

**MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, FEBRUARY 3, 2011 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Al Hamauei, Vice-Chairman

Invocation by Mr. Burkhalter

Pledge of Allegiance by Mr. Billiot

Roll Call:

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

PRESENTATIONS

Hamauei - 1. Presentations of Certificates of Recognition for the Northshore High School Girls' Swim Team and the Northshore High School Boys' 200 Medley Relay Team. (Bellisario)

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

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| Ord. Cal. No. 4486 | Ord. Cal. No. 4510 |
| Resolution C.S. C-3054 | Resolution C.S. No. C-3055 |

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

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| Regular Council Meeting | January 6, 2011 |
| Council Committee Meeting | January 26, 2011 |

**ORDINANCES FOR INTRODUCTION
(Public Hearing: March 3, 2011)**

2. Ord. Cal. No. 4496 - Ordinance amending the Official Parish Zoning Map to reclassify 2.825 acres located north of US Highway 190, east of N. Oaklawn Road, west of N. Mill Road, being Tract 361, North Oaklawn Subdivision from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (ZC11-01-001) (Zoning Commission Approved 1/4/11) (Gould/Davis)

3. Ord. Cal. No. 4497 - Ordinance amending the Official Parish Zoning Map to reclassify 2.57 acres located south of Stafford Road, east of LA Highway 437, being Parcel No. 2 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC11-01-002) (Zoning Commission Approved 1/4/11) (Gould/Davis)

4. Ord. Cal. No. 4498 - Ordinance amending the Official Parish Zoning Map to reclassify 1.31 acres located north of Surgi Drive, east of Highway 59, being parcels B, C & D from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District). (Ward 4, District 5) (ZC11-01-003) (Zoning Commission Approved 1/4/11) (Gould/Davis)

5. Ord. Cal. No. 4499 - Ordinance amending the Official Parish Zoning Map to reclassify 1.61 acres located north of Shady Pine Road, east of Wonie Cousin Road, being 61861 Shady Pine Road, Lacombe from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (ZC11-01-004) (Zoning Commission Approved 1/4/11) (Gould/Davis)

6. Ord. Cal. No. 4500 - Ordinance amending the Official Parish Zoning Map to reclassify 0.22 acre located south of LA Highway 36, west of Third Street, east of First Street, being 20074 Highway 36, Covington from A-4-A (Single Family Residential District) to NC-1 (Professional Office District). (Ward 3, District 3) (ZC11-01-005) (Zoning Commission Approved 1/4/11) (Gould/Davis)

7. Ord. Cal. No. 4501 - Ordinance amending the Official Parish Zoning Map to reclassify 7,500 square feet located east of Bonfouca Street, north of Jefferson Street, being lot 36A, Square 5, Bayou Vincent Subdivision from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay District). (Ward 9, District 6) (ZC11-01-006) (Zoning Commission Approved 1/4/11) (Gould/Davis)

8. Ord. Cal. No. 4502 - Ordinance to amend Ordinance C.S. No. 09-2166 the 2010-2014 Capital Improvements Budget and Program; and to further identify changes to the Capital Improvement List for 2010-2014. (Gould/Davis)

9. Ord. Cal. No. 4503 - Ordinance to authorize the Parish President, to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for the Slidell Levee Project. (Gould/Davis)

10. Ord. Cal. No. 4504 - Ordinance to authorize the Parish President, to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for the Fishing Pier Project. (13.263 acres) (Gould/Davis)

11. Ord. Cal. No. 4505 - Ordinance to authorize the Parish President, to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for the Fishing Pier Project. (Howze Beach) (Gould/Davis)

12. Ord. Cal. No. 4506 - Ordinance amending the Official Parish Zoning Map of the 2009 South West Comprehensive Rezoning Area Two (CRA-2) to reclassify 0.439 acre situated in Section 42, Township 7 South, Range 11 East from HC-2 (Highway Commercial District) to HC-3 (Highway Commercial District). (Ward 3, District 3) (ZC11-02-007) (Thompson) (Zoning Commission to hear 2/1/11)

13. Ord. Cal. No. 4507 - Ordinance establishing a speed limit of 20 MPH on certain roads in a portion of the Greenleaves Pines Subdivision. (Ward 4, District 10) (Gould/Davis)

