 August 13, 2018

The following minutes were taken at the regular monthly meeting of the Mayor and the Board of Aldermen on July 17, 2018 at the Town Hall in Pearl River.

Mayor McQueen called the meeting to order at 7:02 p.m.

Alderman McGregor gave the invocation; the pledge of allegiance was led by Mayor McQueen.

**ROLL CALL:**

Mayor McQueen called roll and Alderman Walsh, Bennett, Phillips, Cutrer, McGregor, Attorney Tim Mathison, and Town Clerk, Madeline Campbell were all present.

Alderman Walsh motions to accept the minutes from June 19th 2018 regular council meeting for approval, Alderman McGregor seconds the motion. All in favor, Aye. **So Moved.**

Alderman Phillips motions to accept the minutes from May 22nd 2018 regular council meeting for approval, Alderman Walsh seconds the motion. All in favor, Aye. **So Moved.**

**RECOGNITION OF SPECIAL GUESTS:**

Alderman Bennett – Jesus Name Apostolic Church congregation

**PUBLIC HEARING:**

1. Mayor McQueen opens with Discussion of Ordinance #174A Sewer & Water Rates. He asks the council to set another opportunity for questions with a Public Hearing in a Special Meeting before the next Regular Meeting in August. Senior/Low Income program set up with this ordinance. Mayor says this will be set up in a separate ordinance. Alderman Phillips wants to have the ceiling set at 3,000 gallons not 2,000; he believes this ceiling will save all residents and still make enough to keep the S&W in good standing. Alderman Bennett wants to vote tonight to set the ceiling and the rates, then later follow up with the program for low income and senior residents.
2. A question from the floor, Miss Delores King, asks for the ceiling to be set at 3,000; she has been watching her usage and sees this as the best for her and many of her peers. A question from the floor, Miss Joy Holdsworth. She asks for the details to be recapped. Alderman Walsh agrees to have another meeting for the public; advertise it again. She motions to have a meeting on Monday August 6th when return from LMA Conference. Alderman McGregor makes a comment about the ceiling set at 3,000 gallons being too high in his experience. Those who fill up pools and water their lawns should pay more for their usage because they use more; our ordinance should not punish those who don’t have pools or use sprinklers. Alderman McGregor asks for the Monday meeting to be for 6:00pm; all agree to set this special meeting for August 6th at 6:00pm.
3. Mayor McQueen moves to the NEXT topic: Planning & Zoning Board’s recommendation presented at the June 19th 2018 Regular Council Meeting regarding land owner Bald Cypress Whiskey’s request to rezone the property 66193 Highway 41 Spur. Alderman Bennet moves to open the discussion; Alderman Phillips seconds the move to open discussion. All in favor, Aye. **So Moved.**
4. Alderman Phillips asks for P&Z Board Chair recap the details of this recommendation. Miss Lola Monroe comes to the podium. The P&Z Board recommended NOT to allow the rezoning change from R-1 to M-1 because the M-1 designation would not be safe for the surrounding residents of the R-1 zoning. Such spot zoning is not conducive to the development of the Town of Pearl River. It is also the belief of the P&Z Board that the state of Louisiana would not approve building on this sight anyway.
5. Mr Scott Deroen asked to speak for Bald Cypress Whiskey. Alderman Phillips invited Mr Deroen to give his presentation; equipment would not start up for this presentation. Council agreed to skip ahead while the equipment was adjusted (See #7 below)
6. **OLD BUSINESS:** While this presentation is set up; Mayor McQueen opens the public hearing for Chief Jennings to speak about his budget request to move funds from the “ammunition” line item to an “attorney fee” line item. This request is an amendment to the budget. Chief Jennings wants an attorney for his issues that sometimes come up in the middle of the night while town attorneys are not available. Citizen from the floor, Mr Don Vahearst, asks Chief Jennings to offer statistics on how many times his need for attorney council has come up and why he feels he needs this line item change. Chief Jennings explains the conflict of interest with Tim Mathison representing the Town, meaning this happens all the time with every question posed to the Town attorney, particularly if there is a disagreement interpreting the situation. He mentioned using this line item in the past, but had it moved out of his budget for this year because he did not foresee needing the funds in the line item “legal fees”. However, he feels that has changed and just wants the line items put back as they had been in the past. Chief Jennings mentions the most recent case where he was banned from town festivities as an example; Mayor McQueen addresses Chief Jennings’ comment about this situation. The Town did not ban any person from the festival. Alderman Bennett asks if the money Chief wants in the line item is to pay the attorney he used to represent him regarding the festival, the one who sent the letter to Town Hall. Chief Jennings answered no. Alderman Cutrer asks Chief Jennings if the attorney requested would have “police law” knowledge, and if this is the reason Chief is asking for a PD attorney; Chief Jennings’ answer is yes. Mayor McQueen asks if any more public comment: none, so Mayor McQueen closes the public hearing. Alderman Walsh motions to accept the change in Police Dept budget to move $5,000 from “ammunition” to “legal fees”. Alderman Cutrer seconds the motion to accept this line item change. Alderman Bennett – Nay, Alderman Phillips – Nay, Alderman McGregor – Nay. **Motion failed.** Chief Jennings said he needs this: “I’ll see you in court.”
7. **PUBLIC HEARING:** (Continued from #5 above). Mr Scott Deroen gives his presentation on Bald Cypress Whiskey. For several months they have met with Planning & Zoning. He provides details addressing the P&Z Commission’s main problems about the distillery: Black mold, explosion potential, waste products, and traffic volume. His business would NOT be a problem because of the small scale of his operations (small craft distillery). Bald Cypress Whiskey operations would emit the same as pumping gas, and cooking grits. Waste products will be 1.)mash sold to hog farmers, 2.)distilled and clean water used to clean equipment. The location is the only one Bald Cypress Whiskey could find fitting all parameters.
8. Mr William Gallaher, came to the podium. PhD in microbiology from Harvard, LSU Science Dept for years; served on LSU safety committee; he lives in Pearl River, and his grandchildren attend Pearl River schools. He is opposed to a distillery locating near residents and public places. His expertise and experience leads him to believe that distance is the only real safety precaution. His presentation lists more details about the potential dangers in locating a distillery in residential areas; in his educated opinion, locate no closer than 1/3 of a mile to residential or recreational areas.
9. Mr Matt Carrasco, property owner of neighboring property to Bald Cypress Whiskey’s proposed location, came to the podium. As a business owner, he conducts his business very carefully to be completely accountable and liable for all of his operations regardless of the cost of such a cautionary approach. He brought paperwork to show his concerns about how Bald Cypress Whiskey’s business (LLC) is set up, with issues that make its liability structure questionable.
10. Mr Scott Deroen comes back to the podium in response to Mr Carrasco. Mr Deroen defends by addressing the points brought out by Mr Carrasco with explanation of his choices.
11. Mayor McQueen asks the Council to act upon their wishes: the Planning & Zoning Commission has recommended to reject Bald Cypress Whiskey’s request to rezone property at 66193 Highway 41 Spur; we have listened to property owner’s presentation; we have listened to an expert’s opinion; we have listened to a neighbor property owner’s opinion. Now to the Council for their actions: Alderman Phillips makes a motion to accept the Planning & Zoning Commission’s recommendation. Alderman Bennett seconds the motion. **Roll Call**: Walsh – accept the recommendation to reject the rezone request, Bennett – accept the recommendation to reject the rezone request, Phillips – accept the recommendation to reject the rezone request, Cutrer – accept the recommendation to reject the rezone request, McGregor – accept the recommendation to reject the rezone request. **Request to Rezone is denied unanimously.**

