

Minutes of the Livingston Parish Council
Livingston, Louisiana
June 8, 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, June 8, 2017, at the hour of six (6:00) o'clock p.m. with the following Livingston Parish Council members present:

Jeff Ard	John Wascom	
Garry "Frog" Talbert	R.C. "Bubba" Harris	Tab Lobell
Maurice "Scooter" Keen	Jeff Averett	Shane Mack

Also present: Christopher Moody, Parish Legal Counsel
Sam Digirolamo, representing the Parish President in his absence

Absent: Tracy Girlinghouse
Layton Ricks, Parish President

The chair, Councilman Tracy Girlinghouse, was absent from the meeting, therefore, the co-chair, Councilman Jeff Ard, called the meeting to order and asked the public to please mute or turn off their cell phones.

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

The co-chair addressed agenda item 7, "Presentations", having none, the co-chair addressed agenda item 8, "Adoption of the Minutes from the May 25, 2017 regular meeting of the Council".

LPR NO. 17-190

MOTION was made by Maurice "Scooter" Keen and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated May 25, 2017 of the regular meeting of the Livingston Parish Council and adopt as written.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

The co-chair addressed agenda 9a and b, "Acadian Ambulance – Dwain Meche, Acadian Community Relations and Governmental Affairs Supervisor, a. Annual Permit Renewal and b. Authorization of Annual Membership Drive" and called upon Dwain Meche.

Dwain Meche, representing Acadian Ambulance, briefly explained to the Councilmembers the reason for his attendance. All Parish ordinance mandates for the issuance of Acadian Ambulance's permit were met, as was the same for Acadian Ambulance's request to hold their annual membership drive.

LPR NO. 17-191

MOTION was offered by John Wascom and duly seconded by Jeff Averett to issue Acadian Ambulance Service an annual permit of operation for the Parish of Livingston for the period beginning June 27, 2017, and ending June 27, 2018.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-chair declared the Motion carried and was adopted.

LPR NO. 17-192

MOTION was offered by Maurice “Scooter” Keen and duly seconded by John Wascom to allow Acadian Ambulance Service to conduct its annual membership drive in the Parish of Livingston during the month of August 2017.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-chair declared the Motion carried and was adopted.

The co-chair addressed agenda items 10, 11, 12, and 13 and declared that the Public Hearing was open:

10. **Public Hearing and Adoption of L.P. Ordinance No. 17-20:** Recreation District No. 2 authorization of \$2,000,000.00 Revenue Bonds– Jim Ryan

The chair called upon Jim Ryan, Parish Financial Advisor. Mr. Ryan read the ordinance by title and briefly explained the intent of the ordinance and the two (2) small amendments that were needed.

11. **Public Hearing and Adoption of L.P. Ordinance No. 17-21:** Revocation of 40’ Right-of Way, Wildwood Subdivision, 2nd Filing, West Karen Street

The co-chair called upon the Council clerk to read the proposed ordinance by title.

13. **Public Hearing and Adoption of L.P. Ordinance No. 17-23:** Designation of “Firearm Free Zones” and prohibit firearms from being carried in the building of such

****Agenda item 13 was taken out of order from the reading of the proposed ordinance titles in the Public hearing, as Agenda item 12 was not included in the meeting packet. The Deputy clerk excused herself from the meeting, made the Councilmembers copies, and distributed them accordingly. Agenda item 12 was then read by title by the Council clerk****

12. **Public Hearing and Adoption of L.P. Ordinance No. 17-22:** Amend Chapter 13, “Planning and Development,” by adding section 13-46.1, “Prohibitions and Restrictions of use”

Public Input: Nancy Kimball, resides in Council District 2, has property in Council District 1: concerned with wording of ordinance

The Council clerk read the wording of the proposed ordinance for clarification.

Councilman Garry “Frog” Talbert requested a legal opinion from Mr. Christopher Moody that asked the question, “If there is a subdivision that was originally designed for houses, and trailers are moved in, would that subdivision be exempt?”. Mr. Moody advised that generally, the Council is allowed to stop practice, and would not be able to apply it to existing uses. He indicated that if there were businesses in place, you cannot put them out of business. But, you could stop others from coming. He posed the question if the Council would be opening themselves up to litigation by other mobile home residents who cried that it was unfair for not allowing them to reside in the subdivision where others are already in place. He advised that there was some exposure for that, however, if the reasons for the action are to promote good health and/or promotes the general welfare of the community, and protects property interests, etc., then he deemed that the Council would be defensible by making those rules apply. He furthered advised that those rules could be applied retroactively.