14. Ord. Cal. No. 4508 - 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)

15. Ord. Cal. No. 4509 - Ordinance to impose a six (6) month moratorium on the issuance of building permits for construction or placement of building structures on any properties within unincorporated St. Tammany Parish abutting, in whole or part, the east side of Tantela Ranch Road and Highway 1077 from Boyd Road to McGee Road and which properties use said roadways for purposes of ingress to and egress from said properties. (Ward 1, District 1) (Dean)

RESOLUTIONS

1. Resolution C.S. No. C-3053 - Resolution to establish Performance and Warranty Obligations. (Gould/Davis)

4. Resolution C.S. No. C-3056 - Resolution to approve and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement with Christ Episcopal School. (Gould/Davis)

END OF CONSENT CALENDAR

Stefancik - moved to adopt the Consent Calendar less items removed, second by Burkhalter. Unanimous with 3 absent (Gould, Binder, Artigue).

Hamauei - 1. Ord. Cal. No. 4486 - Ordinance to create a new section of the Parish Code of Ordinances regarding Transferable Development Rights. (Gould) (Tabled 1/6/11)

Bellisario - moved to table, second by Burkhalter. Unanimous with 3 absent (Gould, Binder, Artigue).

Hamauei - 2. Resolution C.S. No. C-3054 - Resolution to approve and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement with the Mental Health Association of St. Tammany Family Therapy Clinic (MHASt). (Gould/Davis)

Hamauei - 3. Resolution C.S. No. C-3055 - Resolution to approve and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement with the St. Tammany Organization for the Prevention of Suicide. (Gould/Davis)

Dr. Peter Galvan - St. Tammany Parish Coroner - distributed hand-outs regarding suicide intervention programs. (Exhibits A & B) He has a lot of matters that come before him on a daily basis, a lot of them are handling mundane details and a lot of them are emergencies. He and his staff are death investigators who handle deaths that occur in homes, on the highways and in hospitals. They also handle mental health issues in the Parish. He works closely with President Kevin Davis, Bill Oiler and John Tobin, Social Services in the endless work of handling mental health issues and substance abuse. St. Tammany Parish is unique today because of its approach to the handling of a widespread problem. In 2005 - there were 450 emergency interventions written by doctors around the Parish. The interventions are written because a life is in jeopardy. In 2010 - there were over 2000 emergency interventions in the Parish. His office is working with Senator Jack Donahue to pass Act 907 in the State Legislature. The Act would begin to form a pilot program, Coroner's Strategic Initiative for a Health Information and Intervention Program (CSI/HIP), to integrate information compiled by faith based groups, civic groups, hospitals, law enforcement, etc. all in one place, so that an intervention can happen before it becomes an emergency. They want to bring resources into homes before the problem escalates. There are over 100 entities in St. Tammany Parish that provide mental health resources. This plan is the solution to the problem, and he believes that they can overcome any issues and make it work with the community's help.

Burkhalter - what has been the effect of the hospital closures in New Orleans?

Dr. Galvan - the shrinking number of beds has put extreme strain on St. Tammany. The problem is that more people are seeking help and have no place to go. A big component of CSI/HIP is to coordinate with the Courts because the Judges do not want to lock up the mentally ill.

Rodney Hesson, Psy.D. - on the Board of Directors for the Mental Health Association of St. Tammany (MHASt) - The MHASt Family Therapy Clinic provides therapy at no cost to individuals who need them. They are trying to reduce the number of suicides and improve mental health. Mental health is an integral part of who we are.

Keith Couture - Board of Director's Chair - they provide help for the working poor who cannot afford \$100 an hour for therapy.

LaVondra Dobbs - St. Tammany Outreach for the Prevention of Suicide - President Board of Directors - they also provide counseling for those in need and suicide intervention. There were 34 suicides in the Parish in 2010. Fifty percent of them were white males with a median age of 50. There have already been four suicides this year.

Kevin Davis - this is a long term issue. The mentally ill are ending up incarcerated and there is no process to bring them back into society. MHASt and STOPS are non-profit groups. The Parish can help them this year, but there is no funding beyond that. They are not receiving any state or federal assistance. The Secretary of Health wants to close Southeast Louisiana Hospital. Already over 100 of the beds there are being occupied by patients from outside the Parish. This Parish does not like seeing a 55 year-old man committing suicide for no apparent reason. The Parish needs these agencies to make sure patients are taking their medicine and going to the doctor. He does not want our citizens to be afraid to ask for help. The daily pressures on the people of this Parish just from the hurricane and the oil spill are enough to push someone over the edge.

