

Livingston, Louisiana
May 12, 2016

The Livingston Parish Council met in regular session duly called, advertised and convened at its regular meeting place, the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, May 12, 2016, at the hour of 6:00 o'clock p.m. with the following Livingston Parish Council members present:

Jeff Ard
Garry "Frog" Talbert
Maurice "Scooter" Keen

John Wascom
R.C. "Bubba" Harris
Jeff Averett

Tracy Girlinghouse
Tab Lobell
Shane Mack

Also present: Layton Ricks, Parish President
Al Giraud present in the absence of Christopher Moody, Parish Legal Counsel

The chair called the meeting to order and asked the public to please mute or turn off their cell phones.

PUBLIC INPUT

The chair announced that Public Input would be accepted from any member of the audience wishing to address an agenda item.

LPR NO. 16-168

MOTION was made by Garry "Frog" Talbert and duly seconded by Jeff Averett to dispense with the reading of the minutes dated April 28, 2016 and adopt as written.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair addressed agenda item 9a, "Resolution to amend Council Policy and Procedure Manual: Ordinance Procedure, Section II, "Adoption", regarding how Public Hearings are held relative to time and agenda placement and the adoption of proposed ordinances" and explained the need for amending this item.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 16-169

MOTION was offered by R.C. "Bubba" Harris and duly seconded by Tracy Girlinghouse to amend the Livingston Parish Council Policy and Procedure Manual as follows:

Ordinance Procedure
Section II. Adoption

(Third paragraph) "Public hearings relative to adoption of proposed ordinances are held at a regular meeting of the Livingston Parish Council."

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS, MR.
MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair addressed agenda item 10, “Amend Section 2-2.1, “Same – Agenda of Meetings”, Introduction of ordinance – John Wascom” and explained the amendments necessary to update the ordinance.

The following ordinance was introduced in proper written form and read by title, to wit:

L.P. ORDINANCE 16-18

AN ORDINANCE TO AMEND CHAPTER 2, “ADMINISTRATION”, SECTION 2-2.1, “SAME—AGENDA OF MEETINGS”, BY AMENDING PART (C), SENTENCE NUMBER (2), “COUNCILMEN’S COMMENTS” AND PART (D), REGARDING FINES AND PENALTIES OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

LPR 16-170

MOTION was offered by Maurice “Scooter” Keen and duly seconded by Shane Mack to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, June 9, 2016 at the hour of six o'clock (6:00) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair addressed agenda item 11, a through c, and called upon Parish President Layton Ricks to present his report. Mr. Ricks briefly explained the proclamation and summarized Mr. Jamie Seal’s involvement with the Foster Kinship Association. He presented the proclamation to Mr. Seal at the podium declaring the month of May as “Foster Care Awareness Month” in the Parish of Livingston.

The Parish President explained agenda item 11b, “Juban Lighting System: Adopt resolution authorizing the Parish President to execute an agreement with DOTD for the obligations and liability therein for the Juban Road Lighting System”. He advised that he did not wish to have a vote of the Council at this time, but will come back at a later date with details of the costs and maintenance estimates of the lighting. The chair allowed an open discussion.

The chair allowed an open discussion regarding agenda item 11c, “Public Hearing and Adoption of Resolution to establish and create the Livingston Parish Airport District”.

The chair declared the public hearing open and called for public input and any discussion relating to agenda item 11c, “Public Hearing and Adoption of Resolution to establish and create the Livingston Parish Airport District”.

Public Input: None

Having no comment from the public or the Council members, the chair called for a motion and a second to close the public hearing.

LPR NO. 16-171

MOTION was made by Garry “Frog” Talbert and duly seconded by Tracy Girlinghouse to close the public hearing regarding agenda item 11c, “Public Hearing and Adoption of Resolution to establish and create the Livingston Parish Airport District”.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

The following resolution was offered by R.C. “Bubba” Harris and seconded by Jeff Ard:

L.P. RESOLUTION NO. 16-172

A RESOLUTION TO CREATE THE LIVINGSTON PARISH AIRPORT DISTRICT AND ESTABLISH THE BOUNDARIES, DOMICILE, MEMBERSHIP AND TERMS IN ACCORDANCE WITH THE REQUIREMENTS OF LOUISIANA REVISED STATUTE 2:311 THROUGH LOUISIANA REVISED STATUTE 2:330.

