

Minutes of the Livingston Parish Council  
Livingston, Louisiana  
January 12, 2017

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, January 12, 2017, at the hour of six (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: Parish President, Mr. Layton Ricks  
Christopher Moody, Parish legal Counsel

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The chair called the meeting to order and called upon Councilman Tab Lobell to introduce Russell Egnew to lead the Pledge of Allegiance. Young Mr. Egnew indicated that he was in eighth (8<sup>th</sup>) grade attended Springfield Middle School, and that he working toward becoming an Eagle Scout.

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The chair addressed agenda item 5, "Election(s) of 2017 chair and co-chair – John Wascom", and explained the annual custom for the allowance of elections of the Livingston Parish Council chair and co-chair.

### **ELECTIONS**

#### **LPR NO. 17-001**

MOTION was offered by Jeff Ard and duly seconded by Jeff Averett nominate Tracy Girlinghouse as the appointed Chairman of the Livingston Parish Council for the calendar year of 2017.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman John Wascom requested pause from the meeting for a photo opportunity and passed the gavel to Councilman Tracy Girlinghouse.

#### **LPR NO. 17-002**

MOTION was offered by John Wascom and duly seconded by Shane Mack nominate Jeff Ard as the appointed Co-Chairman of the Livingston Parish Council for the calendar year of 2017.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

### **PUBLIC INPUT**

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The chair announced that Public Input would be accepted from any member of the audience wishing to address an agenda item.  
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The chair addressed agenda items 9 and 10, “Adoption of Minutes of the December 15, 2016 regular meeting of the Council” and “Adoption of the Minutes from the December 27, 2016 Board of Review”.

**LPR NO. 17-003**

MOTION was made by Jeff Ard and duly seconded by Tab Lobell to dispense with the reading of the minutes dated December 15, 2016 of the regular meeting of the Livingston Parish Council and the minutes dated December 27, 2016 of the Board of Review and adopt by consent as written.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 11a, “Parish President’s Report: Authorization to execute and file an application for Council on Aging DOTD grant under 49 CFR 5311, Non-Urbanized Area Formula and/or 49 CFR 5309, Discretionary Capital Program – Leila Fauchaux, Executive Director of the Livingston Council on Aging” and called upon the Parish President, Layton Ricks. The Parish President addressed the Councilmembers and explained why the resolution was requested and its need for a vote of the Livingston Parish Council.

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**PARISH COUNCIL OF THE PARISH OF LIVINGSTON,  
STATE OF LOUISIANA**

**LPR NO. 17-004**

The following resolution was offered by Jeff Averett and duly seconded by Shane Mack:

**LP Resolution No. 17-004**

Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under 49 CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Livingston Parish Council:

1. That the Livingston Parish President is authorized to execute and file an application on behalf of the Livingston Parish Council with the Louisiana Department of Transportation and

Development, to aid in the financing of operating and / or capital assistance projects pursuant to the Rural Public Transit Program, 49 CFR 5311 and / or the Discretionary Capital Program, 49 CFR 5309.

2. That the Livingston Parish President is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the Livingston Parish President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application of the project.
4. That the Livingston Parish President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the Livingston Parish President is authorized to execute grant contract agreements on behalf of the Livingston Parish Council with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. This resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

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

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

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

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The chair addressed agenda item 11b, "Parish President's Report: Accept Annual Bids as Presented by DPW Director, Sam Digirolamo and LPDC Medical Administrator, Cheryl Smith". The chair called upon Sam Digirolamo to explain the bids as presented. Mr. Digirolamo answered questions from Councilman Garry "Frog" Talbert.

