

Minutes of the Livingston Parish Council
Livingston, Louisiana
January 25, 2018

The Livingston Parish Council met in regular session duly called, advertised, and convened at its regular meeting place, the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, January 25, 2018, at the hour of six (6:00) o'clock p.m. with the following Livingston Parish Council members present:

Jeff Ard
R.C. "Bubba" Harris
Maurice "Scooter" Keen

Tracy Girlinghouse
Tab Lobell
Shane Mack

Absent: Garry "Frog" Talbert, John Wascom, Jeff Averett
Layton Ricks, Parish President

Also present: Jennifer Meyers representing for the Parish President in his absence
Christopher Moody, Parish Legal Counsel

The chair 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 7a, "Presentations:", being none at this time, the chair moved to the next agenda item.

The chair addressed agenda item 8, "Adoption of the Minutes from the January 11, 2017 regular meeting of the Council".

LPR NO. 18-021

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated January 11, 2018 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. LOBELL, MR. MACK, MR. ARD,
MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

The chair addressed agenda items 9, "Parish President's Report:" and 10, "Office of Homeland Security and Emergency Preparedness – Mark Harrell". Having no business to report, the chair moved on to the next order of concern.

The chair addressed the Council members and requested that they consider lifting the agenda to attend to a inquiry from Livingston Parish Fire Protection District No. 2, regarding a time sensitive matter. Mr. Jim Ryan of Government Consultants and financial advisor of the Parish, was on hand to explain that this fire district, located in Councilman Tab Lobell's district, needed a resolution from the Livingston Parish Council authorizing the call for an election to be held on Saturday, April 28, 2018, for the consideration of a tax renewal. Councilman Lobell commended the accomplishments of Fire Protection District No. 2 and offered his support of the resolution. He also recognized and praised their Fire Chief, Brian Drury.

The set timeline of the election mandated immediate action.

LPR NO. 18-022

MOTION was made by Maurice “Scooter” Keen and duly seconded by Tracy Girlinghouse to lift the agenda to meet the need for Fire Protection District No. 2 to call for an election on April 28, 2018 for their upcoming tax renewal.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

PARISH COUNCIL OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA

The following resolution was offered by Tab Lobell and seconded by Maurice “Scooter” Keen:

L.P. RESOLUTION NO. 18-023

A Resolution granting approval to Livingston Parish Fire Protection District No. 2, State of Louisiana to call and hold an election on April 28, 2018 to authorize the renewal of a 10 mills tax on assessed valuation of all property subject to taxation in Livingston Parish Fire Protection District No. 2, State of Louisiana, for a period of ten (10) years for the purposes of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in the District and paying the cost of obtaining water for fire protection purposes.

WHEREAS, Livingston Parish Fire Protection District No. 2, State of Louisiana (the “*District*”) will adopt a Resolution on February 13, 2018 (the “*District Resolution*”) ordering and calling a special election to be held in the District on April 28, 2018, for the purpose of renewing the levy and collection of a 10 mills tax on assessed valuation of all property subject to taxation in the District, for a period of ten (10) years, beginning with the year 2020 and ending with the year 2029, for the purposes of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in the District and paying the cost of obtaining water for fire protection purposes (the “*Tax*”), all in the manner conferred by Article VI, Section 32 of the Louisiana Constitution of 1974, as amended, La. R.S. 40:1501 and the applicable provisions of Chapter 6 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a copy of which is on file with the Parish Council of the Parish of Livingston, State of Louisiana, as governing authority of the Parish of Livingston, State of Louisiana (the “*Parish Council*”).

WHEREAS, the District has made application to the Parish Council for approval to call and hold such election on April 28, 2018, as more fully set forth in the District Resolution.

WHEREAS, Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, grant power to the Parish Council to approve any proposal submitted by the District to levy a tax.

NOW, THEREFORE, BE IT RESOLVED by the Parish Council, as the governing authority of the Parish of Livingston, State of Louisiana, that:

SECTION 1. Pursuant to a request submitted to this Parish Council by the District and in accordance with Article VI, Section 15 of the Louisiana Constitution of 1974, as amended and La. R.S. 33:1415, approval is hereby granted to the District to call and hold an election on April 28, 2018, for the purpose of authorizing the renewal of the levy and collection of a 10 mills tax on assessed valuation of all property subject to taxation in the District, for a period of ten (10) years, beginning with the year 2020 and ending with the year 2029, for the purposes of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in the District and paying the cost of obtaining water for fire protection purposes (the “*Tax*”), in the manner conferred by Article VI, Section 32 of the Louisiana Constitution of 1974, as amended, La. R.S. 40:1501 and the applicable provisions of Chapter 6 and Chapter 6-A of Title 18 of the

Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority and as more fully set forth in the District Resolution.