WHEREAS, Louisiana Revised Statute 2:311 authorizes the governing authorities of the parishes of Louisiana to create airport districts; and

WHEREAS, Louisiana Revised Statute 2:313 through Louisiana Revised Statute 2:316, provides the method for giving notice of intent to create the airport district, its publication of notice and the designation of a public hearing to hear all objections interposed to the boundaries of the proposed airport district and to the inclusion of the property proposed to be included in the district; and

WHEREAS, Louisiana Revised Statute 2:315 allows the governing authority of the parish at the time of the public hearing to change the boundaries of the proposed district to exclude therefrom the lands of persons objecting, or by including the lands of persons petitioning to be included therein; and

WHEREAS, the Livingston Parish Council likewise desires to determine the creation of an airport district within the parish of Livingston, adopting the boundaries of the district, thereby defining the domicile, establishing the board and its membership, and also ascertaining the board terms and giving it a numerical designation and name as indicated in Louisiana Revised Statute 2:316;

NOW, THEREFORE, BE IT RESOLVED, by the Livingston Parish Council, governing authority of the Parish of Livingston, the establishment and creation of the Livingston Parish Airport District in accordance with the provisions of law, and having, as mandated, published a Notice of Intent in the Official Parish Journal, conducted and concluded a public hearing on Thursday, May 12, 2016, in the Livingston Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, whereby allowing public comments and disposing of all objections interposed to the boundaries; and

BE IT FURTHER RESOLVED THAT:

- A. In this manner, it is hereby established that Livingston Parish Council, governing authority of the Parish of Livingston, does consent and authorize the creation of the Livingston Parish Airport District pursuant to Louisiana Revised Statute 2:316.
- B. The legal boundaries of the Livingston Parish Airport Authority District are hereby comprised of all the territory located within the boundaries of Livingston Parish outside of incorporated areas of the Parish.
- C. The domicile of the Livingston Parish Airport Authority District will be the Parish seat; said domicile may be relocated within the geographical boundaries of the district pursuant to Louisiana Revised Statute 2:323.
- D. The Board of Commissioners of the Livingston Parish Airport District shall consist of seven (7) members, or their designee:
 - i. Four (4) members of the Livingston Parish Council, or their designee; and
 - ii. One (1) member of the Livingston Parish delegation from the Louisiana State Senate, or their designee, and
 - iii. One (1) member of the Livingston Parish delegation from the Louisiana State House of Representatives, or their designee, and
 - iv. The Livingston Parish President, or one (1) member being his designee
- E. Appointment and the terms of the first appointed Livingston Parish Airport District Board of Commissioners shall be as follows:
 - i. Two (2) of the first appointed of the Board of Commissioners shall hold office until two (2) years from the date of January first (1st) immediately succeeding their appointment, and
 - ii. Two (2) of the first appointed Board of Commissioners shall hold office until three (3) years from January first (1st) immediately succeeding their appointment.
 - iii. Two (2) of first appointed Board of Commissioners shall hold office for four (4) years from January first (1st) immediately succeeding their appointment.
 - iv. One (1) of the first appointed Board of Commissioners shall hold office for five (5) years from January first (1st) immediately succeeding their appointment.
 - v. Thereafter, each member of the Livingston Parish Airport District Board of Commissioners that is appointed shall serve for a term of five (5) years and shall serve without compensation.
- F. The Livingston Parish Airport District shall elect a chairman, vice-chairman, secretary and treasurer among its membership. Additional officers and/or committees will be determined by the Authority. The treasurer shall furnish a special bond for the faithful performance of the duties of their office. The governing authority of the district shall fix the amount of the bond and the airport district shall pay the premium for the treasurer's bond as provided in Louisiana Revised Statute 2:322.
- G. The Livingston Parish Airport District, which is geographically located in the state of Louisiana, shall be a political subdivision of the state within the meaning of Sections 30 et seq. of Article VI of the Constitution of Louisiana and of the provisions of the Louisiana Revised Statutes relating to the levy of taxes, the incurring of debt, and issuing of bonds as stated in Louisiana Revised Statute 2:312.
- H. The Livingston Parish Airport District shall adopt such rules and regulations as may be necessary for its governance, and unless revised by the Authority, shall follow Roberts

Rules of Order. In that regard, a majority of the Authority shall constitute a quorum for the transaction of business. Meetings shall be publicized in accordance with the laws of the state of Louisiana.