#### **LPR NO. 17-005**

MOTION was made by Garry "Frog" Talbert and duly seconded by Maurice "Scooter" Keen to accept the recommendations given by Administration for the annual road materials and supplies bids, for the year 2017 as presented, and authorize the Parish President to enter into any applicable agreement or contract for this material:

- Bridge Material and Round Timber Piles - MCM Lumber
- Asphalt Coated Arched Culverts – Coastal Culverts
- Hydraulic Fluids, Lubricants, Oils and Grease – Baton Rouge Industries
- Limestone Grade 8 – Construction Aggregates
- Limestone Grade 610 – Construction Aggregates
- Natural Sand – KBD Contractors
- Washed Concrete Gravel – KBD Contractors
- Prisoner Supplies - Charm-Tex and Bob Barker

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

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

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

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The Parish President requested to address the Councilmembers and give an update on the measures being made to address the designation of a smoking area for the Governmental Building. Money had been allotted to build a gazebo. Administration would work in conjunction with the Council clerk for the designation area. He also indicated that it's use would be assessed for three (3) to six (6) months and if necessary, come back to the Council to readdress the smoking problems at the Governmental Building.

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The chair addressed agenda item 12, "Office of Homeland Security and Emergency Preparedness – Mark Harrell". Director Mark Harrell did not have any agenda items and was not in attendance at the January 12, 2017 regular meeting of the Council. The chair, along with other Councilmembers, voiced their laments of his absence, all in good will, and truly missed his presence at the meeting.

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The chair called upon Planning Director Sam Digirolamo to address the Planning Commission Recommendations.

**LPR NO. 17-006**

MOTION was made by Shane Mack and duly seconded by John Wascom to accept the recommendation of the Planning Commission and approve a waiver for additional lots that will allow six (6) lots on the servitude of property for Cody Vendermeulen, Section 10, T6S R3E located on Zander Lane, in Council District 9.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 17-007**

MOTION was made by Jeff Averett and duly seconded by Jeff Ard to accept the recommendation of the Planning Commission and approve the preliminary plat for Arbor Walk, 6<sup>th</sup> Filing, Section 25, T7S R3E located on Arbor Walk Drive, in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 17-008**

MOTION was made by Jeff Averett and duly seconded by Jeff Ard to accept the recommendation of the Planning Commission and approve a waiver allowing twenty (20) feet of servitude size instead of the required forty (40) feet servitude size for Terry Bowman, Section 37, T7S R4E located on Glenn Ellis Road, in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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Mr. Digirolamo advised that agenda item 13d, “Magnolia Ridge, BEI Surveying, LLC, Servitude Revocation, 4-H Club Road, Section 44, T7S R3E, Council District 5” had been cancelled.

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The chair called upon Mr. Digirolamo once again to address agenda item 14, “Planning Department – Sam Digirolamo, a. Authorization for Southern Light Fiber, L.L.C. – Placement of fiber optic cable within the public right-of-way: i. Dunn Road”. Mr. Digirolamo explained the location of the project and answered questions from the Councilmembers. Review Engineer, Chad Bacas of Forte and Tablada, also answered questions from the Councilmembers. The chair allowed an open discussion.

**LPR NO. 17-009**

MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry “Frog” Talbert to accept the recommendation of the Planning Department and authorize Southern Light Fiber, L.L.C. to place fiber optic cable within the public right-of-way, located on Dunn Road in Council District 3.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 15 and declared that a Public Hearing was open for L.P. Ordinance No. 16-49, “Declare certain movable property (equipment) no longer needed for public purposes; provide for its sale by internet sales and/or public auction; and provide for terms of sale.” The chair directed the Deputy clerk to read the ordinance by title. Having no comment from the public or the Councilmembers, the chair requested a motion to adopt the ordinance.

**LPR NO. 17-010**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on December 15, 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 January 12, 2017 on Motion of Shane Mack and seconded by Jeff Ard to adopt the ordinance:

**L.P. ORDINANCE NO. 16- 49**

AN ORDINANCE TO DECLARE CERTAIN MOVABLE PROPERTY (EQUIPMENT) NO LONGER NEEDED FOR PUBLIC PURPOSES; PROVIDE FOR ITS SALE BY INTERNET SALES AND/OR PUBLIC AUCTION, AND PROVIDE FOR TERMS OF SALE.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

(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. 4).

