

Town of Abita Springs, La.



The following minutes were taken from the regular monthly meetings of the Public Committees on March 3, 2015.

Mayor Pro Tem Kilpatrick-Harper called the meeting to order and led the pledge of allegiance.

GOVERNMENTAL COMMITTEE: Mayor Pro Tem Kilpatrick-Harper moved to open the Governmental Committee meeting seconded by Alderman Berrigan. Alderman Berrigan then moved to accept the February 2015 Governmental Committee meeting minutes, seconded by Mayor Pro Tem Kilpatrick-Harper.

- Mayor Lemons directed attention to the handout outlining the progression of legal activities related to fracking. The summary began with the Town of Abita Springs' resolution expressing opposition to hydraulic fracturing in St. Tammany Parish. The mayor explained the basis for three legal actions initiated by the Town which included the rights of local communities to oversee and manage land use, alleged improprieties in the public hearing and comment period by the Army Corps of Engineers, and the failure of the Department of Natural Resources, Office of Conservation Commissioner to adequately fulfill his responsibility as a public trustee. Mayor Lemons announced the first hearing will be held in the 22nd Judicial Court on March 24th at 9am.
- Alderman Murphy began a discussion of the resolution opposing hydraulic fracturing in St. Tammany Parish. Alderman Murphy noted that it might be advantageous to involve the board early when making decisions regarding any actions authorized by the resolution. Alderman Berrigan offered the experience of board members and expressed his concern over the Town's exposure. Town Counsel, Edward Deano suggested that sensitive discussions of pending litigation matters should be held in executive session. Mr. Deano added that litigation by public bodies differs from those of business and that while the council as the legislative body might have legitimate questions and concerns those are best hashed out in executive session. Furthermore, he suggested that any executive session include the Tulane Law Clinic attorneys. Alderman Murphy restated his purpose, saying his intent was not to discuss the specifics of the case but was more appropriately about process. The alderman expressed his desire to see that prior to any path of action that the mayor and council undertake a thorough discussion of the facts. Alderman Welliver addressed her concern over timeliness of notification. Mayor Lemons pointed out discussions must comply with the open meetings laws and suggested the board appoint a representative to participate in all meetings. Mr. Deano added he was uncomfortable with the possibility that written communication, which may not be available through subpoena, could potentially be accessible through a public records request. Alderman Berrigan asked counsel a procedural question related to the Lawrason Act and authority. Mr. Deano responded that in a Lawrason Act community the issue of litigation is usually dealt with by the board through the budget; outside of this, litigation is an administrative function. Alderman Curtis declared his support for having a board member participate in the process; Alderman Murphy agreed. Mr. Deano stated his belief that Mayor Pro Tem Kilpatrick-Harper could select the representative from those expressing interest. Mayor Pro Tem Kilpatrick-Harper pointed out that Abita Springs has gone a little further than others with this course and asserted her intention to fulfill her obligation to represent the people. The mayor confirmed the Town's initiative and pledged his continued efforts. Mayor Lemons

emphasized the importance of this activity and expressed his hope that their actions have acted as a catalyst for others who have followed suit. He then thanked the board for their support in taking a leadership role.

- Mayor Pro Tem Kilpatrick-Harper moved to amend the agenda to add consideration of a resolution in support of a grant application by the Abita Grows Initiative, seconded by Alderman Berrigan. Mayor Lemons advised that the sample document would require revision prior to adoption but the intent to support the community garden project is the main objective. Abita Grows representative Mike Norman, further explained the project noting the grant is offered through the United States Department of Agriculture and the National Institute of Food and Agriculture. The Community Food Projects Competitive Grant would enable the Initiative to establish community gardens in at least two separate locations in Abita Springs. Mayor Pro Tem Kilpatrick-Harper moved to favorably recommend a resolution supporting the endeavor, seconded by Alderman Berrigan. Mayor Pro Tem Kilpatrick-Harper moved to close the Governmental Committee meeting, seconded by Alderman Berrigan.

INFRASTRUCTURE COMMITTEE: Alderman Murphy moved to open the Infrastructure Committee Meeting and accept the February 2015 Infrastructure Committee meeting minutes, seconded by Alderman Berrigan.

- Alderman Murphy opened discussion of the appointment of a Town Tree Inspector. Mayor Lemons directed attention to the resume provided by applicant, Ms. Maggie Gleason. The mayor pointed out that the inspector would only be involved in those decisions in which the health of the tree was questionable. If a protected tree is obviously dead or dying the Planning and Zoning Director can authorize its removal. Mayor Lemons advised the board of his desire to appoint Ms. Gleason as Town Tree Inspector and requested a favorable recommendation in support of his appointment. Alderman Murphy moved to favorably recommend the resolution supporting the appointment of Maggie Gleason as Town Tree Inspector, seconded by Alderman Berrigan. Alderman Murphy moved to close the Infrastructure Committee meeting, seconded by Alderman Berrigan.

FINANCE COMMITTEE: Alderman Blitch Welliver moved to open the Finance Committee Meeting and accept the February 2015 Finance Committee meeting minutes, seconded by Mayor Pro Tem Kilpatrick-Harper. Alderman Blitch Welliver moved to close the Finance Committee meeting, seconded by Mayor Pro Tem Kilpatrick-Harper.

ECONOMIC DEVELOPMENT COMMITTEE: Alderman Curtis moved to open the Economic Development Committee Meeting, seconded by Alderman Murphy. Mayor Lemons noted that he and Alderman Murphy have been actively pursuing possible annexations with positive reception on behalf of the realtors representing the property owners. Alderman Curtis moved to close the Economic Development Committee meeting, seconded by Alderman Murphy.

Mayor Lemons introduced Public Works Director, Johnny Clay, who presented training on the Town's wastewater collection and wastewater treatment systems. Mr. Clay covered topics including the details of the Town's sewer treatment facilities, inflow and infiltration into the wastewater collection lines, and Louisiana regulations as they apply to wastewater collection.

At the conclusion of the training presentations Alderman Curtis moved to close the meeting of the Public Committees, seconded by Alderman Blitch Welliver.

MEETING ADJOURNED

RESPECTFULLY SUBMITTED THIS 3rd DAY OF MARCH 2015.

Kathy Armand, Town Clerk

Greg Lemons, Mayor