Hamauei - 16. Ord. Cal. No. 4510 - Ordinance amending Parish Code of Ordinances, Article I General Provisions, Section 1-002.00, Rules of Construction and Definitions to provide with respect to mandatory amendments to Appendix "C" of the Code of Ordinances, the Unified Development Code Volume 1 (Zoning) and to otherwise provide with respect thereto. (Bellisario)

Bellisario - he brought forth this issue because when you look at how things have been done with zoning and planning. He felt that they needed a process to handle issues that are not specifically defined in the Code. For example: green energy, there is not a category or a way to handle windmill farms.

Hamauei - another reason for this ordinance is that the Council has been dealing with the issue of a zoning classification for Waste Transfer Stations for over a year. He tried to instate a moratorium in June of 2010, but the Council voted him down. He feels it was unfair to his constituents because they were not given the courtesy of a public hearing about a waste transfer station in their area. Then, in December 2010 a permit for a waste transfer station in his district was issued by administration. If the moratorium had been in place, this permit would not have been approved. The citizens are here wanting a chance to express their concerns. They want what the citizens on Highway 25 had, a public hearing about the waste transfer station. The citizens know that this is not a dump. They know that waste transfer stations have to exist as the Parish does not have a landfill. His colleagues are all honorable people that just disagree with his opinion. He feels that the current zoning does not allow the Planning Director to approve permits or rezoning. He feels this is one last chance to revoke this permit and allow a public hearing for the citizens of Lacombe.

Stefancik - as Parliamentarian, he feels that Mr. Hamauei is allowing comments that are not germane to this ordinance. If the Council overrules his opinion, then the normal rules of public hearings should apply to the citizens speaking.

Bellisario - he wants to keep the two issues separate.

Canulette - the Council has been through this waste transfer station issue quite a lot. However, no one ever received unlimited time to express their complaints. He does not think that these citizens should be allowed that either.

Stefancik - the Council should not discuss waste transfer stations at all as it is not related to the topic of this ordinance.

Neil Hall - he is going to address his response to the public and try not to speak in legal terms. He asks the audience to understand that he is duty bound to always give the Council the best legal advice possible. He has done so for 14 years and has always successfully defended the Council in lawsuits. His advice affects citizens because if he gives the Council the wrong information, it will cost the citizens money. He totally believes that the ordinance that is up for consideration right now is not germane to the waste transfer station issue. Nor, can it be amended to address the waste transfer station issue. In this Parish, the Home Rule Charter is the supreme authority, which was enacted by a vote of the citizens of the Parish. The Council is the legislative body that makes laws. The Charter specifically provides that the Parish Planning Director interprets all land zoning issues. There is a separation between the administrative and legislative branches of the Parish Government. The

Council cannot override the decision of the Planning Director. To address this ordinance to waste transfer stations would be tantamount to overriding the Planning Director because the Charter says that this body cannot repeal that permit or override the decision/ interpretation of the Planning Director. It's not a question of whether or not Mr. Hamauei or the Council agrees or disagrees. It is a matter that the Council cannot use this Ordinance as a vehicle to change this. His advice to the Council is that this Ordinance is not germane to waster transfer stations and cannot be used as a way to challenge the permit.

Bellisario - moved to introduce, second by Burkhalter.

Hamauei - because of Mr. Hall's opinion on this ordinance, he placed an item on the Off-the-Floor Agenda. He was trying to handle the discussion here because of the roomful of citizens here who want to discuss the matter.

Canulette - if a time limit is placed on the citizens as to how long this matter is discussed, he is for it. He is not for an unlimited discussion.

Canulette - moved to open the Off-the-Floor Agenda, second by Falconer. Unanimous with 3 absent (Gould, Binder, Artigue).

Falconer - moved to move up Item #4 from the Off-the-Floor Agenda, second by Howell. Motion passed with 1 nay (Canulette) and 3 absent (Gould, Binder, Artigue).

Hamauei - 4) Discussion - Issuance of building permits on 12/1/2010 and 12/2/2010 for construction of a waste transfer station at 63125 Highway 434 at I-12, Lacombe. (Hamauei)

Hamauei - read prepared statement. See Exhibit C attached.

Jacob Goby - read prepared statement. See Exhibit D attached.

Buena Silve - she has been a resident of this Parish for 36 years. She has been active in government and what she has seen tonight has disconcerted her. All of the citizens are here fighting for the same thing to protect their homes and families. She does not want her children to breathe in something from this waste transfer station that will cause defects in their children.