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The chair addressed agenda item 16 and declared that a Public Hearing was still open for L.P. Ordinance No. 16-50, "Authorizing the hiring of one full-time employee for the parish council office and setting salary range for same." The chair directed the Deputy clerk to read the ordinance by title. Having no comment from the public or the Councilmembers, the chair requested a motion to adopt the ordinance.

**LPR NO. 17-011**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on December 15, 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 January 12, 2017 on Motion of Jeff Ard and seconded by Tab Lobell to adopt the ordinance:

**L.P. ORDINANCE NO. 16-50**

AN ORDINANCE AUTHORIZING THE HIRING OF ONE FULL-TIME  
EMPLOYEE FOR THE PARISH COUNCIL OFFICE AND SETTING SALARY  
RANGE FOR SAME.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

(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. 4).

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The chair declared that the Public Hearing was closed.

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The chair addressed agenda item 17, "Introduction of Ordinance: Add a three way stop sign at the corner of Rayville Drive and Covington Drive – Garry Talbert" and called upon Councilman Talbert. Mr. Talbert advised that he had been contacted by the Homeowner's Association to request that the Livingston Parish Council add stop signs at the mentioned intersections. He commented on his own experiences whereby hazards were created because of the placement of stop signs and wished to make note of that for the Home Owner's Association that was requesting the stop signs in their subdivision.

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

**L. P. ORDINANCE NO. 17-01**

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 AN INTERSECTION AT RAYVILLE DRIVE AND COVINGTON DRIVE.

**LPR NO. 17-012**

MOTION was offered by Garry “Frog” Talbert and duly seconded by Jeff Averett to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, January 26, 2017 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. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS,  
MR. TALBERT, MR. LOBELL, MR. AVERETT, MR. MACK

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 17-013**

MOTION was offered by Shane Mack and duly seconded by Tab Lobell to reappoint Johnnie Johnson to Gas Utility District No. 1, who resides in Council District 9, whose five (5) term will expire on January 1, 2022.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 17, “Discussion, and introduction of ordinance and resolution for possible name change and appointment of board members for Sewer District No. 2 – Garry Talbert, Scooter Keen” and called upon Councilman Talbert. Councilman Talbert explained in detail the events to consolidate Sewer Districts No. 1 and No. 2. Mr. Talbert called upon Parish Legal Counsel, Chris Moody. Mr. Moody advised that the Council would need to update the current ordinances in place for the two (2) districts to clean up the language that refers to “District 1” and District “2” by simply amending those ordinances. Mr. Talbert advised that there was a board member vacancy that Councilman Jeff Ard was prepared to make an appointment for. The chair allowed an open discussion regarding requirements of a board name change because of the consolidation of Sewer Districts No. 1 and 2.

**LPR NO. 17-014**

MOTION was offered by Jeff Ard and duly seconded by Maurice “Scooter” Keen to appoint Tony Achord, who resides in Council District 1, to fill the remaining vacancy on the five (5) member board of Sewer District No. 2, and who will serve at the pleasure of the governing authority without a term expiration, said board will be renamed “Livingston Parish Sewer District” by the introduction of an ordinance at the next regular meeting of the Council on January 26, 2017, Public Hearing and adoption of said ordinance will be held on February 9, 2017 at six o'clock (6:00 p.m.).

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair allowed Mr. Talbert to continue the open discussion regarding the consolidation of Sewer Districts No. 1 and 2.

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The chair requested that the Council consider lifting the agenda and called upon Councilman John Wascom to discuss the time sensitive need for this action.

Councilman Wascom indicated that he had been advised by Billy Taylor, Parish Road Project Engineer, that street evaluations would be coming up in the next month. He then instructed the Councilmembers to add their recommendations for priority road consideration in the upcoming month.