- I. The Livingston Parish Airport District shall maintain an accounting system and annual budget for the District in accordance with the best recognized practices in governmental accounting. The books and records of the District shall be subject to audit annually in the same manner as is provided for all public subdivisions of the state of Louisiana.

THE FOREGOING RESOLUTION, having been submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

WHEREUPON, this resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, acting as the governing authority of the Parish of Livingston, State of Louisiana, on this 12th day of May, 2016.

Thereupon the chair declared that the Motion had carried and was adopted.

The chair addressed agenda item number 11, “LOHSEP: Mark Harrell, Director:” Having no report(s) or action(s) necessary, the chair moved to the next agenda item.

The chair addressed agenda item 13, “Public Hearing and Adoption of Ordinance: L.P. 16-12, “3-Way Stop(s) Beverly Drive @ Dama Drive and Ashley Drive @ Marion Drive”.

The chair declared the public hearing open and called for public input.

Public Input: None

Having no comment from the public or the Council members, the chair called for a motion and a second to close the public hearing.

LPR NO. 16-173

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to close the public hearing regarding agenda item 13, “Public Hearing and Adoption of Ordinance: L.P. No. 16-12, “3-Way Stop(s) Beverly Drive @ Dama Drive and Ashley Drive @ Marion Drive”.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair directed the Council Clerk to read the ordinance by title for proposed Livingston Parish Ordinance No. L.P. 16-12, “3-Way Stop(s) Beverly Drive @ Dama Drive and Ashley Drive @ Marion Drive”.

LPR NO. 16-174

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on April 14, 2016, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on May 12, 2016 on Motion of Garry “Frog” Talbert and seconded by R.C. “Bubba” Harris:

L. P. ORDINANCE NO. 16-12

AN ORDINANCE TO AMEND AND REENACT SECTION 10-9(a), “STOP SIGNS, THREE-WAY STOP,” OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON, TO ADD THE INTERSECTION AT BEVERLY DRIVE AND DAMA DRIVE AND ASHLEY DRIVE AND MARION DRIVE.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on this the 12th day of May 2016.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 3).

The chair addressed agenda item 14, “Planning Commission Recommendations”, and called upon Sam Digirolamo, Planning Director. Mr. Digirolamo presented the recommendations and answered questions from the Council members.

Public input: Chad Bacas, Forte and Tablada

LPR NO. 16-175

MOTION was made by Garry “Frog” Talbert and duly seconded by Tracy Girlinghouse to approve the recommendation of the Planning Commission and **deny the waiver** for the number of lots on a servitude as requested by Gregory Mire, said property being located on Louisiana Highway 1019, Section 44, T7S R3E located in Council District 2.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-176

MOTION was offered by Maurice “Scooter” Keen and duly seconded by Jeff Averett **to approve** the recommendation of the Planning Commission for the preliminary plat for the Cottages of Beaver Creek located on Arnold Road, Section 9, T6S R3E located in Council District 3, with a **waiver** for the T-Turnaround **contingent** upon the Parish engineer’s questions being answered.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-177

MOTION was offered by Tracy Girlinghouse and duly seconded by Shane Mack to **approve** the recommendation of the Planning Commission for the preliminary site plan for Springs at Juban Crossing, located on Juban Road, Section 5, T7S R3E located in Council District 4.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-178

MOTION was offered by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to **approve** the recommendation of the Planning Commission for the revised preliminary plat for Audubon Lakes, 3rd and 4th Filings, located on Cane Market Road, Section(s) 51 & 31, T5S R3E located in Council District 2.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-179

MOTION was offered by Tracy Girlinghouse and duly seconded by Jeff Ard to **approve** the recommendation of the Planning Commission for the revised preliminary plat for Juban Trails, located on Buddy Ellis Road, Section(s) 2 & 3, T7S R4E located in Council District 7.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-180

MOTION was made by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to approve the recommendation of the Planning Commission and **approve the waiver** for the number of lots on a servitude as requested by Susan Harris, said property being located on Joel Ott Drive, Section 51, T5S R2E located in Council District 2.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-181

MOTION was offered by Tracy Girlinghouse and duly seconded by Jeff Averett to **approve** the recommendation of the Planning Commission for the revised site plan for Gator Millworks, located on Florida Boulevard, Section(s) 33 & 47, T6S R3E located in Council District 7.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair called upon Mr. Sam Digirolamo to address agenda item 15, “Accept Juban Crossing Boulevard into the parish maintenance system”. Both Mr. Digirolamo and the chair discussed the details surrounding accepting Juban Crossing Boulevard as parish property.