The co-chair allowed Councilman Shane Mack to address Nancy Kimball’s questions. Councilman Garry “Frog” Talbert gave his reasoning for supporting the ordinance and also addressed Ms. Kimball’s questions. Councilman Talbert suggested that the Council identify all subdivisions in the Parish at a later date. The co-chair allowed the Councilmembers to continue in an open discussion regarding the intent of subdivisions when created, in addition to the proposed ordinance’s intent.

The co-chair called for a motion to conclude and close the Public Hearing.

LPR NO. 17-193

MOTION was offered by John Wascom and duly seconded by Maurice “Scooter” Keen to close the Public Hearing for agenda items 10, 11, 12, and 13 that allowed for Public Input on the proposed adoption of ordinances: L.P. 17-20, L.P. 17-21, L.P. 17-22, and L.P. 17-23.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-chair declared the Motion carried and was adopted.

LPR NO. 17-194

MOTION was offered by Garry “Frog” Talbert and duly seconded by R.C. “Bubba” Harris to amend proposed ordinance L.P. 17-20, “Recreation District No. 2 authorization of two million dollars (\$2,000,000.00) Revenue Bonds” by:

- *Adding the wording: “...in accordance with the provisions of the Local Services Law (La. R.S. 33:1321-1337, inclusive)” to the fourth paragraph of page one (1) of the ordinance, L.P. 17-20*
- *Replacing the word: “effect” with the word “affect” in Section 6 on page three (3) of the ordinance, L.P. 17-20*

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-chair declared the Motion carried and was adopted.

LPR NO. 17-195

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2017 on Motion of Garry “Frog” Talbert and seconded by Maurice “Scooter” Keen:

L. P. ORDINANCE NO. 17-20

AN ORDINANCE AUTHORIZING THE PARISH OF LIVINGSTON, STATE OF LOUISIANA TO PROCEED WITH A NOT TO EXCEED \$2,000,000 FINANCING THROUGH THE LOUISIANA LOCAL GOVERNMENT ENVIROMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY; AUTHORIZING AND RATIFYING THE PARISH OF LIVINGSTON’S REQUEST OF THE LOUISIANA LOCAL GOVERNMENT ENVIROMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY TO ISSUE ITS REVENUE BONDS; AUTHORIZING THE BORROWING BY THE PARISH OF LIVINGSTON OF THE PROCEEDS FROM THE SALE THEREOF; APPROVING AND RATIFYING WITHIN CERTAIN PARAMETERS THE TERMS OF THE SALE OF THE BONDS; AUTHORIZING THE FORM AND EXECUTION OF THE LOAN AGREEMENT; AUTHORIZING THE FORM OF AND EXECUTION OF AN AGREEMENT FOR THE PURCHASE OF THE BONDS AND ANCILLARY FINANCING DOCUMENTS; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-chair declared that the Motion had carried and was adopted as amended.

(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).

LPR NO. 17-196

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2017 on Motion of Jeff Averett and seconded by Shane Mack:

LIVINGSTON PARISH ORDINANCE NO. 17- 21

AN ORDINANCE REVOKING 40' RIGHT-OF-WAY BETWEEN LOTS 28 AND 38 WILDWOOD SUBDIVISION, 2ND FILING, LOCATED IN SECTION 47, T6S-R3E, LIVINGSTON PARISH, LOUISIANA, IN FAVOR OF THE LAND OWNER, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED PLAT.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-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).

LPR NO. 17-197

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2017 on Motion of John Wascom and seconded by Shane Mack:

LIVINGSTON PARISH ORDINANCE NO. 17- 22

AN ORDINANCE TO AMEND CHAPTER 13, "PLANNING AND DEVELOPMENT," BY ADDING A SECTION, SECTION 13-46.1, "PROHIBITIONS AND RESTRICTIONS OF USE", OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-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).

LPR NO. 17-198

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2017 on Motion of Shane Mack and seconded by Garry “Frog” Talbert:

L.P. ORDINANCE 17-23

AN ORDINANCE TO AMEND CHAPTER 11, “OFFENSES - MISCELLANEOUS”, ARTICLE I, “GENERAL”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 11-3.1, “PROHIBITION OF FIREARMS—DESIGNATION OF FIREARM FREE ZONES.”

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-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).