#### **LPR NO. 17-015**

MOTION was offered by John Wascom and duly seconded by Jeff Averett to lift the agenda to consider adding “Desert Willow” for consideration to the Priority Road List because of the impending time restraints necessitated in the coming month.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

#### **LPR NO. 17-016**

MOTION was offered by John Wascom and duly seconded by R.C. “Bubba” Harris to add the street “Desert Willow”, located in Council District 4, for consideration to the Capital Outlay/Priority Road List.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

### **2016-2017 ROAD IMPROVEMENT PROGRAM ROAD ANALYSIS AND ASSESSMENT**

#### **PRIORITY ROAD LIST**

<b><u>Road Name</u></b>	<b><u>Council District</u></b>	<b><u>Priority Rank</u></b>	<b><u>Priority Score</u></b>	<b><u>LP Resolution Number</u></b>	<b><u>Date Adopted</u></b>
<b>Jack Allen Road</b>	8	1	71	LPR NO. 16-109	March 24, 2016
<b>Courtney Road – Phase 2</b>	1	2	n/a	LPR NO. 16-109	March 24, 2016



<b>Chene Blanc</b>	8	3	70	LPR NO. 16-109	March 24, 2016
<b>Buck Perkins</b>	7	4	60	LPR NO. 16-109	March 24, 2016
<b>Maryland Street</b>	4	5	58	LPR NO. 16-109	March 24, 2016
<b>Iowa Street</b>	1	6	50	LPR NO. 16-109	March 24, 2016
<b>Falcon Crest Drive – Phase 2</b>	5	7	49	LPR NO. 16-109	March 24, 2016
<b>Joe May Road (South Section)</b>	5/6	9	44	LPR NO. 16-109	March 24, 2016
<b>Fayard Road</b>	8	44	10	LPR NO. 16-109	March 24, 2016
<b>Laurel Avenue</b>	5	36	13	LPR NO. 16-109	March 24, 2016
<b>Colonial Drive</b>	4	30	16	LPR NO. 16-109	March 24, 2016
<b>Swamp Drive</b>	8	28	18	LPR NO. 16-109	March 24, 2016
<b>White Oak</b>	1	28	19	LPR NO. 16-109	March 24, 2016

<u>Roads that are nominated for consideration to amend the Priority List</u>				
Henry Road	8		LPR No. 15-086	March 17, 2015
North Achord Road	1		LPR No. 15-167	June 11, 2015
Debbie Lane	5		LPR No. 15-305	December 3, 2015
Canyon Road	5		LPR No. 15-305	December 3, 2015
Greystone Drive	5		LPR NO. 15-305	December 3, 2015
Live Oak Village	2		LPR NO. 15-305	December 3, 2015
Hillon Hood Road	5		LPR NO. 16-044	January 28, 2016
Harris Road	5		LPR NO. 16-044	January 28, 2016
Wesley Street	4		LPR NO. 16-044	January 28, 2016
Dixie Street	4		LPR NO. 16-044	January 28, 2016
Bush Lane	2		LPR NO. 16-044	January 28, 2016
Sunset Lane	7		LPR NO. 16-065	February 11, 2016
Ballard Road	7		LPR NO. 16-065	February 11, 2016
Chapel Hill Drive	2		LPR NO. 16-065	February 11, 2016
Norfolk Drive	2		LPR NO. 16-065	February 11, 2016
Destrehan Avenue	2		LPR NO. 16-065	February 11, 2016
Devereaux Drive	2		LPR NO. 16-065	February 11, 2016
Springlake Drive	1		LPR NO. 16-086	February 25, 2016
Nature’s Way	1		LPR NO. 16-086	February 25, 2016
Old CC Road	9		LPR NO. 16-086	February 25, 2016
Sidney Woods	9		LPR NO. 16-086	February 25, 2016
Pete Smith	9		LPR NO. 16-086	February 25, 2016
Charles Holden	9		LPR NO. 16-086	February 25, 2016
James Chapel	9		LPR NO. 16-086	February 25, 2016
Henry White	9		LPR NO. 16-086	February 25, 2016
George White Road	9		LPR NO. 16-086	February 25, 2016
John Barber	9		LPR NO. 16-086	February 25, 2016
Pine Street	9		LPR NO. 16-199	May 26, 2016