Richie Schaeffer - his property borders the property where the station will go. He owns the pond that the station will drain into. He has worked for waste management and garbage is never clean. There is a lot of open property in this parish where this station can go.

Shannon Villemarette - read prepared statement. See Exhibit E attached. She wants to know how the property that this station will be on became zoned I-2?

Sidney Fontenot - the staff recommendation was that the property be zoned single family residential.

Hamauei - the owner of the property, Mr. Charbreck, when he asked for I-2 zoning was told that he would still have to come back for a public hearing on a waste transfer station permit. Then the permit was issued administratively, and that let the citizens down with the public process. The proximity of the station to Bayou Lacombe is disconcerting. The citizens of Lacombe want to live a pure life. This is not the site for a waste transfer station and they are going to fight this. This is the Council's second chance to remedy this issue.

Ken Litzenberger - read prepared statement. See Exhibit F attached.

Donny Frederick - CEO of the Louisiana Heart Hospital - they are actively trying to recruit more doctors. He is afraid that when they are brought to Lacombe to interview, the first thing they will see will be a waste transfer station. They have a planned corridor there. There is a neurology group, a social security office and a new hospital is opening in connection with the Heart Hospital. They do not want that unsightly plant opened. The Council may not have the authority to make a change to the permit, but they have the influence to.

Dr. John Logan - He is originally from Georgia, but has lived here for 20 years. He did not know what a waste transfer system was. In Georgia, it is called a dump. He likes to fish, but now he will be fishing less than 1/4 mile from the dump. His patients will have to exit by the dump to reach his office. He is a businessman and he and all of his colleagues pay taxes to this Parish. He is on the board at the hospital. They had to fight a lot to place the hospital where it is. That is the best area for growth in this Parish. To put a dump there is insane. He is not versed in how things get done, but to put a malodorous dump down the road from sick people is unreasonable.

Dan Ferrari - he has lived here for 15 years. He appreciates Mr. Hall's opinion. He does not understand how Mr. Davis could allow a staff member to make this decision.

Kevin Davis - he asked the Council to support the moratorium to stop any permits being issued or to change the zoning. However, no action was taken, and now, we are in this situation. The law says that the Planning Director makes the decision. The Parish President cannot be involved. The moratorium was brought up two months in a row and failed. All of the existing Waste Transfer Stations are in that zoning.

Hamauei - in June 2010, he saw that nothing was happening with establishing zoning for waste transfer stations. He brought up the moratorium off-the-floor and did not receive a unanimous vote, so the moratorium would not be considered. Then a month later, he put the moratorium on the regular agenda, and it failed. He represents his district and everyone who is here. They all have a right to do what they want to do.

Bobby Ohler - he has lived in Lacombe for 20 years. He has heard tonight about how much opposition there was to waste transfer stations, and yet, the permit was issued. He wants to know what kind of logic, Mr. Fontenot would use in making the decision.

Fontenot - when Mr. Hamauei first initiated the I-4 request, he indicated that he would be willing to initiate something to help solve the waste transfer station issue, and Mr. Hamauei did so. He begged the Zoning Commission to move on the proposed ordinance and send it to the Council. It was sent to the Council and then it continued to be tabled. Planning and Zoning held public meetings to look at the ordinance and similar uses. He and his staff did not recommend that this property be rezoned industrial or commercial. They recommended A-3 (Residential District). Somehow, as it went through the comprehensive rezoning process, it became industrial. He did his best to let the public know that it was happening.

JC Hymel - he lives on Vinson Road in Lacombe. He has listened to every one speak, and it appears that no one takes responsibility for what happened. Who is it that is responsible to do the right thing? The law, in his opinion, no matter how it is written, should be to do the right thing. In this instance, the right thing was not done. He does not feel that they followed the Charter in that they did not protect the Parish. This station will contaminate the bayou, which is currently a pristine, navigable waterway. Who will want to canoe, swim or boat in a waterway contaminated by garbage? When he found out the permit was issued, he tried to file an appeal. However, his appeal was denied because it was 2 days late. The different time frames given were confusing. Sidney said that it was 30 days after the issuance of the permit to file an appeal. The Council says that it is 45 days. If something is not done to retroactively solve the issue, the Parish will suffer. The Council needs to stop this travesty from disturbing this pristine area. He does not want this to become like Metairie or New Orleans.

Lawrence Reed - he lives on Little Dixie Ranch Road across from where the station will be built. He has lived here for 16 years and does not want this.

