

Stefancik - moved to table, second by Bellisario. Unanimous with 2 absent (Cooper, Billiot).

APPOINTMENTS

Gould - 1. Resolution to reappoint Glynn Huhn, Kathy Nastasi, Wayne Jacob and Pierre Fabre (terms expire December 31, 2011) to the Board of Commissioners for St. Tammany Parish Water District No. 2. (Wards 3 and 10, Districts 2 and 3) (Thompson/Cooper)

Thompson - moved to adopt, second by Falconer. Unanimous with 4 absent (Cooper, Bellisario, Billiot, Artigue); becomes Resolution C.S. No. C-3268.

Gould - 2. Resolution to reappoint Greg Lemon (term expires December 31, 2011) to the Board of Commissioners for St. Tammany Parish Hospital Service District No. 1 (St. Tammany Parish Hospital). (Ward 10) (Howell)

Howell - moved to adopt, second by Thompson. Unanimous with 4 absent (Cooper, Bellisario, Billiot, Artigue); becomes Resolution C.S. No. C-3269.

DISCUSSION AND OTHER MATTERS

Gould - 1. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 4.1 acres located on Parcel VI, Section 15, Township 5 south, Range 10 east from A-1(Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (Thompson)

Stefancik - moved to refer, second by Canulette. Unanimous with 5 absent (Cooper, Howell, Bellisario, Billiot, Artigue).

Gould - 2. Discussion: Review of the U.S. Fish and Wildlife Service's proposed rule designating 1649 acres of private land located in St. Tammany Parish as Critical Habitat for the Mississippi Gopher Frog and consideration of a resolution pertaining thereto. (Stefancik/Howell)

Edward Poitevent - he is mystified by the US Wildlife and Fisheries Service wanting to take private land and rehabilitate it for a frog which has not existed in Louisiana since 1967. This is Federal regulation out of control. The Federal Government wants to take 1649 acres out of commerce and burn the land and enforce a non-soil disbursement for a nonexistent frog who lives in a nonexistent pine tree. This stems from a lawsuit where an extremist environmental group, The Center for Environmental Diversity, sued Fish and Wildlife and settled with them by agreeing to find critical habitats. Fish and Wildlife declined to come tonight. They have not done a population analysis. They state no compensation has to be given because they are not taking the land. The land owner still owns it, but they will not be allowed to do anything with it. Also, the gopher frogs will have to be translocated from another state.

Stefancik - moved to adopt a resolution opposing the designation of private land as critical habitat for the Mississippi gopher frog, second by Bellisario. Unanimous with 3 absent (Cooper, Howell, Burkhalter); becomes Resolution C.S. No. C-3274.

Canulette - moved to open the Off-the-Floor Agenda, second by Stefancik. Unanimous with 3 absent (Cooper, Howell, Burkhalter).

NOVEMBER 3, 2011- ITEMS OFF-THE-FLOOR

Gould - 1. Ordinance to enact Article XX, Section 16-160.00 of the Parish Code of Ordinances to set forth rules and regulations for the St. Tammany Parish Fishing Pier. (Artigue)

Artigue - moved to introduce, second by Stefancik; becomes Ord. Cal. No. 4686.

Gould - 2. Resolution requesting amendments to the Modified Charleston method used by the Army Corps of Engineers, New Orleans District, for determining environmental impacts and required wetland mitigation for projects in coastal Louisiana. (Gould) (Exhibit H)

Stefancik - moved to adopt, second by Binder. Unanimous with 3 absent (Cooper, Howell, Burkhalter); becomes Resolution C.S. No. C-3270.

Gould - 4. Resolution to appoint Pete Persson to replace Paul Dyer (resigned) and Majure Savell to fill a vacancy and to reappoint Thomas Lazier and Robert Bergeron (terms expire December 31, 2011) to the Board for St. Tammany Parish (Gravity) Drainage District No. 5. (Gould)

Stefancik - moved to adopt, second by Thompson. Unanimous with 3 absent (Cooper, Howell, Burkhalter); becomes Resolution C.S. No. C-3271.

Stefancik - moved to enter Executive Session to discuss the 3 stated cases, second by Artigue. Unanimous with 2 absent (Cooper, Howell).

EXECUTIVE SESSION

Gould - 1. Lawsuits Entitled: United Disaster Response, LLC vs. Omni Pinnacle, LLC, et al, USDC Eastern District C.A. No. 06-6075, Section B, Magistrate 1 and Parish of St Tammany vs. Omni Pinnacle, LLC, et al. 22nd JDC, Case No. 2007-10755, Division 1. (Gould/Davis)

Gould - 2. Lawsuits Entitled: Steven Quave vs. Arthur W. Lewis, et al., 22nd JDC Suit No. 2011-10998, Div. B and Kayleigh Ghivizzani, et al, vs. Arthur Lewis, et al, 22nd JDC Suit No. 2011-13095, Div. B.

Gould - 5. Executive Session: Appointment of special counsel in prospective litigation involving Concerned Citizens of Lacombe, Inc. v. St. Tammany Parish.

VERBAL OFF-THE-FLOOR

Binder - moved to open the floor to consider a Resolution authorizing special counsel to represent St. Tammany Parish in defense of litigation involving Concerned Citizens of Lacombe, Inc. v. St. Tammany Parish, second by Burkhalter. Unanimous with 3 absent (Cooper, Howell, Billiot).

Binder - moved to adopt, second by Burkhalter. Unanimous with 3 absent (Cooper, Howell, Billiot); becomes Resolution C.S. No. C-3272.

Burkhalter - moved to open the floor to consider an Ordinance to correct the Road and Drainage Inventory to include an extension of North 8th Street. (Ward 8, District 14), second by Stefancik. Unanimous with 3 absent (Cooper, Howell, Billiot).

Burkhalter - moved to introduce, second by Stefancik; becomes Ord. Cal. No. 4687.

Stefancik - moved to open the floor to consider a Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards, second by Bellisario. Unanimous with 3 absent (Cooper, Howell, Billiot).

Stefancik - moved to adopt, second by Canulette. Unanimous with 3 absent (Cooper, Howell, Billiot); becomes Resolution C.S. No. C-3273.

Gould - 16. Resolution C.S. No. C-3255 - Resolution to approve recommendations and authorize Executive Counsel for the Parish President to proceed with the settlement of certain lawsuits related to Post-Katrina debris contracts. (Gould/Davis)

Burkhalter - moved to table, second by Bellisario. Unanimous with 4 absent (Dean, Cooper, Howell, Billiot).

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

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

THERESA L. FORD, COUNCIL CLERK