



**TOWN COUNCIL MEETING
TUESDAY, JULY 15, 2025 AT 6PM
ABITA SPRINGS TOWN HALL
22161 LEVEL ST., ABITA SPRINGS, LA 70420**

Posted: July 14, 2025, 4pm

CALL TO ORDER: Mayor Curtis

INVOCATION: Alderman Boudreaux

PLEDGE OF ALLEGIANCE: Alderman Patterson

MAYOR'S ANNOUNCEMENTS: 1.) July 4th 2.) New Hire – Jennifer Ralser

ROLL CALL:

Call for Agenda Modifications

Accept June 17, 2025, Town Council Meeting Minutes

May 2025 Financial Report – Budget Amendment

NEW BUSINESS:

- 1.) **CALL FOR EXECUTIVE SESSION: STRATEGY SESSION WITH RESPECT TO PROSPECTIVE LITIGATION AFTER FORMAL WRITTEN DEMAND FROM LONESOME DEVELOPMENT LLC - RS 42:17, (2)**
- 2.) **RESOLUTION #2025-07-01* - CONSIDERATION OF THE ADOPTION OF:**
A RESOLUTION AFFIRMING SHARED RESPONSIBILITY AND INTERGOVERNMENTAL COORDINATION IN ADDRESSING INFRASTRUCTURAL, LEGAL, AND ENVIRONMENTAL CHALLENGES RELATED TO THE ABITA MEADOWS DEVELOPMENT AND ADDRESSING COMPLIANCE WITH JUDICIAL ORDERS AND STATE ENVIRONMENTAL LAW.
- 3.) **RESOLUTION #2025-07-02* - CONSIDERATION OF THE ADOPTION OF:**
A RESOLUTION AFFIRMING SHARED RESPONSIBILITY AND INTERGOVERNMENTAL COORDINATION IN ADDRESSING INFRASTRUCTURAL, LEGAL, AND ENVIRONMENTAL CHALLENGES RELATED TO THE ABITA MEADOWS DEVELOPMENT AND ADDRESSING COMPLIANCE WITH JUDICIAL ORDERS AND STATE ENVIRONMENTAL LAW.

OLD BUSINESS:

- 1.) **RESOLUTION #2025-07-03 - CONSIDERATION OF THE ADOPTION OF:**
A RESOLUTION ESTABLISHING AN INCREASED GARBAGE COLLECTION RATE FOR CUSTOMERS WITHIN THE TOWN OF ABITA SPRINGS, EFFECTIVE AUGUST BILLING CYCLE, DUE TO INCREASED SERVICE COSTS FROM COASTAL ENVIRONMENTAL WASTE SERVICES

OPEN/ADJOURNMENT:

***Note:** *Although Resolutions #2025-07-01 and #2025-07-02 share the same title, their content differs.*

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT US AT (985) 892-0711.
PLEASE CONTACT TOWN HALL AT THE SAME NUMBER FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA.

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RESOLUTION 2025-07-01

A RESOLUTION AFFIRMING SHARED RESPONSIBILITY AND INTERGOVERNMENTAL COORDINATION IN ADDRESSING INFRASTRUCTURAL, LEGAL, AND ENVIRONMENTAL CHALLENGES RELATED TO THE ABITA MEADOWS DEVELOPMENT AND ADDRESSING COMPLIANCE WITH JUDICIAL ORDERS AND STATE ENVIRONMENTAL LAW

WHEREAS, the Town of Abita Springs (“Town”) entered into a Planned Unit Development (“PUD”) Agreement in January 2018 with Lonesome Development, LLC, concerning the proposed Abita Meadows subdivision; and,

WHEREAS, to assist the Development project, on November 16, 2017, the prior Mayoral Administration issued a letter at the request of a consultant hired by Lonesome Development, LLC, stating incorrectly that “our Town Engineer and Sanitation Contractor has stated the (sewage treatment) capacity is available for this project,” when they, in fact, had not done so; and,

WHEREAS, on March 30, 2023, the Town’s Engineer issued a detailed study concluding that the Town’s wastewater system as presently configured cannot accommodate the additional sewage capacity required by the Development, as the Town is currently already operating under a compliance order issued by the Louisiana Department of Environmental Quality (LDEQ), due to persistent deficiencies in sewerage system capacity, connections, permit violations, and environmental risk; and,

WHEREAS, the Town’s Ordinances and the Town’s Forms associated with the PUD/subdivision approval process require a licensed engineer’s opinion confirming that the sewerage treatment system has the capacity to receive and treat projected sewage; and,

WHEREAS, in his March 30, 2023 report, the Town’s Engineer suggested two alternative connections that would provide sufficient sewage treatment capacity for the Development, which would prevent the environmental disaster that will likely occur using the sewerage connections required under the Development Agreement; and,

WHEREAS, in 2022 the 22nd Judicial District Court had issued a final judgment ordering specific performance under the Development Agreement, and despite the Town’s continuing efforts to fulfill its obligations under the Development Agreement, the Court subsequently held the Mayor in contempt for failing to comply, which decision was reversed by the Louisiana Supreme Court on procedural grounds; and,