Mr. Roughfenburg - he is a professional geologist working for the EPA - the regulations for a waste transfer station are pretty heavy duty. He is not sure how this site got past the DEQ. The sand strata at this site is so shallow that any pollution from the station will get into the ground water.

Joe Savoie - the people in Lacombe are special. They work hard, are proud and know that if they went to Court, the Parish would lose.

Jeff Schoen - he represents IESI doing business as Coastal Waste - it is the company that holds the permit in this matter. In his 32 years of handling land use cases in front of this Council, he has never experienced anything like this. It has taken a lot of experience and training for him to be able to speak calmly. He hopes he will be well spoken. He is not going to object to or rebut anything that has

been said because he respects that they have a right to speak. There are always times when he disagrees with the Council and/or the Administration. They are always open and willing to work with the citizens. His client owns this piece of property, he received 2 permits, and has never been told that they did anything wrong in obtaining them. Allowing the people to speak like this turned into a defacto revocation hearing for the permits in a kangaroo court. It is not right that the citizens have berated the decisions that were made when they were given appropriate notice of what was occurring. Mr. Hamauei has consistently stated that waste transfer stations need to be heard in a public hearing. Mr. Hamauei told him that he did not have a problem with the stations, just with the lack of a public hearing. At the June 2009 Agenda review meeting. Mr. Hamauei asked questions to the Planning Department as to what zoning would require a public hearing. He was told by Mr. Fontenot that it would be I-4 with a conditional use permit. Mr. Hamauei was the one who placed the property into I-2 zoning. If Mr. Hamauei did not want this, he does not understand why he did not just leave the property as residential. The land owner wanted the property to be I-2 because he wanted to sell the property to someone for the purpose of a waster transfer station. He does not want the public to believe that his client concocted something that was not legal. They completed all of the necessary paperwork.

Hamauei - contrary to Mr. Schoen's comments, he had a meeting with Mr. Chabreck who stood in front of a small group and stated that Mr. Chabreck wanted a waste transfer station and that MR. Chabreck was told he needed I-4 zoning with a conditional use permit which would require a public hearing. Mr. Hamauei has been trying to correct this problem since 2009. It is all my fault. He does not disclose what citizens come ask him for. He tries to be fair. He did try to stop this with a moratorium in June and July 2010 before there was a permit on file. Will any Council member make a motion to revoke the permit?

No action taken.

Hamauei - we will move forward and complete the remainder of the Off-the-Floor Agenda.

OFF-THE-FLOOR AGENDA

Hamauei - 1) Resolution authorizing special counsel to represent St. Tammany Parish in the matter of the Deepwater Horizon Oil Spill occurring on April 20, 2010. (Gould)

Stefancik - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Resolution C.S. No. C-3059.

Hamauei - 2) Motion to refer to the Zoning Commission for recommendation a MHO (Mobile Home Overlay) on 1.0 acres bearing physical address 76134 Lazy R. Road, Covington within the Northwest Comprehensive Rezoning Area (CRA-5). (Ward 1, District 1)

Dean - moved to refer, second by Thompson. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Hamauei - 3) Resolution urging the Postmaster of the United States Post Office in Madisonville, Louisiana to provide roadside mail delivery to the residents of the Villages of Bocage Subdivision, St. Tammany Parish, Louisiana, using a Madisonville address and Zip Code. (Dean)

Dean - moved to adopt, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Resolution C.S. No. C-3060.

Hamauei - 5) Motion to refer to Zoning Commission for recommendation the proposed rezoning of a parcel of land in Section 19, Township 7 South, Range 12 East from HC-2 (Highway Commercial District) and I-2 (Industrial District) to I-2 (Industrial District). (Ward 4, District 7) (Hamauei)

Bellisario - moved to refer, second by Burkhalter. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Hamauei - 6) 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 Capital Road List - Fund 300 to add Northshore Boulevard intersection design. (Stefancik)

Stefancik - moved to adopt, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Resolution C.S. No. C-3061.

Hamauei - 7) Motion to refer to Zoning Commission for recommendation the proposed rezoning Lot 9 in Live Oak Hills, bearing physical address 1922 Highway 22, Madisonville, LA from A-3 (Residential District) to HC-1 (Highway Commercial District). (Survey Attached) (Ward 1, District 1) (Dean)

Dean - moved to refer, second by Thompson. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

ORDINANCES FOR ADOPTION

Hamauei - 1. Ord. Cal. No. 4391 - Ordinance amending the Official Parish Zoning Map to reclassify 1.37 acres located west of LA Highway 437, north of Schmolke Road, south of North Fitzmorris Road, being 76417 Lee Road, Covington from A-1 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 3, District 2) (ZC10-09-105) (Introduced 10/7/10) (Tabled 11/4/10, 12/2/10 & 1/6/11)

Cooper - as the appellant in this matter is not here, he requests that the Council vote against this Ordinance.

