

Minutes of the Livingston Parish Council  
Livingston, Louisiana  
March 23, 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, March 23, 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: Layton Ricks, Parish President  
Christopher Moody, Parish Legal Counsel

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The chair called the meeting to order and asked the public to please mute or turn off their cell phones.  
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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 item 7, "Presentations: a. Second Annual Denham Springs Fair – Tony Jarreau" and called upon Councilman John Wascom. Councilman Wascom advised of the upcoming fair in the absence of Mr. Tony Jarreau. The chair allowed the Councilmembers to ask questions and hold an open discussion.  
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The chair addressed agenda item 8a, "Adoption of the Minutes from the: March 9, 2017 regular meeting of the Council".

**LPR NO. 17-097**

MOTION was made by Maurice "Scooter" Keen and duly seconded by Jeff Ard to dispense with the reading of the minutes dated March 9, 2017 of the regular meeting of the Livingston Parish Council and adopt as recorded.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted.  
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The chair requested to move agenda item 26, "Accept Tiger Lane into the Parish Maintenance System – Shane Mack" and having no objection, called upon Councilman Shane Mack. Councilman Mack explained his wishes regarding this agenda item. The Councilmen were allowed to ask questions and have an open discussion. The road in question did not meet the requirements of the ordinance to accept it into the parish maintenance system. The chair allowed the open discussion to continue.

**LPR NO. 17-098**

MOTION was made by Shane Mack and duly seconded by John Wascom to accept Tiger Lane into the Parish maintenance system, waiving the criteria set forth in Parish ordinance(s), Section 14-13 and Section 13-54.1, being located off of Beas Nursery Road in Council District 9.

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

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

NAYS: MR. KEEN, MR. HARRIS

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 9, “Discussion of flooding in Satsuma – Tom Pettitt” and called upon Mr. Pettitt. Mr. Pettitt came before the Councilmembers and stated his name for the record. Before he began his presentation, the chair advised of his understanding, that Mr. Pettitt wished to speak on issues about Martin-Brower and how it has affected him. However, the issue had been taken under advisement, not to speak or comment in this matter, as Mr. Pettitt is seeking litigation against the City of Walker and/or the Parish, and the advisements was to not discuss this agenda item. The chair indicated that he would not be speaking publicly on this matter, but stated that the other Councilmembers were free to speak if they liked. Mr. Pettitt was instructed that he had five (5) minutes to speak and address the Council. Mr. Pettitt denied the litigation intent, and the chair validated his previous statement. Mr. Pettitt addressed his concerns with the recent flooding events and the indicators of why he felt surrounding areas were flooding. He questioned the Councilmembers on what their duties were regarding the drainage difficulties in the Parish. Mr. Christopher Moody, Parish legal Counsel, addressed Mr. Pettitt’s questions and explained in detail the Council’s duties, the Parish’s Gravity Drainage District’s duties and Administration’s responsibilities.

The chair allowed Mr. Pettitt to continue his questioning addressed to the Councilmembers regarding drainage in the Parish. The chair permitted the Councilmembers and Mr. Pettitt to have a very lengthy and extensive open discussion. Mr. Moody responded to Mr. Pettitt’s very specific questions, and answered him in great detail concerning drainage and how it relates to the Parish’s duties. The chair allowed the Councilmembers to continue with an open discussion.

Public input: Unidentified audience member  
Robert Strahan, Council District 3

After a very long open discussion, the chair advised that the discussion would need to end and the Council needed to move forward on the agenda. No action was taken in this matter.

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The chair addressed agenda item 10, “Address Arlington Drive concerns – Betty Magee” and called upon Ms. Magee to address the Councilmembers. Ms. Magee was not in attendance in the audience at the meeting and the chair moved on to the next agenda item.

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The chair addressed agenda item 11, “Parish President’s Report” and called upon Parish President Layton Ricks. Mr. Ricks discussed the proposed ordinance introductions of agenda items 11a, “Sale of adjudicated property to adjoining land owner, Introduction of Ordinance, 114 Sullivan Street, Denham Springs, LA” and agenda item 11b, “Sale of adjudicated property to adjoining land owner, Introduction of Ordinance, 26965 Walker South Road, Walker, LA.” Mr. Ricks indicated that this would be his last time to bring Adjudicated Properties before the Council as this process was now being facilitated by CivicSource.