**TABLED ITEM:**

Mayor McQueen asks the Council to take the Follow up report from CRI Auditors off the table. Alderman Phillips makes the motion to take it off the table. Alderman Bennett seconds the motion. All in favor, Aye. **So Moved.**

Miss Becky Hammond from Carr, Riggs, & Ingram (CRI) comes to the podium. Her report is for the year ended December 31, 2017. CRI was engaged to perform an audit and express an opinion on whether the financial statements were prepared fairly and whether any compliance issues on fair presentation exist. Their opinion is a clean opinion; GAAS and US Generally Accepted Accounting Principles were followed. There were some audit adjustments made; all of the adjustments recommended and made were for bringing the CASH basis of the financial statements into an ACCRUAL basis presentation of the financial statements. CRI will meet with our CPA, Dale Moore, Jr, to streamline this process for next year which should eliminate these Auditor-generated adjustment requests, saving time and resources.

There were no risks or exposures noted. No significant difficulties, no significant differences found or disagreements occurred. Their experience with Mayor McQueen, the Town Clerk, and Town Hall staff was very enjoyable.

They had a finding that required them to issue a “material weakness on ability to prepare the financial statements” because of the adjustments necessary to convert the CASH basis to ACCRUAL basis for financial statement presentation. This should easily be resolved before next year’s audit. They also had a finding of “a small, immaterial non-compliance” exception because there was no Ordinance showing presentation and acceptance of the “Storm Fund” Budget.

As far as the financial statement results, page 4 presents the total net position, just under $10million. This 2017 year had a decrease of $593,000 of which just over $400,000 was an accrual reversal of FEMA receivables recorded that now look to not be receivable from FEMA.

Overall, the fund balances are strong in all of our funds, with well over 6 months of fund balances to cover operating expenses if any significant happening occurs. Continue to be strong, good, stewards of the fund balances as we are and have been. The turnover in clerks over the year did not produce any significant problems, in fact was done smoother than expected under that circumstance.

**LEGISLATIVE COMMENTS:**

Alderman Cutrer reports that she attended the Keep Louisiana Beautiful regional meeting in Ruston, Louisiana. We, Keep Pearl River Beautiful, applied for a mini-grant, and have received it for trash receptacles: 5 cans to place, 2 at the Boat Landing, 3 in the Park. She has T-Shirts for all “Love the Boot, Don’t Pollute”. Alderman Cutrer asks about the video recordings being made of each council meeting; she wants them to be available soon for people who cannot make the meetings in person.

