

Minutes of the Livingston Parish Council
Livingston, Louisiana
November 9, 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, November 9, 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

John Wascom
R.C. "Bubba" Harris

Tracy Girlinghouse
Tab Lobell
Shane Mack

Absent: Jeff Averett
Maurice "Scooter" Keen

Also present: Layton Ricks, Parish President
Christopher Moody, Parish Legal Counsel

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

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

The chair addressed agenda item 7, "Presentations", having none, the chair moved to the next item on the agenda.

The chair addressed agenda item 8, "Adoption of the Minutes from the October 25, 2017 regular meeting of the Council".

LPR NO. 17-365

MOTION was made by John Wascom and duly seconded by Jeff Ard to dispense with the reading of the minutes dated October 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. LOBELL, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE,
MR. HARRIS, MR. TALBERT

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

The chair advised that, for the sake of time, he would be skipping to agenda item 13, "Planning Department Recommendations, a. Audubon Lakes, 2nd Filing". Without any objection, the chair then called upon Sam Digirolamo to address this agenda item(s).

Sam Digirolamo addressed agenda item 13ai and aii, Planning Department Recommendations:

- a. Audubon Lakes, 2nd Filing
 - i. Accept roads & improvements into the maintenance system
 - ii. Release \$59,642.00 maintenance bond
 - La Hwy 1024 Section 31, T5S R3E Council District 2

LPR NO. 17-366

MOTION was made by Garry “Frog” Talbert and duly seconded by R.C. “Bubba” Harris to accept the roads and improvements into the maintenance system for Audubon Lakes, 2nd Filing, located on Louisiana Highway 1024, Section 31, T5S R3E, in Council District 2.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

Councilman Garry “Frog” Talbert wished to make a motion for the release of the maintenance bond, but it would be contingent upon finding out who made damages in the front of the subdivision and hold them accountable. Mr. Digirolamo stated that his office would request that the developers and the previous developers “pitch in” to get the corrections completed before the bond would be released.

LPR NO. 17-367

MOTION was made by Garry “Frog” Talbert and duly seconded by Jeff Ard to release the maintenance bond in the amount of fifty-nine thousand, six hundred and forty-two dollars (\$59,642.00) for Audubon Lakes, 2nd Filing, located on Louisiana Highway 1024, Section 31, T5S R3E, in Council District 2, contingent upon finding out who the responsible party is that made damages in the front of the subdivision, and holding them accountable for those damages.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

The chair addressed agenda item 14, “Planning Commission Recommendations – Sam Digirolamo” and called upon Mr. Digirolamo.

LPR NO. 17-368

MOTION was made by Garry “Frog” Talbert and duly seconded by Shane Mack to accept the recommendation of the Livingston Parish Planning Commission and approve the preliminary site plan for The Greens Condominiums/Townhomes, located on Country Club Drive, Sections 28 and 29, T6S R3E, in Council District 3.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

Councilman Garry Talbert questioned Mr. Digirolamo if turn arounds were mandated on state highways. Mr. Digirolamo concurred that turnarounds would be placed on each proposed lot on Cane Market Road.

LPR NO. 17-369

MOTION was made by Garry “Frog” Talbert and duly seconded by R. C. “Bubba” Harris to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary plat** for Highlandia Subdivision, located on Cane Market Road, Section 33, T5S R3E, in Council District 3.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-370

MOTION was made by R. C. “Bubba” Harris and duly seconded by John Wascom to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary plat** for Nickens Lake Subdivision, located on 4-H Club Road, Section 44, T7S R3E, in Council District 5.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-371

MOTION was made by Jeff Ard and duly seconded by Garry “Frog” Talbert to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary plat** for Spring Lake Subdivision, 8th Filing, located on Walker Road North, Section 35, T5S R3E, in Council District 1.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-372

MOTION was made by Jeff Ard and duly seconded by Shane Mack to accept the recommendation of the Livingston Parish Planning Commission and **approve the waiver for an additional lot on a servitude for Fay B. Newland**, located on Butch Bennett Road, Section 14, T6S R3E, in Council District 7.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-373

MOTION was made by Shane Mack and duly seconded by Tab Lobell to accept the recommendation of the Livingston Parish Planning Commission and **approve the waiver for an additional lot on a servitude for Jeffrey Hebert**, located on Edna Kitchen Road, Section 20, T6S R6E, in Council District 9, **contingent** upon the setbacks listed on the plat to be corrected to reflect the new requirements of the setback ordinance from five (5) feet to six (6) feet.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

The chair addressed agenda item 10, “Office of Homeland Security and Emergency Preparedness” and called upon Mark Harrell, Director. Mr. Harrell explained his agenda items and answered questions from the Councilmembers.

LPR NO. 17-374

MOTION was made by Jeff Ard and duly seconded by John Wascom to approve and authorize the Parish President to sign an agreement allowing Gasaway Gasaway Bankston Architects to provide the Architectural/Engineering Services for the Town of Walker Community Safe Room project pursuant to the Hazard Mitigation Grant Program Project Number 1786-063-0016-Livingston Parish.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-375

MOTION was made by Shane Mack and duly seconded by Tab Lobell to approve and authorize the Waterway Debris Cleanup Project and authorize funding in the amount of three hundred fifty-four thousand one hundred sixteen dollars (\$354,116.00) to fund the ten percent (10%) cost share associated with said Waterway Debris Project, the remaining ninety percent (90%) will be funded by the US Department of Agriculture, Natural Resources Conservation Service (NRCS).