The chair addressed agenda item 14a, “Parish President’s Report: Livingston Parish Airport District Report”. Councilman John Wascom requested to speak. He called upon Ms. Delia Taylor, chairman of the Livingston Parish Airport District. Ms. Taylor explained to the Councilmembers that the Airport District had recently sent out a Request for Qualifications for an Aviation Engineer to enter into a contract to oversee the construction of the Livingston Parish Regional Airport. The Airport Authority voted to accept Michael Baker International out of Baton Rouge. Ms. Taylor explained that the agreement would be a master contract to oversee the entire scope of the work, with no financial obligation to the Parish, not until funds are available, then the Authority will let out a task order for the job to be done. She further continued that in order to receive the funding for the project, a master contract was needed that the Department of Transportation, and particularly the Aviation Department, would recognize. The Livingston Parish Airport District is very excited about working with Michael Baker and the Aviation Division of the Louisiana Department of Transportation and Development (who have allotted money in the coming fiscal year). She advised that as of now, there is money in Louisiana House Bill 2 - Capital Outlay funds, designated to the Livingston Parish Airport District, thanks to Senator Dale Erdey. She concluded with the District’s excitement of the project becoming a reality in the Parish and thanked the Councilmembers. The co-chair requested for any comment from the Councilmembers and moved to the next agenda item.

The co-chair addressed agenda item 15, “Office of Homeland Security and Emergency Preparedness – Mark Harrell”. Mr. Harrell was not in the audience to give a report on this standing agenda item. The chair moved to the next agenda item.

The co-chair called upon Sam Digirolamo to address agenda item 16, “Planning Commission Recommendations”.

Mr. Digirolamo addressed agenda items 16a through 16g:

LPR NO. 17-199

MOTION was offered by Shane Mack and duly seconded by John Wascom accept the recommendation of the Planning Commission and **to approve the preliminary site plan** for Louisiana Tool and Die, Inc., property being located on Weiss Road, Section 17 T5S R4E, in Council District 1.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

The co-chair addressed agenda item 16b and 16c:

- | | | |
|----|-----------------------|-----------------------------|
| b. | Adrian Jenkins | Alvin Fairburn & Associates |
| | Servitude Revocation | |
| | Carolyn Road | Section 17, T8S R3E |
| | | Council District 6 |
| c. | Derrick & Erica Abney | B.E.I. |
| | Servitude Revocation | |
| | Jack Allen Road | Sections 41&42, T8S R4E |
| | | Council District 6 |

Mr. Digirolamo explained that these two (2) agenda items will be sent back to the Planning Commission.

Mr. Digirolamo addressed agenda item 16d:

- | | | |
|----|------------------------------------|--------------------|
| d. | Brad Marcotte Construction, L.L.C. | McLin Taylor, Inc. |
| | Re-sub Map | |
| | Oak Landing Ave. | Section 9, T6S R3E |
| | | Council District 3 |

LPR NO. 17-200

MOTION was offered by Maurice “Scooter” Keen and duly seconded by Jeff Averett to accept the recommendation of the Livingston Parish Planning Commission and **approve the re-sub for Brad Marcotte Construction, L.L.C.**, located on Oak Landing Avenue, Section 9, T6S R3E, in Council District 3.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item 16e:

- | | | |
|----|-----------------------------|---------------------|
| e. | Walker Properties 2, L.L.C. | McLin Taylor, Inc. |
| | Minor Re-sub | |
| | Brown Road | Section 15, T7S R3E |
| | | Council District 5 |

Mr. Digirolamo advised that it was the recommendation of the Livingston Parish Planning Commission to approve the minor re-sub for Walker Properties 2, L.L.C. with a request that a drainage impact study be done. He indicated that the development met all the requirements, but there were a few concerns by neighboring property owners regarding this development.

Councilman R.C. “Bubba” Harris questioned Mr. Digirolamo. Councilman Harris made a motion not to accept the Planning Commission’s recommendation. Councilman John Wascom seconded his motion. Councilman Shane Mack advised that he had questions. The co-chair interjected and asked the audience members in attendance if they had any public input.

Public input: Ray Reed, resident of Council District 5 – opposed to development

The co-chair allowed an open discussion. Mr. Chris Moody, Parish legal advisor, was questioned on the Council’s position to deny the development’s re-sub. Mr. Moody explained that it was the obligation of the Planning Commission to ensure that whatever is being proposed, meets the ordinance requirements. If it meets the ordinance mandates, generally, they will approve it. He further advised that the Council has some discretion approving things. Generally, if a development meets your ordinance, and you allow others to be approved for the same thing, then the development in question must also be allowed approval. If it does not meet the mandates of the ordinances or there are other good reasons as to why they should not be approved, then the Council has some discretion. The co-chair allowed the open discussion to continue. Raymond Mullins of McLin Taylor was called upon to answer questions from the Councilmembers.