Stefancik - moved to adopt, second by Canulette. Motion failed with 10 Nays, and 4 absent (Falconer, Gould, Binder, Artigue).

Hamauei - 2. Ord. Cal. No. 4472AA - Ordinance to amend the Parish Code of Ordinances, Chapter 2, Article III, Section 2-030.00 relative to Parish Council salaries. (Introduced 12/2/10) (Tabled 1/6/11)

Stefancik - moved to amend this ordinance to state that the Parish Council salaries for the years 2012 through 2015 will remain at the current 2011 level which is \$2,300 per month, second by Burkhalter. Unanimous with 5 absent (Cooper, Falconer, Gould, Binder, Artigue).

Stefancik - moved to adopt as amended, second by Bellisario. Unanimous with 5 absent (Cooper, Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2452.

Hamauei - 3. Ord. Cal. No. 4474 - Ordinance amending the Official Parish Zoning Map to reclassify 6.67 acres located north of US Highway 190 East, east of Mitchell Street, west of Military Road from A-2 (Suburban District) & NC-4 (Neighborhood Institutional District) to A-2 (Suburban District), NC-4 (Neighborhood Institutional District) & MHO (Manufactured Housing Overlay District). (Ward 8, District 13). (ZC10-11-128) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Canulette- moved to adopt, second by Bellisario. Unanimous with 5 absent (Cooper, Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2453.

Hamauei - 4. Ord. Cal. No. 4475 - Ordinance amending the Official Parish Zoning Map to reclassify 7,200 square feet located west of 1st Street, north of Arthur Road, south of LA Highway 36, being 72091 1st Street, Covington from A-4 (Single-family Residential District) to A-4 (Single Family Residential District) & MHO (Manufactured Housing Overlay District). (Ward 3, District 3) (ZC10-12-138) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Thompson - moved to adopt, second by Howell. Unanimous with 5 absent (Cooper, Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2454.

Hamauei - 5. Ord. Cal. No. 4476 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located south of 1st Avenue, east of Old Spanish Trail, being Lots 165 & 166, Pine Villa Subdivision, Slidell from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 8, District 13) (ZC10-12-140) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Bellisario - moved to adopt, second by Canulette. Unanimous with 5 absent (Cooper, Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2455.

Hamauei - 6. Ord. Cal. No. 4477 - Ordinance amending the Official Parish Zoning Map to reclassify 0.56 acre located west of Achee Road, South of Tantela Ranch Road, being Lot B-3 from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 1, District 1) (ZC10-12-141) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Dean - moved to adopt, second by Thompson. Unanimous with 5 absent (Cooper, Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2456.

Hamauei - 7. Ord. Cal. No. 4478 - Ordinance amending the Official Parish Zoning Map to reclassify 4.6 acres located south of LA Highway 22, east of Mitcham Street, being 1957 Highway 22 West, Madisonville from A-2 (Suburban District) to HC-1 (Highway Commercial District). (Ward 1, District 1). (ZC10-12-143) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Dean - moved to adopt, second by Bellisario. Unanimous with 6 absent (Cooper, Falconer, Gould, Canulette, Binder, Artigue); becomes Ord. C.S. No. 11-2457.

Hamauei - 8. Ord. Cal. No. 4479 - Ordinance amending the Official Parish Zoning Map to reclassify 6.41 acres located south of LA Highway 36, east of Barbee Road, being 21084 LA Highway 36, Abita Springs from A-3 (Suburban District) to I-2 (Industrial District). (Ward 3, District 3). (ZC10-12-144) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Thompson - moved to adopt, second by Howell. Unanimous with 6 absent (Cooper, Falconer, Gould, Canulette, Binder, Artigue); becomes Ord. C.S. No. 11-2458.

Hamauei - 9. Ord. Cal. No. 4480 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5.29A, MD-4 Medical Research District. (ZC10-12-145) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Dean - moved to adopt, second by Canulette. Unanimous with 6 absent (Cooper, Falconer, Gould, Canulette, Binder, Artigue); becomes Ord. C.S. No. 11-2459.