Waterway Debris Cleanup Project:

- Damage Survey Report 063-16-101: West Colyell Creek - Hood Road to East Colyell Creek
- Damage Survey Report 063-16-102: West Colyell Creek - Buddy Ellis to Hood Road
- Damage Survey Report 063-16-103: Tickfaw River – State Park to Louisiana Highway 42
- Damage Survey Report 063-16-104: Tickfaw River – Louisiana Highway 42 to Louisiana Highway 1036
- Damage Survey Report 063-16-105: Tickfaw River – Louisiana Highway 442 to Louisiana Highway 1036
- Damage Survey Report 063-16-106: Tickfaw River – Louisiana Highway 442 to the Parish Line
- Damage Survey Report 063-16-107: Lower Natalbany

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

Mr. Harrell was asked to address the waterways that the project would include.

He advised that they would include:

- West Colyell, from the Bay to Buddy Ellis
- Natalbany, from Louisiana State Highway 22 to the interstate
- Tickfaw River, from the State Park to the St. Helena line

Mr. Harrell gave a brief report on his meeting with FEMA concerning temporary housing from the August 2016 Flood event and a possible ninety (90) day extension. The chair allowed a lengthy open discussion.

The chair addressed agenda item 11, “Establish Revocation Procedure for Streets, Quitclaims, Servitudes and Rights-Of-Way, Introduction of ordinance” and called upon Councilman Shane Mack who explained the need for the ordinance.

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

LIVINGSTON PARISH ORDINANCE NO. 17-43

AN ORDINANCE TO AMEND CHAPTER 13, “PLANNING AND DEVELOPMENT,” ARTICLE I, “IN GENERAL,” BY ADDING SECTION 13-3, “STREETS, QUITCLAIMS, SERVITUDE AND RIGHTS-OF-WAY REVOCATION PROCEDURE,” OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

LPR NO. 17-376

MOTION was offered by Shane Mack and duly seconded by John Wascom to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Tuesday, November 21, 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. LOBELL, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. HARRIS, MR. TALBERT

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

The chair addressed agenda item 12, "Amendment(s) Section 13-49.6 "Requirements for Minor Subdivisions", Introduction of ordinance" and called upon Councilman Shane Mack who requested that this item be deferred until the November 21, 2017 regular meeting of the Council.

LPR NO. 17-377

MOTION was made by Shane Mack and duly seconded by John Wascom to reappoint Jane Duffy Sullivan (resident of Council District 9), Raymond Addison (resident of Council District 9), and Don Kinchen (resident of Council District 9) to Fire Protection District No. 11, two (2) year terms to expire on November 10, 2019.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-378

MOTION was made by Garry "Frog" Talbert and duly seconded by Jeff Ard to reappoint Debbie Henson (resident of Council District 2) to the Livingston Parish Library Board, five (5) year term to expire on June 30, 2022.

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

LPR NO. 17-379

MOTION was made by Shane Mack and duly seconded by Tab Lobell to approve the following:

Requests for waiver(s) intended for the allowance of permitting due to the restrictions of L.P. No. 17-22, “Section 13-46.1, Prohibitions and Restrictions of Use” for mobile/manufactured homes to be placed in a named subdivision for the intent of onsite, custom built, single family homes:

**Shadow Lake Estates
Benjamin Bridges – Councilman Shane Mack, District 9
28224 Shadow Lake Drive
Holden, LA 70744**

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

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

The chair addressed agenda item 17, “Discussion of Gravity Drainage 6 and Gravity Drainage 7 Tax Proposals” and allowed Councilmen Jeff Ard, Tab Lobell, and Shane Mack to explain in detail the importance of the tax proposals. Councilman R.C. “Bubba” Harris communicated questions that he had been addressing about these tax proposals, and explained how the Gravity Drainage District in his area worked. Councilman Garry “Frog” Talbert also explained his experiences with the Gravity Drainage District in his area and encouraged his support of the tax proposals. Councilman John Wascom also discussed his knowledge of the success of Gravity Districts and how they work. Councilman Tracy Girlinghouse expressed his support and encouraged the public to review and look at areas in the Parish that have Gravity Drainage Districts and evaluate their successes.

The chair addressed agenda item 18, “District Attorney Report(s):”. Mr. Christopher Moody advised that he did not have anything to report at this time.

The chair addressed agenda item 19a, “Ordinance Committee – Shane Mack, Chair” and called upon Councilman Shane Mack.

Councilman Shane Mack advised of proposed ordinance recommendations regarding the pond ordinance and the minor subdivision ordinance. He indicated that the pond ordinance would be addressed at the December 14, 2017 Council meeting and the minor subdivision ordinance would be brought up on the November 21, 2017 meeting agenda.

The chair called upon Councilman Garry “Frog” Talbert to address agenda item 19b, “Finance Committee – Garry “Frog” Talbert”. Councilman Talbert advised that the committee met earlier and discussed capital improvements, state and federal revenue that was in the General Fund, had questions answered, and would be meeting again on Tuesday, November 21, 2017 to look at final numbers on the proposed budget and amendments. He advised that the proposed 2017 Budget Amendments/2018 Budget ordinance would be recommended for introduction at the next Council meeting on November 21, 2017, to be adopted on December 14, 2017.

Councilman comments:

- Councilman John Wascom acknowledged former mayor of Walker, Travis Clark, in the audience.
- Councilman Garry “Frog” Talbert desired to wish all five (5) Parish football teams good luck in their upcoming games. He also commended Live Oak High School for their ranking as fifth in the state of Louisiana.

Having no further business, the chair requested a motion to adjourn until the next regular meeting scheduled on Tuesday, November 21, 2017, at the hour of six (6:00) o’clock p.m. in Livingston, Louisiana.

LPR NO. 17-380

MOTION was offered by John Wascom and duly seconded by Jeff Ard to adjourn the November 9, 2017 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: MR. KEEN, MR. AVERETT

ABSTAIN: NONE

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

Sandy C. Teal, Council Clerk

Tracy Girlinghouse, Council Chairman