Public input: Raymond Mullins, McLin Taylor project engineer of the development

Councilman Mack requested that the Council wait until the drainage impact study was completed before the Council made a decision. Councilman Harris said that there was no need for the study if the Council did not approve the re-sub that evening. The Council clerk requested clarification of the Council’s intent for the previous motion.

Mr. Mullins wished to go on record that the development met all ordinance requirements from the start of this project.

Public input: Ray Reed on behalf of Mr. Billings, who could not be in attendance, Council District 5 – opposed to the development
John Anderson, resident of Council District 5 – opposed to development

Councilman Garry “Frog” Talbert questioned Mr. Moody once again on the Council’s position to deny the minor re-sub of the proposed development. Mr. Moody advised that the Council did have discretion and their position was helped by solidifying that with a rational reason why they are treating this particular development. He indicated that just because people are in opposition to the development, that does not give the Council that discretion. He stated several reasons that could be considered for their discretion, such as: traffic impact, drainage, sewerage, etc. The co-chair allowed the open discussion to continue.

Public input: Michael Wyatt, resident of Council District 5 – opposed to development

LPR NO. 17-201

MOTION was offered by R.C. “Bubba” Harris and duly seconded by John Wascom to reject the recommendation of the Livingston Parish Planning Commission and **deny the Minor re-sub for Walker Properties 2, L.L.C.**, located on Brown Road, Section 15, T7S R3E, in Council District 5.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item number 16f:

f. Country Meadows	Quality Engineering
Preliminary Plat	
Reinninger Road	Section 23, T5S R3E
	Council District 1

Councilman Jeff Ard questioned if this development met all of the ordinance mandates. Mr. Digirolamo concurred that it did.

LPR NO. 17-202

MOTION was offered by Maurice “Scooter” Keen and duly seconded by Shane Mack to accept the recommendation of the Livingston Parish Planning Commission **and approve the preliminary plat for Country Meadows**, located on Renninger Road, Section 23, T5S R3E, in Council District 1.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

Mr. Digirolamo addressed his last agenda item number 16g:

g. Dollar General Store	Ferris Engineering
Preliminary Site Plan	
Springfield Road	Section 44, T5S R3E
	Council District 2

Councilman Garry “Frog” Talbert wished to make a motion to defer this item. Councilman Maurice “Scooter” Keen seconded that motion. Councilman Talbert was questioned on his reasoning for deferment. Councilman Talbert explained his previous experience with other Dollar General developments, and wished to investigate the elevations of the current project. The co-chair allowed an open discussion.

LPR NO. 17-203

MOTION was offered by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to **defer** the recommendation of the Livingston Parish Planning Commission **until the next regular meeting of the Livingston Parish Council scheduled on Thursday, June 22, 2017 to allow inquiry and analysis of the development, thereupon deferring the approval of the preliminary plat for Dollar General Store**, located on Springfield Road, Section 44, T5S R3E, in Council District 2.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

The co-chair called upon Mr. Sam Digirolamo to address agenda items 17ai and aii:

17. Planning Department and Department of Public Works – Sam Digirolamo
 - a. The Reserve at River Ridge – Montoya Design Group, LLC- R.C. “Bubba” Harris
 - i. Accept roads & improvements into the maintenance system
(LA Hwy 1032, Section 44, T7S R3E)
 - ii. Release \$41,013.87 maintenance bond
 - b. Evaluation and Road Report of Cypress Point by Sam Digirolamo – Jeff Averett

Mr. Digirolamo advised that it was the recommendation of the Planning Department to accept the roads and improvements of The Reserve at River Ridge -Montoya Design Group and release the maintenance bond. He questioned if both could be done in one resolution. Mr. Chris Moody advised that it could be approved in one resolution. Councilman R.C. “Bubba” Harris wished to make the motion, but qualified that motion by advising his consent was only given by the meeting

he had earlier in the day with Mr. Digirolamo, who explained the eligibility for approval of the development. Councilman Harris had concern on the development's off road ditching, which will be privately maintained. Mr. Digirolamo stated that it will not be maintained by the Livingston Parish Department of Public Works or any Gravity Drainage Districts.