The chair directed the Council clerk to read the proposed ordinance by title.

Councilman Maurice “Scooter” Keen questioned a discrepancy regarding the amount listed as six thousand five hundred dollars (\$6,500.00) on page one (1) of the proposed ordinance in the meeting packet, as opposed to page two (2), which indicated the amount listing to be six thousand dollars (\$6,000.00). It was determined that the correct amount should listed as six thousand five hundred dollars (\$6,500.00).

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

**LIVINGSTON PARISH ORDINANCE NO. 17-11**

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE CERTAIN ADJUDICATED PROPERTY SURPLUS AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ADJOINING LAND OWNER(S), **RONALD STACY PHIPPS and SHERYL GRAPHIA PHIPPS**, THEIR AGENTS OR ASSIGNS FOR THE PRICE OF \$6,500.00 AND WHICH PROPERTY IS DESCRIBED AS FOLLOWS:

**(Property Description)**

Assessment Number: 348276 Ward 2TA  
Physical Address: 114 Sullivan Street, Denham Springs, LA  
GPS Coordinates: 30° 28’ 58” N 90° 57’ 25” W

Legal Description: A certain lot or parcel of ground, together with all buildings and improvements thereon, and all of the rights, ways, privileges, appurtenances and advantages thereunto belonging or otherwise appertaining, situated in the Town of Denham Springs, State of Louisiana, located in Section 58, Township 6 South, Range 2 East, being Ninety feet by one hundred twenty feet dimension fronting on Sullivan Street, being subject to such servitudes as are of record in the office of the Clerk and Recorder for the Parish of Livingston, State of Louisiana.

Taxpayer Name: Corrine Grayer

**LPR 17-099**

MOTION was offered by Garry “Frog” Talbert 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, April 13, 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. MACK, MR. AVERETT, MR. LOBELL, MR. ARD, MR. WASCOM,  
MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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Mr. Ricks discussed the proposed ordinance introduction of agenda item 11b, “Sale of adjudicated property to adjoining land owner, Introduction of Ordinance, 26965 Walker South Road, Walker, LA.”

The chair directed the Council clerk to read the proposed ordinance by title.

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

**L.P. ORDINANCE NO. 17-12**

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE CERTAIN ADJUDICATED PROPERTY SURPLUS AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ADJOINING LAND OWNER, PINE SHADOWS PROPERTY, LLC, ITS AGENTS OR ASSIGNS, FOR THE PRICE OF \$26,668.00 AND WHICH PROPERTY IS DESCRIBED AS FOLLOWS:

**LPR 17-100**

MOTION was offered by Maurice “Scooter” Keen 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, April 13, 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. MACK, MR. AVERETT, MR. LOBELL, MR. ARD, MR. WASCOM,  
MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

The chair addressed agenda item 11c, “Livingston Parish Airport District Board Appointment” and advised that State Representative Dale Erdey had submitted correspondence advising his wishes to designate Mr. Rusty Howard as his established designee in the membership of the Livingston Parish Airport District. The Councilmembers chose to ratify the designee of Representative Erdey and his membership on the Livingston Parish Airport Board for the record.

**LPR NO. 17-101**

MOTION was made by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to ratify the appointment of Rusty Howard as the designee of State Senator Dale Erdey, to serve on his behalf on the Livingston Parish Airport District Board, as to which, being the last vacant and remaining member to be engaged to this board (Louisiana Senate appointment), the term of expiration of this board appointment shall be January 1, 2021.