Alderman Phillips wants to announce Pearl River’s Sports Association has begun the drive for participants from 6 to 12 year olds as of May 1st. Players, cheerleaders and dance team members are encouraged to join. He brings up a desire for a sign to be placed for town information as well as such recreation information. His current sign to be placed and used correctly requires a letter from Mayor McQueen giving permission to put town information on it and review all information to be placed on it beforehand. He was instructed to move it in 5 days; or get Town permission because the municipality is exempt from the restriction. Alderman Phillips suggests a more permanent marquis style sign for town and the sports association to use. Alderman Walsh presents information she found from Sign Lite for such a scrolling, digital sign. The prices range from $15,000 to $20,000. She suggested looking into revenue sharing with the Parish on this sign.

Alderman Bennett asks about placing signs around town that are nice and manually updated.

Alderman Walsh thanks everyone for their participation for the 4th of July Celebration. She specifically noted the efforts of Alderman Phillips and his wife for all of the flags placed on Highway 3081.

Alderman McGregor reports that our Pearl River Park will be getting bathrooms donated from St Tammany Parish. These will be permanent; we need to install a slab and have them moved.

**CHIEF JENNINGS COMMENTS:**

He wants to clarify that no town money was expended to pay any legal fees for his department. Chief asks about a Code Enforcement officer under his budget; this will require the Mayor to suggest and the council to approve the funds. Mayor McQueen responds that he believes we do not have the money in our budget. Alderman Phillips asks Town Attorney, Mathison if this is Lawrason Act procedures to put code enforcement under the Police Department. More research is needed to answer properly and completely. Mr Mathison will look into it and update next meeting.

Mayor McQueen asks if there are any requests to open the budget, these requests be put into writing as the law requires legitimate requests regarding budget changes to do.

Chief Jennings has a draft from the parish of an agreement for School Resource Officers to be placed in our schools regarding payment of these three officers’ salaries, retirement, benefits, workman’s comp, etc. Alderman Bennett asked Chief if the SROs in the City of Slidell are filled with officers doing details rather than salary paid positions. Chief Jennings said no, they are not. Mayor McQueen wants to be included in this process since he is responsible for the budget as mayor.

**MAYOR’S COMMENTS:**

Mayor McQueen asks the council to consider a request from Sunrise Homes, Coast Builders to adjust the subdivision plans to remove the sidewalks. Alderman Phillips makes a motion to take this off the floor. Alderman Walsh seconds the motion. All in favor, Aye. **So moved**. The request is to waive the sidewalk requirement for this development. The reason for their request is because some lots have low catch basins that may create drainage issues with the sidewalks. All council members voice their desire to keep the sidewalks; deny the waiver.

Mayor McQueen announces that we are receiving the LRWA award for the cleanest water produced at the lowest cost. This award will be presented at the yearly conference in Lake Charles, Louisiana week of July 18th, 2018.

He reminds everyone that qualifying to be a candidate for public office begins tomorrow, July 18th, and ends this Friday.

**RECREATION DISTRICT 5:**

Mr Peter Finger wants to be sure we have submitted our part to have the Boat Launch area updated; this process has to go through several state agencies. They have a tentative meeting scheduled with the school board to discuss using the area of land by the track. He mentions to anyone who may want to donate land for recreation, please do so.

**FIRE DISTRICT 11:**

Jack Dockery offers update regarding the activity in June. Report attached. He mentions the Fire District 11 always has someone there, 24/7. The 4th of July Celebration was great; they had approximately 200 people go through their booth. Testing of the water lines will be coming soon; later in the evening to be less of a burden on the citizens, so be aware. Signs will be put out when the testing is scheduled. Remember that school starts August 9th, 2018. Alderman Phillips asks about something behind the Chevron; Chief Dockery will look into this. December ballot will have the Fire District 11 renewal, not a new tax, just a renewal, so please vote.

**PARISH COUNCIL:**

Gene Bellisario offers Hwy 41 Spur update; the appraisals are coming in. Southside is moving along well. Louisiana DOTD 62 meeting report has come in. Properties on the Northside are held up because of a succession underway with an unrecorded survey that must be verified. Timeline for all on the construction: 270 – 310 calendar days before the work begins, which means a possibility of 13 months. State requirements set the amount of Right Of Way needed, and the Spur 41 bridge was designed so long ago, the requirements now are for more ROW.

**PLANNING & ZONING:**

Two applications came to the P&Z Commission: one for 66201 & 66203 Highway 41 Spur subdividing application; the other for 64129 Highway 41 Church of the Nazarene asking to annex remaining property into Pearl River. These are set for public hearing on July 24th 2018 at 7:00pm.

**SCHOOL BOARD DISTRICT 8:**

Peggy Seeley reports an upcoming meeting July 23rd, 2018 to discuss better lighting at Creekside Junior High. Administrative offices are closed for summer, but employees still work full time.

Mayor McQueen asks if anymore comments or questions; none so he asks to adjourn the meeting.

MEETING ADJOURNED

AT 9:48 p.m.

RESPECTFULLY SUBMITTED THIS 15TH DAY OF AUGUST 2018

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Madeline B Campbell, Town Clerk Clarence D McQueen, Mayor