LPR NO. 16-182

MOTION was offered by Garry “Frog” Talbert and duly seconded by Shane Mack to accept Juban Crossing Boulevard into the parish maintenance system.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair addressed agenda item 16, “Public Hearing and Adoption of Ordinance: L.P. 16-13, “Home Rule Charter amendment, Term Limits”.

The chair declared the public hearing open and called for public input.

Public Input: None

The chair directed the Council Clerk to read the ordinance by title for proposed Livingston Parish Ordinance No. L.P. 16-13, “Home Rule Charter amendment, Term Limits”.

Having no comment from the public or the Council members, the chair declared the public hearing closed.

LPR NO. 16-183

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on April 14, 2016, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on May 12, 2016 on Motion of Garry “Frog” Talbert and seconded by R.C. “Bubba” Harris:

L. P. ORDINANCE NO. 16-13

AN ORDINANCE ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, ON NOVEMBER, 8, 2016, TO AUTHORIZE THE AMENDMENT OF CERTAIN ARTICLES OF THE HOME RULE CHARTER FOR THE PARISH OF LIVINGSTON, STATE OF LOUISIANA; MAKING APPLICATION TO THE STATE BOND COMMISSION; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on this the 12th day of May 2016.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 3).

Councilman Tracy Girlinghouse wished to qualify his “Yea” vote by explaining that he had requested at a previous regular meeting of the Council, when this ordinance was introduced, for constituents in the parish to contact him and invited them to express their opinion in regard to amending the Home Rule Charter by instituting term limits. Having had no one contact him, he stated his beliefs on the matter, and that he desired a vote of the people by an election to allow determination of constituents’ views and beliefs of necessitated terms limits of Councilmembers and the Parish President.

LPR NO. 16-184

MOTION was offered by R.C. “Bubba” Harris and duly seconded by Shane Mack to correct the term of expiration dates and (re)appointment(s) for Fire Protection District No. 5

Board members to be listed as the official record of the Livingston Parish Council as follows:

- | | |
|-------------------|-----------------------------------|
| • Tony Sibley | Term to expire on January 1, 2018 |
| • Kurt Mikesell | Term to expire on January 1, 2017 |
| • Wesley Sorenson | Term to expire on January 1, 2017 |
| • Susan Mack | Term to expire on January 1, 2018 |
| • Woody Cutrer | Term to expire on January 1, 2017 |

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on this the 12th day of May 2016.

The chair addressed agenda item 18, “Public Hearing and Adoption of Ordinance: L.P. 16-14, “Rescind and Reenact Section 9-111, Mining of Sand and/or Gravel for Commercial Purposes”.

The chair declared the public hearing open and called for public input.

Public Input: Mark Olsen, Council District 2 – Opposed to the proposed ordinance
Annette Passman, Council District 2 – Opposed
Ray Albarado, Council District 2 – Opposed
Jim Norred, Council District 2 – Opposed
Robert Smith, Renniger Road – In favor of the proposed ordinance
Gloria (unaudible), Oakview Lane –Opposed
Karen Mire, Council District 2 - Opposed

Having no further comment from the public or the Council members, the chair called for a motion and a second to close the public hearing.

LPR NO. 16-185

MOTION was made by Jeff Averett and duly seconded by Jeff Ard to close the public hearing regarding agenda item 18, “Public Hearing and Adoption of Ordinance: L.P. No. 16-14, “Rescind and Reenact Section 9-111, Mining of Sand and/or Gravel for Commercial Purposes”.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-186

MOTION was offered by Shane Mack and duly seconded by Maurice “Scooter” Keen to amend L.P. Ordinance 16-14, “Rescind and Reenact Section 9-111, Mining of Sand and/or Gravel for Commercial Purposes”, Section 9-111.4, “Requirements”, adjusting “Hours of Operation”, listed as “a through e” to read as follows:

Section 9-111.4 Requirements

Hours of Operation:

- a. Hours of operation for loading and/or transporting gravel or sand shall be Monday through Friday from 2:30 a.m. to 4:30 p.m. when the adjacent property line of the gravel and/or sand pit abuts a named subdivision.
- b. Plant production hours shall be Monday through Friday from 5:00 a.m. to 4:30 p.m. when the adjacent property line of the gravel and/or sand pit abuts a named subdivision.
- c. There shall be no loading, transporting, or plant production of gravel and/or sand on any major holiday; such as New Year's Day, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Eve, or Christmas Day when the adjacent property line of the gravel and/or sand pit abuts a named subdivision.
- d. Hours of operation for loading and/or transporting gravel or sand shall be from 2:30 a.m. to 5:00 p.m. when the adjacent property line of the gravel and/or sand pit does not abut a named subdivision.
- e. Plant production hours shall be from 5:00 a.m. to 5:00 p.m. when the adjacent property line of the gravel and/or sand pit does not abut a named subdivision.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 16-187

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on April 14, 2016, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage and adopted as amended on May 12, 2016 on Motion of Shane Mack and seconded by Maurice "Scooter" Keen:

L. P. ORDINANCE NO. 16-14

AN ORDINANCE TO RESCIND AND REENACT ARTICLE V, "MINERALS, OIL AND GAS," CHAPTER 9, "LICENSES AND BUILDING REGULATIONS," OF THE LIVINGSTON PARISH CODE OF ORDINANCES, BY ADDING SECTION 9-111 "MINING OF SAND and/or GRAVEL FOR COMMERCIAL PURPOSES."

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS, MR. MACK,
MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted as amended on this the 12th day of May 2016.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 3).

LPR NO. 16-188

MOTION was made by Jeff Averett and duly seconded by Maurice “Scooter” Keen to take a five (5) minute recess.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS,
MR. MACK, MR. LOBELL, MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair called the meeting back to order after its recess.

The chair addressed agenda item 19, “Public Hearing and Adoption of Ordinance: L.P. 16-11, “Amend L.P. 00-11, Waste Management Agreement: Deep Well Injection”.

The chair declared the public hearing open and called for public input.

Public Input: O'Neil Couvillion

Having no further comment from the public or the Council members, the chair called for a motion and a second to close the public hearing.

LPR NO. 16-189

MOTION was made by Garry “Frog” Talbert and duly seconded by Jeff Averett to close the public hearing regarding agenda item 19, “Public Hearing and Adoption of Ordinance: L.P. No. 16-11, “Amend L.P. 00-11, Waste Management Agreement: Deep Well Injection”.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. TALBERT, MR. KEEN, MR. HARRIS, MR. MACK, MR. LOBELL,
MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: MR. GIRLINGHOUSE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair directed the Council Clerk to read the ordinance by title for proposed Livingston Parish Ordinance No. L.P. 16-11, “Amend L.P. 00-11, Waste Management Agreement: Deep Well Injection”.

Public input: David Mason

The chair allowed the Councilmembers to have a very lengthy open discussion.

LPR NO. 16-190

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on April 14, 2016, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on May 12, 2016 on Motion of Garry “Frog” Talbert and seconded by Maurice “Scooter” Keen:

L. P. ORDINANCE NO. 16-11

AN ORDINANCE AMENDING AND REENACTING LP ORDINANCE 00-11 ADOPTED MARCH 27, 2000, BY VOTE OF THE LIVINGSTON PARISH COUNCIL, BEING AN AGREEMENT BETWEEN WASTE MANAGEMENT OF LOUISIANA LLC. AND THE PARISH OF LIVINGSTON, RELATIVE TO WOODSIDE LANDFILL.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. TALBERT, MR. KEEN, MR. HARRIS, MR. MACK, MR. LOBELL,
MR. WASCOM, MR. ARD, MR. AVERETT

NAYS: MR. GIRLINGHOUSE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on this the 12th day of May 2016.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 3).

Councilman Shane Mack gave a brief update on the Ordinance committee and announced that they would be meeting again soon.

There being no further business, the chair requested a motion to adjourn until the next regular meeting scheduled for Thursday, May 26, 2016, at the hour of 6:00 o'clock p.m. at Livingston, Louisiana.

LPR NO. 16-191

MOTION was offered by Jeff Ard and duly seconded by R.C. “Bubba” Harris to adjourn the May 12, 2016 regular meeting of the Livingston Parish Council.

YEAS: MR. LOBELL, MR. AVERETT, MR. MACK, MR. KEEN, MR. ARD,
MR. GIRLINGHOUSE, MR. HARRIS, MR. TALBERT, MR. WASCOM

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

Sandy C. Teal, Council Clerk

John Wascom, Chairman