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

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

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 12, “Office of Homeland Security and Emergency Preparedness – Mark Harrell”. Whereby Mark Harrell, Director of the Office of Homeland Security and Emergency Preparedness explained the need for his agenda items. He requested that the Councilmembers to consider adopting a resolution to extend the contract of the Parish’s Debris contract with Ceres for one (1) year and also extend the contract of Witt O’Brien for forty-five (45) days, and at the conclusion of that time frame, allow Mr. Harrell to reassess said contract for extension. Mr. Harrell advised that he also wished for the Council to vote and authorize the Parish President to execute the extension of both contracts. Councilman Garry “Frog” Talbert questioned the costs and rates associated with the work performed on behalf of the complaint made by a constituent from his Council district. The chair allowed an open discussion. Mr. Harrell addressed Councilman Talbert’s questions and gave explanation of the contract process for Disaster Debris Monitoring and Disaster Debris Removal and Site Management.

**LPR NO. 17-102**

MOTION was made by R.C. “Bubba” Harris and duly seconded by John Wascom to authorize the Parish President to execute and extend the Disaster Debris Removal and Site Management and Disaster Debris Monitoring and Management Services contracts for standby services with Ceres Environmental Services, Inc. for one (1) year effective April 5, 2017; and to also authorize the execution and extension of Witt O’Brien’s contract for forty-five (45) days effective March 29, 2017 to be reassessed at the end of that time and potential recommendation to extend their contract for another one (1) year.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LPR NO. 17-103**

MOTION was offered by R.C. “Bubba” Harris and duly seconded by Maurice “Scooter” Keen:

**WHEREAS**, at a regular meeting of the Livingston Parish Council on May 9, 2013, the Livingston Parish Council adopted LPR NO. 13-138 authorizing the use of Parish personnel and equipment as available as an in-kind match to the CDBG-DR grant in and up to \$125,000 to clear, grub trees and brush, haul dirt for a minimum 12’ access road and place rock on the road and pad sites for the purpose of soil testing and subsequent letting of a contract for a communication tower to be placed on property currently owned by the Parish and adjacent to the Sheriff’s Training Facility and;

**WHEREAS**, it has since been determined that the parish owned site is in interference with the proposed site for the Livingston Parish Airport; and the site is not suitable for the communication tower and;

**WHEREAS**, unused remaining funds in the amount of \$215,212.93 from other CDBG-DR projects have become available for transfer into the communication tower project and;

**WHEREAS**, the activities for which CDBG funds are being requested are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; which are of recent origin or which recently became urgent, and that Livingston Parish is unable to finance the activity on its own and that no other funds are available; and

**WHEREAS**, the parish in-kind match in and up to \$125,000 is no longer needed to clear, grub trees and brush, haul dirt for a minimum 12’ access road and place rock on the road and pad sites for the purpose of soil testing and subsequent letting of a contract; **now therefore**

**BE IT RESOLVED**, because of the reasons stated above that LPR NO. 13-138 is hereby rescinded in its entirety.

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

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

NAYS:           NONE

ABSENT:        NONE

ABSTAIN:       NONE

Thereupon the chair declared the Motion carried and was adopted.

Mr. Harrell requested to give a brief report on the mobile and portable reception that the communication tower was encountering. He advised that it was working and the exercises conducted to prove this. He also informed the Councilmembers of additional funding that would be requested at a later date to undertake the guarantee of service in known “dead zones”. He also encouraged the Ordinance committee to research other entities in the state of Louisiana that require cell phone carriers to place generators at all of their sites in times of emergencies.

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**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LIVINGSTON PARISH RESOLUTION NO. 17-104**

MOTION was made by Jeff Averett and duly seconded by John Wascom:

**WHEREAS**,                   the strength of our nation flows from the promise of individual equality and freedom of choice; and

**WHEREAS**,                   the forty-ninth Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans - individually and collectively- to rededicate themselves to the principle of freedom from housing discrimination whenever it exists. This law guarantees for each citizen that critical, personal element of freedom of choice-selection of the home; and

**WHEREAS,** a fair housing law has been passed by the State of Louisiana; and implementation of that law requires the positive commitment, involvement and support of all our citizens; and