Hamauei - 10. Ord. Cal. No. 4481 - Ordinance amending the Official Parish Zoning Map to reclassify 1.56 acres located on the northwest corner of Bayou Liberty Road & West Street from A-4 (Single-family Residential District) to HC-2 (Highway Commercial District). (Ward 9, District 14) (ZC10-12-146) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 6 absent (Cooper, Falconer, Gould, Canulette, Binder, Artigue); becomes Ord. C.S. No. 11-2460.

Hamauei - 11. Ord. Cal. No. 4482 - Ordinance amending the Official Parish Zoning Map to reclassify 1.26 acres located on the southwest corner of Bayou Liberty Road & Old Bayou Liberty Road from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 9, District 14). (ZC10-12-147) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 6 absent (Cooper, Falconer, Gould, Canulette, Binder, Artigue); becomes Ord. C.S. No. 11-2461.

Hamauei - 12. Ord. Cal. No. 4483 - Ordinance amending the Official Parish Zoning Map to reclassify 7.86 acres located on the Northeast Corner of Bayou Liberty Road & East Street from A-3 (Suburban District) to an I-2 (Industrial District). (Ward 9, Districts 12 & 14) (ZC10-12-148) (Zoning Commission Approved 12/7/10) (Introduced 1/6/11)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Cooper, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2462.

Hamauei - 13. Ord. Cal. No. 4484 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.2402, Subparagraph 2, and Section 5.2502, Subparagraph 30, I-1 and I-2 Industrial District Permitted Uses (Indoor Recreational Facilities), to provide for Indoor Recreational Facilities including a Restaurant without Lounge. (Introduced 1/6/11) (Zoning Commission to consider on 3/1/11)

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

Hamauei - 14. Ord. Cal. No. 4485 - Ordinance to amend and reenact Chapter 9 of the St. Tammany Parish Code of Ordinances, Garbage and Trash, to provide definitions and criteria with respect to Solid Waste Management Facilities, Collection Facilities, Transfer Stations and Commercial Haulers, and to otherwise provide amendments with respect to Garbage and Trash.

Bellisario - the Solid Waster Management Committee is still working on this ordinance and needs to discuss same with Environmental Services.

Bellisario - moved to table, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Hamauei - 15. Ord. Cal. No. 4487 - Ordinance to amend Parish Code of Ordinances, Section 40-071.01 Warranty and Performance Obligations to provide amendments with respect to increasing the amounts and duration of warranty obligations required. (Introduced 1/6/11)

Bellisario - moved to adopt, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2463.

Hamauei - 16. Ord. Cal. No. 4488 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning and conditional use permit applications, 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 1/6/11)

Bellisario - moved to adopt, second by Howell. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2464.

Hamauei - 17. Ord. Cal. No. 4489 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building or conditional use permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Introduced 1/6/11)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2465.

Hamauei - 18. Ord. Cal. No. 4490 - Ordinance to amend the 2011 Operating Budget. (Introduced 1/6/11)

Canulette - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2466.

Hamauei - 19. Ord. Cal. No. 4491AA - Ordinance to authorize the Parish President to acquire from Road Home Corporation certain parcels, rights-of-way and/or servitudes. (Introduced 1/6/11)

Stefancik - moved to amend the Exhibit to add an additional property, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Stefancik - moved to adopt as amended, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2467.

Hamauei - 20. Ord. Cal. No. 4492 - Ordinance to authorize the Parish President to transfer the I-12/Tchefuncte Interchange right-of-way to the Louisiana Department of Transportation and Development (LADOTD). (Introduced 1/6/11)

Thompson - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2468.

Hamauei - 21. Ord. Cal. No. 4493 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Tenet Project. (Introduced 1/6/11)

Canulette - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2469.

Hamauei - 22. Ord. Cal. No. 4494 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically entering the right-of-way on a portion of 4th Street and a portion of Jefferson Avenue, within Tammany Hills Subdivision. (Ward 3, District 5) (Introduced 1/6/11)

Stefancik - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2470.

Hamauei - 23. Ord. Cal. No. 4495 - Ordinance amending the official Parish Zoning Map to reclassify 0.16 acre located west of East Street, south of Sloat Road, north of Bayou Liberty Road from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 9, District 14) (ZC10-12-149) (Council overrode Zoning Commission denial and introduced 1/6/11)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Ord. C.S. No. 11-2471.