WHEREAS, the Planning and Zoning process in the Town of Abita Springs is multilayered, with a separate and distinct five-member Planning and Zoning Commission, appointed but operating independently of the Board of Aldermen, entrusted by law with rendering recommendations and decisions on planning and zoning matters, including subdivision approvals; and,

WHEREAS, the Board of Aldermen, while responsible for adopting land use ordinances and municipal policy, does not have appellate authority over Planning and Zoning Commission decisions, which may only be reviewed by the 22nd Judicial District Court; and,

WHEREAS, the Mayor and Board of Aldermen are constitutionally distinct branches of local government, with the Mayor responsible for execution of the law and protection of public safety, and with the Board of Aldermen responsible for policy direction, legislative oversight, and the approval of the appropriation of funds; and

WHEREAS, in order to comply with judicial orders, avoid further liability, and protect public health and safety, the Town must find a lawful and environmentally sound path forward that honors the integrity of each governmental function and entity involved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS:

- 1. Recognition of Legal Complexity.** The Board acknowledges that the Town is faced with interlocking legal, regulatory, and infrastructural challenges arising from the Development Agreement, judicial orders, and LDEQ mandates, all of which require lawful, coordinated action, by the Town, including the Mayor, the Board of Aldermen and the Planning Commission.
- 2. Support for Executive Cooperation.** The Board affirms its support for the Mayor's ongoing efforts to navigate this situation in good faith and recognizes that the Mayor lacks the legal authority under the Town's Ordinances to fulfill the court's mandate to connect the Abita Meadows Development to the Town's sewer system without legislative support, fiscal authorization, and environmental compliance.
- 3. Commitment to Legislative Partnership.** The Board commits to working constructively with the Mayor and the administration to evaluate potential solutions, including capital planning, legal options, and public financing mechanisms, so long as such actions do not further compromise the Town's environmental standing or public safety obligations.
- 4. Respect for Planning & Zoning Authority.** The Board recognizes that the Development remains subject to review by the Planning and Zoning Commission, which will make its own recommendation, and which is not subject to the control of the Board of Aldermen.
- 5. Board Review and Direction on Sewer Infrastructure Options.** The Board acknowledges that the Town Engineer, at the direction of the administration, has presented two viable infrastructure options to address the sewer connection issue in a way that aligns with the Town's current capacity and environmental constraints.
 - a. The Board further acknowledges that neither option can be implemented within the current municipal budget, and that funding at this scale will require additional revenue.
 - b. Accordingly, the Board proposes to explore the possibility of seeking voter approval for a dedicated millage or sales tax increase to fund the necessary improvements. This path ensures transparency, honors the Town's legal obligations, and allows the public to play a direct role in shaping the future of critical infrastructure.
 - c. The Board commits to formally reviewing the presented options and working with the administration to develop clear cost estimates, timelines, and ballot language for public consideration.
 - d. The Board recognizes that no further meaningful progress can occur unless it participates in selecting and supporting a solution. The time has come to move from discussion to decision.

6. **District Court Decision.** Although the District Court has ruled that the Town must pay for an alternative sewerage connection, including the two recommendations by the Town Engineer, that District Court's decisions remains subject to appeal. Nevertheless, as noted above, the Town is instructed by this resolution to explore the possibility of a dedicated millage or sales tax increase to fund the necessary improvements.
7. **Unified Message to Stakeholders.** The Board and Mayor affirm their shared commitment to acting in the public interest, defending the Town's long-term viability, and ensuring all lawful obligations are met through cooperative governance, not internal division or unilateral action.

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to the Mayor, Planning and Zoning Commission, legal counsel, Lonesome Development, LLC, the 22nd Judicial District Court, and the Louisiana Department of Environmental Quality to signify the Town's collective intent to proceed with lawful and transparent cooperation.

ADOPTED on a motion of _____, seconded by _____ this ____ day of _____, 2025.

YEAS:

NAYS:

ABSENT:

ABSTAIN:



RESOLUTION 2025-07-02

A RESOLUTION AFFIRMING SHARED RESPONSIBILITY AND INTERGOVERNMENTAL COORDINATION IN ADDRESSING INFRASTRUCTURAL, LEGAL, AND ENVIRONMENTAL CHALLENGES RELATED TO THE ABITA MEADOWS DEVELOPMENT AND ADDRESSING COMPLIANCE WITH JUDICIAL ORDERS AND STATE ENVIRONMENTAL LAW

WHEREAS, the Town of Abita Springs (“Town”) entered into a Planned Unit Development (“PUD”) Agreement in January 2018 with Lonesome Development, LLC, concerning the proposed Abita Meadows subdivision; and,

WHEREAS, to assist the Development project, on November 16, 2017, the prior Mayoral Administration issued a letter at the request of a consultant hired by Lonesome Development, LLC, stating that “our Town Engineer and Sanitation Contractor has stated the (sewage treatment) capacity is available for this project,”; and,

WHEREAS, on March 30, 2023, the Town’s Engineer issued a detailed study concluding that the Town’s wastewater system as presently configured cannot accommodate the additional sewage capacity required by the Development, as the Town is currently already operating under a compliance order issued by the Louisiana Department of Environmental Quality (LDEQ), due to persistent deficiencies in sewerage system capacity, connections, permit violations, and environmental risk; and,