**WHEREAS,** the department and agencies of the State of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

**WHEREAS,** barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all:

**NOW, THEREFORE,** the Livingston Parish Council, does hereby proclaim the month of April 2017, as:

### **FAIR HOUSING MONTH**

in Livingston Parish, Louisiana, and do hereby encourage all citizens to abide by the letter and spirit of the Fair Housing Law, and ask the citizens of Livingston Parish to join in reaffirming the obligation and commitment to fair housing opportunities for all.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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The chair addressed agenda item 14, “Public Hearing and Adoption of L.P. Ordinance No. 17-04, Height Restrictions for the Livingston Regional Airport”. Councilman Maurice “Scooter” Keen requested if agenda items 14 through 20 could be addressed at one time. Mr. Christopher Moody, Parish Legal Counsel, advised that some public bodies open the public hearing for all ordinances listed on the agenda, calling their numbers as enumerated as ask if there is any comment. After comment is exhausted, the chair then calls for the public hearing to be closed. The chair questioned Mr. Moody if each one of the ordinances would need to be read by title. Mr. Moody indicated that reading the ordinance number of each listed on the agenda would be sufficient and proceeded to give the chair an example by reading from the current agenda.

The chair open a Public Hearing for the matters of:

- Agenda item 14: Public Hearing and Adoption of L.P. Ordinance No. 17-04, Height Restrictions for the Livingston Regional Airport
- Agenda item 15: Public Hearing and Adoption of L.P. Ordinance No. 17-05, Quitclaim: Magnolia Ridge/ 4-H Club Road, Dynamic Group
- Agenda item 16: Public Hearing and Adoption of L.P. Ordinance No. 17-06, Quitclaim: Cella Gardens/ Juban Road, Alvarez Construction
- Agenda item 17: Public Hearing and Adoption of L.P. Ordinance No. 17-07, 3-Way Stop: Yellow Fin and Abyss Lane
- Agenda item 18: Public Hearing and Adoption of L.P. Ordinance No. 17-08, Outdoor Shooting Range Location and Regulations
- Agenda item 19: Public Hearing and Adoption of L.P. Ordinance No. 17-09, Identification of caskets; Interment, Promulgation of rules
- Agenda item 20: Public Hearing and Adoption of L.P. Ordinance No. 17-10, Amend Section 13-55, Servitudes/ No fences or structures inside

The chair inquired if there were any discussion from the audience on these items, having none, the chair declared that the public meeting (hearing) was closed.

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The chair addressed agenda item 14, “**Public Hearing and Adoption of L.P. Ordinance No. 17-04, Height Restrictions for the Livingston Regional Airport**”, and requested the Council clerk to read the ordinance by title.

The chair called upon Councilman Garry “Frog” Talbert who wished to address the Official Journal publication requirements, that are mandated by state law, for the public hearing regarding this matter. These mandates were not identified when the ordinance was submitted and introduced at the March 9, 2017 regular meeting of the Livingston Parish Council.

These mandates include:

- Notice of the time and place of the hearing shall be published once a week, in three different weeks, in the Official Journal of the Parish
- At least fifteen days shall elapse between the first publication and the date of the hearing

The Council clerk questioned how the other requirements of R.S. 33:4780.43 would be met, whereby notifying the owners of record of the properties, to which Councilmen John Wascom and Maurice “Scooter” Keen acknowledged that issue had been handled.

#### **LPR NO. 17-105**

MOTION was made by Jeff Averett and duly seconded by John Wascom to defer the adoption of L.P. Ordinance No. 17-04, “Height Restrictions for the Livingston Regional Airport”, to meet the public hearing publication mandates of state law and bring this matter up again at the April 13, 2017 regular meeting of the Livingston Parish Council and set a public hearing for Thursday, April 13, 2017 at six o’clock (6:00) p.m.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

*\*\* Publication mandates for this proposed ordinance: “Public Hearing and Adoption of L.P. Ordinance No. 17-04, Height Restrictions for the Livingston Regional Airport” were met by publishing the Notice of Public Hearing in the Parish’s Official Journal (The Livingston Parish News) on Thursday, March 30, 2017, Thursday, April 6, 2017, and Thursday, April 13, 2017. Copies of these publications are kept on file in the office of the Livingston Parish Council. \*\**

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The chair addressed agenda item 15, “**Public Hearing and Adoption of L.P. Ordinance No. 17-05, Quitclaim: Magnolia Ridge/ 4-H Club Road, Dynamic Group**”, and requested the Council clerk to read the ordinance by title.