LPR NO. 17-204

MOTION was offered by R.C. "Bubba" Harris and duly seconded by Shane Mack to accept the roads and improvements into the parish maintenance system for the Reserve at River Ridge, located at Louisiana Highway 1032, Section 44, T7S R3E and also release the maintenance bond in the amount of forty-one thousand thirteen dollars and eighty-seven cents (\$41, 013.87) for the Montoya Design Group, LLC.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

Upon there being no objection from the Councilmembers, agenda item 17b, "Evaluation and Road Report of Cypress Point by Sam Digirolamo – Jeff Averett" and agenda item 20, "Accept Cypress Point into the Parish Maintenance System – Jeff Averett" were taken up together. The co-chair called upon Mr. Sam Digirolamo to address the Councilmembers and give account and report on the current condition of Cypress Point Lane located in Council District 6. Mr. Digirolamo advised that two (2) visits had been made to Cypress Point Lane and he reported that the road was in great shape. He advised that it was one of the best gravel roads that he had ever rode upon. He indicated that the road was big, and long, and was about two and half (2 ½) miles long, which included both the gravel and the blacktopped areas. The black top was recently laid by our road program two (2) years ago. He advised that there were thirty-five (35) residences on the road, some being homes, some being camps. He indicated that both gravel and black topped sections were in great shape. There were no structures on the gravel section, other than one (1) home currently being developed now. A motion was made by Councilman Jeff Averett to accept Cypress Point into the Parish maintenance system. The co-chair requested clarification. Councilman Garry "Frog" Talbert made a substitute motion to accept Cypress Point into the Parish maintenance system with the understanding that the 1.8 mile gravel road will be a gravel road forever. Councilman Talbert was asked to qualify his motion by the Councilmembers. He stated that the road was not asphalted beforehand, and the taxpayers of this Parish do not need to pay for the asphaltting of this property. The co-chair allowed the Councilmembers to have an open discussion on their opinions of Councilman Talbert's substitute motion. Mr. Chris Moody advised that there was a motion by Councilman Talbert that required a second, if there was not a second to his motion, then discussion could not continue. Councilman Maurice "Scooter" Keen questioned if Councilman Talbert's intent was forever or if he considered to put a time limit on his motion. Councilman Talbert stated that it needed to be forever, to which Councilman Keen then seconded the motion. Councilman Jeff Ard questioned: If a road is brought into the Parish maintenance system, does that mean that said road will be blacktopped? Mr. Digirolamo advised that it could be blacktopped one day, but that is left up to the Council to be put on a list and scored and funds must be available. The co-chair allowed the lengthy, passionate debate to continue. Mr. Moody indicated that there was a call for the question and a vote for the substitute motion was required. Councilman John Wascom wanted to continue the discussion after the call for the question was made. Mr. Moody advised that Councilman Wascom would need to make a motion to continue the discussion and receive a second. Councilman Wascom abandoned his request for further discussion. Mr. Digirolamo wished to submit qualification to the Council clerk in writing of the specifics of the road regarding the length of each section of gravel and asphalt to be included in the record. The co-chair requested if there was any Public Input from the audience members regarding the substitute motion.

Public input: Lynn McMorris - resident and property owner on Cypress Point Lane, Council District 6, opposed to the deviation of accepting the road into the Parish maintenance system

The co-chair allowed the intensified, open discussion to continue.

LPR NO. 17-205

MOTION was offered by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to accept Cypress Point Lane into the Parish maintenance system with the exception that the gravel portion would never be blacktopped, qualifying the gravel portion being 1.8 miles in length and the remainder being asphalt at .5 miles.

YEAS: MR. KEEN, MR. TALBERT

NAYS: MR. HARRIS, MR. LOBELL, MR. AVERETT, MR. MACK, MR. ARD,
MR. WASCOM

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

Thereupon the co-chair declared that the Motion had **FAILED** and was **NOT** adopted.

The co-chair then called for the previous motion to accept Cypress Point into the Parish maintenance system. Councilman John Wascom wished to make another motion to add Tiger Lane and Connolly Court into the motion to be accepted into the Parish maintenance system. Many Councilmembers hesitated at this added consideration, as to which, Mr. Moody advised that if a second was received on Councilman Wascom’s motion, then it would be considered. Many comments were made that this consideration was not on the agenda and a report from the Director of the Department of Public Works had not been presented on these two (2) roads. Councilman Wascom withdrew his motion. Mr. Moody advised that the Council should then vote on the main motion.