WHEREAS, the Town’s Ordinances and the Town’s Forms associated with the PUD/subdivision approval process require a licensed engineer’s opinion confirming that the sewerage treatment system has the capacity to receive and treat projected sewage;¹ and,

WHEREAS, in 2022 the 22nd Judicial District Court had issued a final judgment ordering specific performance under the Development Agreement, and despite the Town’s continuing efforts to fulfill its obligations under the Development Agreement, the Court subsequently held the Mayor in contempt for failing to comply, which decision was reversed by the Louisiana Supreme Court on procedural grounds; and,

WHEREAS, the Planning and Zoning process in the Town of Abita Springs is multilayered, with a separate and distinct five-member Planning and Zoning Commission, appointed but operating independently of the Board of Aldermen, entrusted by law with rendering recommendations and decisions on planning and zoning matters, including subdivision approvals; and,

WHEREAS, the Board of Aldermen, while responsible for adopting land use ordinances and municipal policy, does not have appellate authority over Planning and Zoning Commission decisions, which may only be reviewed by the 22nd Judicial District Court; and,

WHEREAS, the Mayor and Board of Aldermen are constitutionally distinct branches of local government, with the Mayor responsible for execution of the law and protection of public safety, and the Board of Aldermen responsible for policy direction, legislative oversight, and the approval of the appropriation of funds; and

¹ Abita Springs Ordinance #469 9-804 1.a.

WHEREAS, in order to comply with judicial orders, avoid further liability, the Town must find a lawful path forward that honors the integrity of each governmental function and entity involved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS:

1. **Recognition of Legal Complexity.** The Board acknowledges that the Town is faced with interlocking legal, regulatory, and infrastructural challenges arising from the Development Agreement, which require lawful, coordinated action by the Town, including the Mayor, the Board of Aldermen and the Planning Commission.
2. **Support for Executive Cooperation.** The Board affirms its support for the Mayor's ongoing efforts to navigate this situation in good faith and recognizes that the Mayor lacks the legal authority under the Town's Ordinances to fulfill the court's mandate to connect the Abita Meadows Development to the Town's sewer system without legislative support, fiscal authorization, and environmental compliance.
3. **Commitment to Legislative Partnership.** The Board commits to working constructively with the Mayor and the administration to evaluate potential solutions.
4. **Board Review and Direction on Licensed Engineer Opinion.** The Board acknowledges the conclusion reached by the Town Engineer but nevertheless resolves that it will review and give serious consideration to the opinion of another qualified, licensed professional engineer, whether provided by Lonesome Development, LLC or otherwise.
5. **Respect for Planning & Zoning Authority.** The Board recognizes that the Development remains subject to review by the Planning Commission, which will make its own recommendation, and which is not subject to the control of the Board of Aldermen.
6. **Unified Message to Stakeholders.** The Board and Mayor affirm their shared commitment to acting in the public interest, defending the Town's long-term viability, and ensuring all lawful obligations are met through cooperative governance, not internal division or unilateral action.

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to the Mayor, Planning and Zoning Commission, legal counsel, Lonesome Development, LLC, the 22nd Judicial District Court, and the Louisiana Department of Environmental Quality to signify the Town's collective intent to proceed with lawful and transparent cooperation.

ADOPTED on a motion of _____, seconded by _____ this ____ day of _____, 2025.

YEAS:

NAYS:

ABSENT:

ABSTAIN:



RESOLUTION 2025-07-03

A RESOLUTION ESTABLISHING AN INCREASED GARBAGE COLLECTION RATE FOR CUSTOMERS WITHIN THE TOWN OF ABITA SPRINGS, EFFECTIVE AUGUST BILLING CYCLE, DUE TO INCREASED SERVICE COSTS FROM COASTAL ENVIRONMENTAL WASTE SERVICES

WHEREAS, the Town of Abita Springs contracts with Coastal Environmental Waste Services for the provision of garbage collection and disposal services for customers within the town limits; and

WHEREAS, Coastal Environmental Waste Services has notified the Town of an increase in service charges for garbage collection, effective July 1, 2025, due to rising operational and disposal costs; and

WHEREAS, in order to maintain continued garbage collection services at the current level and to meet the increased costs incurred by the Town as a result of this rate change, it is necessary to adjust the monthly residential garbage rate accordingly; and

WHEREAS, the Board of Aldermen finds it in the best interest of the Town and its residents to adjust the garbage collection rate to reflect this increase.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Abita Springs:

That the Honorable Daniel J. Curtis, Mayor of the Town of Abita Springs is hereby granted all authority necessary to execute the increase in the monthly garbage collection rate from the current rate of **\$26.70** to a new rate of **\$27.48**, effective with the August 2025 billing cycle.

THUS DONE AND ADOPTED, by a motion of _____, seconded by _____ on the ____ day of _____, 2025, by the Board of Aldermen of the Town of Abita Springs, State of Louisiana, in regular session duly convened.

A vote having been taken on the matter with the following result:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

ATTEST

JANET DUFRENE, TOWN CLERK