#### **LPR NO. 17-106**

The following ordinance which was previously introduced in written form at a regular meeting of the Parish Council on March 9, 2017, a Notice of Public Hearing having been published in the official journal and which public hearing was held in accordance with said public notice, was offered by Maurice “Scooter” Keen and seconded by Jeff Averett:

#### **L.P. ORDINANCE NO. 17-05**

EXHIBIT SHOWING THE LOCATION OF THE PROPOSED REVOCATION OF EXISTING 60’ PRIVATE ALL PURPOSE SERVITUDE LOCATED ON TRACT B-2, CONTAINING 19.498 ACRES, BEING THE SITE OF PROPOSED RESIDENTIAL SUBDIVISION “MAGNOLIA RIDGE”, LOCATED IN SECTION 44, TOWNSHIP 7 SOUTH - RANGE 3 EAST, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA FOR DYNAMIC GROUP, LLC. BEING MORE PARTICULARLY DESCRIBED HEREIN:

WHEREAS, BY THE OFFICIAL PLAT OF EXHIBIT SHOWING THE LOCATION OF THE PROPOSED REVOCATION OF EXISTING 60’ PRIVATE ALL PURPOSE SERVITUDE LOCATED ON TRACT B-2,

CONTAINING 19.498 ACRES, BEING THE SITE OF PROPOSED RESIDENTIAL SUBDIVISION “MAGNOLIA RIDGE”, LOCATED IN SECTION 44, TOWNSHIP 7 SOUTH - RANGE 3 EAST, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA FOR DYNAMIC GROUP, LLC.

BEING MORE PARTICULARLY DESCRIBED HEREIN:

This ordinance having been submitted to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of March, 2017.

(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, “**Public Hearing and Adoption of L.P. Ordinance No. 17-06, Quitclaim: Cella Gardens/Juban Road, Alvarez Construction**”, and requested the Council clerk to read the ordinance by title.

**LPR NO. 17-107**

The following ordinance which was previously introduced in written form at a regular meeting of the Parish Council on March 9, 2017, a Notice of Public Hearing having been published in the official journal and which public hearing was held in accordance with said public notice, was offered by Garry “Frog” Talbert and seconded by Raymond “Bubba” Harris:

**L. P. ORDINANCE NO. 17-06**

AN ORDINANCE REVOKING 15’ OF A 30’ DRAINAGE SERVITUDE ACROSS LOTS 85-91 OF CELLA GARDENS SUBDIVISION, 3RD FILING, LOCATED IN SECTION 47, T6S-R3E, LIVINGSTON PARISH, LOUISIANA, IN FAVOR OF THE LAND OWNER, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED PLAT.

This ordinance having been submitted to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of March, 2017.

(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 17, “**Public Hearing and Adoption of L.P. Ordinance No. 17-07, 3-Way Stop: Yellow Fin and Abyss Lane**”, and requested the Council clerk to read the ordinance by title.



**LPR NO. 17-108**

The following ordinance which was previously introduced in written form at a regular meeting of the Parish Council on March 9, 2017, a Notice of Public Hearing having been published in the official journal and which public hearing was held in accordance with said public notice, was offered by John Wascom and seconded by Tab Lobell:

**LIVINGSTON PARISH ORDINANCE NO. 17-07**

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 YELLOW FIN DRIVE AND ABYSS LANE.

This ordinance having been submitted to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of March, 2017.

(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 18, **"Public Hearing and Adoption of L.P. Ordinance No. 17-08, Outdoor Shooting Range Location and Regulations"**, and requested the Council clerk to read the ordinance by title.