LPR NO. 17-206

MOTION was offered by Jeff Averett and duly seconded by R.C. “Bubba” Harris to accept Cypress Point Lane, located in Council District 6, into the Parish maintenance system with the following conditions and qualifications submitted into the record by Mr. Sam Digirolamo, Livingston Parish Department of Public Works and Planning Director:

- The first half (being gravel) of Cypress Point – from Ritchie Lane to the black top being recorded at 9768 feet long = 1.85 miles
- The second half (being black topped) of Cypress Point Lane – from the gravel to the end of the black top is 2640 feet long = .5 miles
- Road width at the beginning of Cypress Point Lane is 45 feet
- Road width from at the opt of the road from the edged of the shoulder is 35 feet/road width from the back side of the ditch to the back side of the ditch is 60 feet
- There are currently 35 homes and camp sites on Cypress Point Lane at this time

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

NAYS: MR. TALBERT

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

The chair addressed agenda item 18, “Annual appointment of the Livingston Parish Official Journal (July 1, 2017 through June 30, 2018)”. Councilman Garry “Frog” Talbert called upon Jeff McHugh David, Publisher and Editor of the Livingston Parish News. Mr. David addressed the Councilmembers and was called upon to answer questions regarding their publication.

Councilman Maurice “Scooter” Keen questioned the post-flood publication, going from two (2) publications a week, to one (1) publication of the newspaper a week. Mr. David advised that they were still in recovery mode (from the August 2016 Flood) and are currently working on getting the advertising revenue to make that happen. He could not pinpoint an exact date that would take place. Councilman Keen advised of the hardship transpiring to make publication deadlines for the Council’s agenda. Mr. David advised of possible online publications and seeking the definition of the term “publish”. The co-chair allowed an open discussion of possible considerations.

LPR NO. 17-207

MOTION was made by Jeff Averett and duly seconded by Tab Lobell to appoint *the Livingston Parish News* as the Official Journal of the Livingston Parish Council for the one (1) year term dated July 1, 2017 through June 30, 2018, as per Louisiana Revised Statute 43:141.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

The co-chair advised that he was removing agenda item 19a and 19b, “Adopt Resolution to: a. Audit Recreation District No. 5 for the last ten (10) years; b. Publish legal notice for request for proposals for auditor to perform the audit” from the agenda. Jennifer Meyers, Parish Finance Director, had answered all of his questions regarding this issue.

The co-chair asked for any District Attorney reports. Having none, agenda item 22, “Committee Reports: Ordinance committee” was addressed and the co-chair called upon Councilman Shane Mack. Councilman Shane Mack, Ordinance committee chair, advised that an Ordinance committee would be scheduled on Thursday, June 15, 2017, at 6:00 p.m. and welcomed all input.

The co-chair called upon Councilman Garry “Frog” Talbert to give a report on the Finance committee that had met earlier before the Council meeting. Councilman Talbert advised of his interest and the receipt of a couple of phone calls he had received regarding the Parish’s sales and use tax and the lack of the Parish’s road program. He met with Finance Director, Jennifer Meyers, and discussed other obligations and Parish mandates that affect the Parish’s road fund. After the obligations were met, and FEMA reimbursement determined, then a road program could be considered. Timelines of the next possible road program were discussed.

Public input: Billy Taylor, McLin Taylor – Parish road engineer

The co-chair addressed agenda item 27, “Councilmen’s Comments:”

Councilman Tab Lobell advised that the weather was finally cooperating for the Fireman’s Poker Run to held on the upcoming Saturday, based out of Tin Lizzy’s, and supported the fire departments out of Springfield and Killian, in addition to many local businesses. He invited everyone to come and participate in this charity event.

Councilman Jeff Averett wished to advise that he, and Councilman Tab Lobell, had been to a joint waterway meeting of the Ascension and Livingston Parish Waterway Commissions. He indicated that it was a good meeting and good things were coming from these commissions concerning our waterways.

Councilman R.C. “Bubba” Harris wished to thank everyone for their support and sympathies during the recent loss of his father.

Having no further business, the co-chair requested a motion to adjourn until the next regular meeting scheduled for Thursday, June 22, 2017, at the hour of six (6:00) o’clock p.m. in Livingston, Louisiana.

LPR NO. 17-208

MOTION was offered by John Wascom and duly seconded by Tab Lobell to adjourn the June 8, 2017 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

Sandy C. Teal, Council Clerk

Jeff Ard, Council Co-Chairman