Bonnie Bleu	6		LPR NO. 16-266	July 14, 2016
Woodland Street	6		LPR NO. 16-267	July 14, 2016
Woodland Street	4		LPR NO. 16-266	July 14, 2016
Creek Haven	3		LPR NO. 16-400	December 1, 2016
Creek Valley	3		LPR NO. 16-400	December 1, 2016
Creek Hollow Court	3		LPR NO. 16-400	December 1, 2016
Creek Bend Drive	3		LPR NO. 16-400	December 1, 2016
Clear Creek Drive	3		LPR NO. 16-400	December 1, 2016
Hollow Creek Court	3		LPR NO. 16-400	December 1, 2016
Desert Willow	4		LPR NO. 17-016	January 12, 2017

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**LPR NO. 17-018**

MOTION was offered by Jeff Ard and duly seconded by R.C. “Bubba” Harris to return back to the regular meeting agenda.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda addendum item A-1, “District Attorney’s Report: Executive Session: Discussion of: Instituting litigation to seek declaratory judgment regarding public road status of Legion Road”. Mr. Moody advised that this matter could be taken up in the regular meeting and an Executive Session would not be needed.

Councilman Jeff Averett addressed the Councilmembers to explain the legal history of Legion Road located in his district. He also requested that Mr. Sam Digirolamo, Director of Public Works, educate the Councilmembers on the Parish’s involvement and maintenance of Legion Road. Mr. Digirolamo advised that records indicated this road had been maintained by the Parish for approximately nine (9) years. Mr. Digirolamo answered questions received from the members of the Council. When asked if the Parish considered Legion Road to be a “Parish Road”, Mr. Digirolamo responded in the affirmative, that it was a “Parish Road”. Councilman Garry “Frog” Talbert questioned Mr. Moody’s opinion in the matter. Mr. Moody explained that the litigation was between two (2) land owners that are affected, “the guy that put up the gate, and the guy that needs access to the road”. Mr. Moody further explained that the matter came before Judge Brenda Ricks, where a preliminary injunction was sought. The other side took a writ to the First Circuit Court who rendered that it was inappropriate to grant the preliminary injunction and sent it back to Judge Ricks for further consideration. Judge Ricks has now ruled that Legion Road is a private road and will not stop the land owner from blocking access to the road. Mr. Moody advised that the Parish of Livingston was not involved in that litigation, but could possibly be affected by that ruling. Mr. Moody requested that the Councilmembers authorize him to investigate the possibilities of it and if it looks like it is viable, allow him to file suit. Councilman Talbert questioned the removal of the gate by the Parish. Mr. Moody recommended against that, because to Judge Ricks’s latest ruling and advised that he would like to look at all sides of the case to learn more.

**LPR NO. 17-019**

MOTION was offered by Jeff Averett and duly seconded by John Wascom to authorize the Parish’s Legal Counsel, Mr. Christopher Moody, to move forward with instituting litigation to seek declaratory judgement regarding public road status of Legion Road located in Council District No. 6.

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

YEAS: MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS,  
MR. TALBERT, MR. LOBELL, MR. AVERETT,  
NAYS: NONE  
ABSENT: NONE  
ABSTAIN: MR. MACK

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

Councilman Shane Mack qualified abstaining his vote on this matter because his brother, Sherman Mack, is representing one of the individuals involved and advised that he wished to do the right thing.

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There being no further business, the chair requested a motion to adjourn until the next regular meeting scheduled for Thursday, January 26, 2017, at the hour of six (6:00) o'clock p.m. in Livingston, Louisiana.

**LPR NO. 17-020**

MOTION was offered by R.C “Bubba” Harris and duly seconded by Tab Lobell to adjourn the January 12, 2017 regular meeting of the Livingston Parish Council.

YEAS: MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS,  
MR. TALBERT, MR. LOBELL, MR. AVERETT, MR. MACK  
NAYS: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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

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Sandy C. Teal, Council clerk

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Tracy Girlinghouse, Council chairman