**LPR NO. 17-109**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 9, 2017, 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 March 23, 2017 on Motion of John Wascom and seconded by Shane Mack:

**L. P. ORDINANCE NO. 17-08**

AN ORDINANCE RESCINDING ARTICLE III, "PUBLIC AMUSEMENTS", DIVISION 1, "GENERALLY", CHAPTER 9, "LICENSES AND BUSINESS REGULATIONS", SECTION 9-32, "LOCATION OF SHOOTING RANGES", AND RE-ENACTING AS FOLLOWS: ARTICLE III, "PUBLIC AMUSEMENTS", DIVISION 1, "REGULATION OF OUTDOOR SHOOTING RANGE FACILITIES", AND ADDING SECTION 9-33 THROUGH SECTION 9-43 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

This ordinance having been submitted to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of March 2017.

(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 19, “**Public Hearing and Adoption of L.P. Ordinance No. 17-09, Identification of caskets; Interment, Promulgation of rules,**” and called upon Councilman Shane Mack. Councilman Mack explained that changes were needed to this proposed ordinance to improve and enrich the offered regulations. He indicated that the amendments to the formally introduced ordinance were:

- Casket burial will be required to have Twenty-four (24) inches of soil
- Ground vaults will be mandated to have eighteen (18) inches of soil coverage
- The section regarding enforcement shall be deleted and current enforcement rules will stay in place
- The penalty section will change from five hundred dollars (\$500.00) per case and will be amended to: per violation

Councilman Jeff Averett questioned the depth requirement. He explained that in his district, upon digging, water would be problematic. Councilman Mack answered and explained that he had spoken with funeral directors in the parish, and they maintained that it would not be an issue. He further advised that the depth requirement is currently state law and the main issue was requiring vaults to have soil coverage. The chair allowed an open discussion.

The Council clerk read the proposed ordinance by title.

#### **LPR NO. 17-111**

MOTION was made by Shane Mack and duly seconded by Jeff Ard to amend proposed L.P. Ordinance No. 17-09, “Identification of caskets; Interment, Promulgation of rules”, by amending the following:

#### **Section 9-223                      Identification of caskets; Interment; promulgation of rules**

##### ***Definitions:***

**Burial:**                      *the placement of human remains in a grave*

**Interment:**                *means the disposition of human remains by inurnment, scattering, entombment or burial in a place used or intended to be used, and dedicated, for cemetery purposes*

All funeral establishments burying in the Parish of Livingston shall affix, on a permanent-type material, the following information on all caskets used by such establishment for burial:

- (1) The name of the deceased contained within the casket;
- (2) The date of death of the deceased;
- (3) The name of the funeral establishment;
- (4) The cemetery name and location;
- (5) The burial plot location identification.

When final disposition of a human body entails interment, and when and where a burial takes place within a cemetery within Livingston Parish, Louisiana, the top of the uppermost part of the casket shall be a minimum of twenty-four (24) inches **and the uppermost part of the burial vault or other encasement shall be a minimum of eighteen (18) inches below the ground surface.**

Any violation of this ordinance is subject to a fine of five hundred dollars (\$500.00) per **case violation.**

~~The Livingston Parish Office of Homeland Security and Emergency Preparedness is tasked with the responsibility of enforcing the ordinance listed above. Penalties that shall be assessed for violation of this ordinance are dictated in the Livingston Parish Regulations Booklet, established by Livingston Parish Ordinance No. 13-37, adopted on the 10<sup>th</sup> of October 2013.~~

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

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

NAYS: MR. AVERETT

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 17-110**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 9, 2017, 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 March 23, 2017 on Motion of Shane Mack and seconded by John Wascom:

**L. P. ORDINANCE NO. 17-09**

AN ORDINANCE TO AMEND ARTICLE XI OF CHAPTER 9, "LICENSES AND BUSINESS REGULATIONS", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "RESERVED," BY ADDING SECTION 9-223, "IDENTIFICATION OF CASKETS; INTERMENT; PROMULGATION OF RULES."

This ordinance having been submitted to a vote, the vote thereon was as follows:

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

NAYS: MR. AVERETT

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted as amended on the 23rd day of March 2017.

(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).

-----  
The chair addressed agenda item 20, "**Public Hearing and Adoption of L.P. Ordinance No. 17-10, Amend Section 13-55, Servitudes/ No fences or structures inside**" and requested the Council clerk to read the ordinance by title.