NOMINATIONS

Hamauei - 1) Resolution to appoint _____ to the Housing Authority of St. Tammany to fill the unexpired term of Maureen "Moe" Clary who has resigned. (Parishwide) (Burkhalter)

Burkhalter - moved to nominate Gary Elish, second by Canulette.

Canulette - moved to close nominations, second by Burkhalter. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Burkhalter - moved to suspend the rules and appoint Gary Elish, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Resolution C.S. No. C-3057.

APPOINTMENTS

Hamauei - 1) Resolution to appoint _____, _____ and _____ to the St. Tammany Parish Tourist Convention Commission for the expiring terms of Lisa Blossman (Term Expiring December 2010, 3 year term), and Connie Born (Term Expiring December 2010, 3 year term) and the unexpired term of Kristen McClaren (Resigned in July 2010, term expiring 12-31-2011). The Tourist Commission Nominating Committee has submitted recommendations pursuant to Parish Code of Ordinances, Section 2-061.00, et seq. (Burkhalter) (Tabled 12/2/2010) (Nominees: Blaine Stanga, Daniel R. Schaus, Mark A. Meyers, Pablo Menedez, Shane Boucher, Susan Russell and Connie Born)

Hamauei - please note when voting that Shane Boucher withdrew as a nominee.

Clerk Note: 2 vote sheets were distributed. Two names were to be selected for the east side of the Parish for terms of 3 years each. One name was to be selected for the west side of the Parish to complete the remainder of Kristen McClaren's term.

Canulette - moved to appoint Mark Myers, Pablo Melendez for 3 year terms ending December 31, 2013 and to appoint Daniel Schaus to complete the unexpired term ending December 31, 2011, second by Bellisario. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Resolution C.S. No. C-3058.

DISCUSSION AND OTHER MATTERS

Hamauei - 1) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 3.0 acres situated in Section 3, Township 6 South, Range 11 East, from its present A-1-A (Suburban District) to A-2 (Suburban District). (Ward 3 District 2)(Cooper)

Hamauei - 2) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 5.66 acres situated in Sections 18, 19 and 39, Township 5 South, Range 10 East, from its present A-1 (Suburban District) to A-2 (Suburban District) (Ward 2 District 3)(Thompson)

Hamauei - 3) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 1.34 acres bearing physical address 84612 Hwy 21, Sun, LA 70463 from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 1, District 6) (Howell)

Hamauei - 4) Motion to refer to the Zoning Commission for recommendation the proposed rezoning 4.27 acres bearing physical address 76160 Hwy. 1077, Covington, within the North West Comprehensive Rezoning Area (CRA-5) currently zoned A-1(Suburban District) to PF-1 (Public Facilities District). (Ward 1, District 1) (Dean)

Stefancik - moved to refer the motions in globo to the Zoning Committee, second by Burkhalter. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

VERBAL OFF-THE-FLOOR

Dean - 8) Motion to refer to the Zoning Commission for recommendation of a plan for signage of regional multi-use facilities, such as Pinnacle and River Chase. (Dean)

Dean - moved to hear the Motion off-the-floor, second by Thompson. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Dean - moved to refer, second by Thompson. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Howell - 9) Motion to refer to Zoning Commission for recommendation of the proposed rezoning of those parcels of land situated along West Porters River Road, generally between Highway 11 and I-59, located in Section 42, Township 8 South, Range 14 East, from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 8, District 6)

Howell - moved to hear the Motion off-the-floor, second by Burkhalter. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

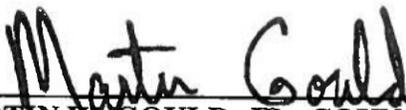
Howell - moved to refer, second by Thompson. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

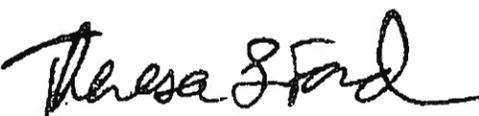
Burkhalter - 10) Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 09-2075, and the subsequent extension established by Ordinance C.S. No. 10-2424, on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structure on property within the boundaries of the subdivision known as Serenity Oaks (Ward 9, District 14)

Burkhalter - moved to hear the Resolution off-the-floor, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue).

Burkhalter - moved to adopt, second by Canulette. Unanimous with 4 absent (Falconer, Gould, Binder, Artigue); becomes Resolution C.S. No. C-3062.

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


MARTIN W. GOULD, JR., COUNCIL CHAIRMAN


THERESA L. FORD, COUNCIL CLERK