Councilman Shane Mack gave a brief explanation of the purpose of the proposed ordinance.

**LPR NO. 17-112**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 9, 2017, 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 March 23, 2017 on Motion of Shane Mack and seconded by Jeff Averett:

**L. P. ORDINANCE NO. 17-10**

AN ORDINANCE TO AMEND CHAPTER 13, "PLANNING AND DEVELOPMENT," SECTION 13-55, "SERVITUDES: RIGHTS-OF-WAY", PART (G), OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

This ordinance having been submitted to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of March 2017.

(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 21, “Set speed limit on L D Erwin, Hunter Brook Lane, and Hunter Brook Extension located in Council District No. 2 –Garry “Frog” Talbert” and called upon Councilman Talbert who explained the request and need for a speed limit reduction in this area of his Council district.

**LPR NO. 17-113**

MOTION was offered by Garry “Frog” Talbert and duly seconded by Jeff Ard to set the speed limit on L D Erwin Road, Hunter Brooke Lane and Hunter Brooke Extension at 30 m.p.h. located in Council District 2.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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**LPR NO. 17-114**

MOTION was offered by Garry “Frog” Talbert and duly seconded by Jeff Ard to reappoint Mr. Beverly Thames (Council District No. 2 resident and property owner) to Gravity Drainage District No. 2, four (4) year term to expire on November 8, 2020.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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**LPR NO. 17-115**

MOTION was offered by Shane Mack and duly seconded by Jeff Averett to accept the resignation letter (received via email) of Benjamin Foster (Council District 9) dated March 23, 2017, board member of Gravity Drainage District No. 6, whose term was due to expire on July 23, 2017.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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**LPR NO. 17-116**

MOTION was offered by Shane Mack and duly seconded by Tab Lobell to appoint Jody Purvis (Council District 9) as a board member of Gravity Drainage District No. 6, to replace Benjamin Foster and serve the remaining term due to expire on July 23, 2017.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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**LPR NO. 17-117**

MOTION was offered by Shane Mack and duly seconded by Jeff Ard to accept the resignation letter (received via email) of Jerry Glascock (Council District 9) dated March 22, 2017, from the Livingston Parish Planning Commission, whose term coincides with the Councilmember Shane Mack due to expire on January 13, 2020.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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**LPR NO. 17-118**

MOTION was offered by Shane Mack and duly seconded by Jeff Ard to appoint Joseph Kreko (Council District 9) as a board member of the Livingston Parish Planning Commission, to replace Jerry Glascock and serve the remaining term due to expire on January 13, 2020.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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

**LIVINGSTON PARISH ORDINANCE NO. 17-13**

AN ORDINANCE TO AMEND CHAPTER 13, "PLANNING AND DEVELOPMENT," SECTION 13-67.1, "COMMERCIAL DEVELOPMENT BUFFER ZONES", BY DELETING PART (D), OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

**LPR 17-119**

MOTION was offered by Shane Mack and duly seconded by Maurice “Scooter” Keen to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, April 13, 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. MACK, MR. AVERETT, MR. LOBELL, MR. ARD, MR. WASCOM,  
MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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The chair addressed agenda item 27, “District Attorney Report(s)”, having no report or business to discuss the chair moved to the agenda addendum.  
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The chair addressed addendum item A-1, “Finance Committee Recommendations” and announced that “Committee Reports” be placed back on the agenda as a standing item for each agenda. The chair called upon Councilman Garry “Frog” Talbert, chairman of the Finance Committee. Councilman Talbert reported on the recommendations of the committee.

## STATE OF LOUISIANA

## PARISH OF LIVINGSTON

### LPR NO. 17-120

MOTION was made by Garry “Frog” Talbert and duly seconded by Shane Mack to accept the

### LIVINGSTON PARISH RESOLUTION NO. 17-120

A RESOLUTION OF THE NAME OF THE LIVINGSTON PARISH COUNCIL APPROVING INDUSTRIAL TAX EXEMPTION PROGRAM CONTRACT APPLICATION AND EXTENSIONS FOR QUALITY IRON OF LOUISIANA, LLC AND QUALITY IRON FABRICATORS, INC. AT 30875 STRAWBERRY LANE, LIVINGSTON PARISH.

**WHEREAS**, Quality Iron of Louisiana, LLC and Quality Iron Fabricators, Inc. had the following agenda items presented to the Louisiana Board of Commerce & Industry at its meeting on December 20, 2016:

**Quality Iron of Louisiana, LLC – Contract(s): 20111165, 20130414, & 20150737 (Livingston Parish)**

**Quality Iron Fabricators, Inc. – Contract(s): 20111165A & 20150738 (Livingston Parish)**

**WHEREAS**, the Louisiana Board of Commerce and Industry deferred action on the above stated agenda items until its meeting on April 26, 2017.

**WHEREAS**, the Louisiana Board of Commerce and Industry instructed Quality Iron of Louisiana, LLC and Quality Iron Fabricators, Inc. to secure a resolution from the Livingston Parish Council, a resolution from the Livingston Parish School Board, and a letter from Livingston Parish Sherriff stating support or no support for the Industrial Property Tax Exemption Program contract extension.

**WHEREAS**, Quality Iron Fabricators, Inc. has a pending Industrial Property Tax Exemption Program application under review by the Louisiana Department of Economic Development that was not included as an agenda item for the Louisiana Board of Commerce and Industry December 20, 2016 meeting.

**WHEREAS**, Quality Iron Fabricators, Inc. seeks approval from the Parish Council for this pending Industrial Property Tax Exemption Program application.

**THEREFORE, BE IT RESOLVED**, upon consideration of the foregoing and the public discussion held this day, that this Council approves the pending Industrial Tax Exemption Program application for Quality Iron Fabricators, Inc. and approves an extension of the existing Industrial Tax Exemption Program contracts for Quality Iron of Louisiana, LLC and Quality Iron Fabricators, Inc., whose property is physically located at 30875 Strawberry Lane in Livingston Parish until December 31, 2017.

**THEREFORE, BE IT FURTHER RESOLVED** by this Council that a copy of this resolution shall be forwarded to Board of Commerce and Industry and the Louisiana Department of Economic Development.

**THE FORGOING RESOLUTION WAS READ, AND, AFTER PUBLIC DISCUSSION, THE ROLL WAS CALLED ON THE ADOPTION THEREOF AND RESULTED AS FOLLOWS:**

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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The Finance committee also endorsed establishing a committee comprised of two (2) members of the Livingston Parish Sheriff's Office, two (2) members of the Livingston Parish Council and two (2) members of the Parish President's office to find solutions to the financial issues plaguing the Livingston Parish Detention Center. Councilman Tracy Girlinghouse, chair of the Livingston Parish Council, recommended to appoint Councilman Tab Lobell and Councilman Garry "Frog" Talbert as members of the proposed Jail Expenses committee

**LPR NO. 17-121**

MOTION was offered by Shane Mack and duly seconded by Jeff Averett to appoint Councilmembers Tab Lobell and Garry "Frog" Talbert to the "Jail Expenses committee" to work in conjunction with two (2) representatives from the Livingston Parish Sheriff's office and two (2) representatives of the Livingston Parish President's office, by combining their efforts and labor to create solutions to the financial issues troubling the Livingston Parish Detention Center.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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Councilman Garry "Frog" Talbert requested to announce the annual Trash Bash in Council District No. 2, that will be held on Saturday, April 8, 2017 and wished to challenge the other Councilmembers to clean up the parish of Livingston.

Having no further business, the chair requested a motion to adjourn until the next regular meeting scheduled for Thursday, April 13, 2017, at the hour of six (6:00) o'clock p.m. in Livingston, Louisiana.

**LPR NO. 17-122**

MOTION was offered by Jeff Ard and duly seconded by Garry "Frog" Talbert to adjourn the March 23, 2017 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion carried and was adopted.

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Sandy C. Teal, Council Clerk

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Tracy Girlinghouse, Council Chairman