SECTION 2. In the event the foregoing proposition passes, approval, consent and authority are hereby granted to the District to levy and collect the Tax described in Section 1 hereof.

SECTION 3. This approval is granted in compliance with the provisions of Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

WHEREUPON, this Resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 25th day of January 2018.

/s/ Sandy C. Teal
Sandy C. Teal, Council Clerk

/s/ Jeff Ard
Jeff Ard, Council Chairman

STATE OF LOUISIANA
PARISH OF LIVINGSTON

I, the undersigned Clerk of the Parish Council of the Parish of Livingston, State of Louisiana (the “*Parish*”) do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Parish Council of the Parish of Livingston, State of Louisiana on January 25, 2018 granting approval to Livingston Parish Fire Protection District No. 2, State of Louisiana to call and hold an election on April 28, 2018 to authorize the renewal of a 10 mills tax on assessed valuation of all property subject to taxation in Livingston Parish Fire Protection District No. 2, State of Louisiana, for a period of ten (10) years for the purposes of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in the District and paying the cost of obtaining water for fire protection purposes.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council of the Parish of Livingston, State of Louisiana on this 29th day of January 2018.

/s/ Sandy C. Teal
Sandy C. Teal, Council Clerk

LPR NO. 18-024

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to go back to the regular business and order of the agenda.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

The chair addressed agenda item 11, “Public Hearing and Adoption of L.P. Ordinance No. 18-01, Flood Mitigation Assistance Program Acquisition: 31887 Tiboe Plaza, Springfield, LA 70462”.

The chair opened the Public Hearing and directed the Council clerk to read the proposed ordinance by title.

Having no discussion from the audience or the Councilmembers, the chair closed the Public Hearing.

LPR NO. 18-025

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on January 11, 2018, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on January 25, 2018 on Motion of Tab Lobell and seconded by Shane Mack:

L.P. ORDINANCE NO. 18-01

AN ORDINANCE TO ACQUIRE IMMOVABLE PROPERTY FOR THE PARISH OF LIVINGSTON PURSUANT TO THE FLOOD MITIGATION ASSISTANCE PROGRAM PROJECT NUMBER FMA-PJ-06-LA-2016-016-LIVINGSTON PARISH.

Homeowner:

Address: 31887 Tiboe Plaza
Springfield, LA 70462

Appraised Value: \$240,000.00

Amount Offered: \$240,000.00

Legal Description: Lot 28 Blk 1 of Shelly ONeal Est- Lot 29 Blk 1 of Shelly ONeal Est

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

And the ordinance was declared adopted on the 25th day of January 2018.

(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(s) 12 a through e, “Board (re)appointment(s)”.

LPR NO. 18-026

MOTION was made by Tab Lobell and duly seconded by Maurice “Scooter” Keen to reappoint Jerri Bankston (Livingston Parish Council board appointment – resident of Council District 1), Jerry Lobell (Livingston Parish Council board appointment – resident of Council District 8) and Dana Rushing (Livingston Parish Council board appointment

– resident of Council District 2) to the Livingston Parish Airport District, five (5) year term(s) to expire on January 1, 2023.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

LPR NO. 18-027

MOTION was made by Tab Lobell and duly seconded by R.C. “Bubba” Harris to reappoint Jon McQuery (resident of Council District 8), Eric Edwards (resident of Council District 8) and Perry Picou (resident of Council District 8) to the Waterway Commission, two (2) year term(s) to expire on January 1, 2020.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

LPR NO. 18-028

MOTION was made by Tab Lobell and duly seconded by Shane Mack to reappoint Bernie Ross (resident of Council District 8) to Fire Protection District No. 2, whose two (2) year term will expire on January 1, 2020.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

LPR NO. 18-029

MOTION was made by Maurice “Scooter” Keen and duly seconded by Tracy Girlinghouse to reappoint Susan Mack (resident of Council District 3) to Fire Protection District No. 5, whose two (2) year term will expire on January 1, 2020.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

LPR NO. 18-030

MOTION was made by Tab Lobell and duly seconded by Tracy Girlinghouse to reappoint McArthur Simoneaux (resident of Council District 8) and Dwayne Brown (resident of Council District 8) to Fire Protection District No. 9, two (2) year term(s) will expire on January 1, 2020.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

The chair addressed agenda item 13, "Introduction of ordinance: Minor Subdivision Amendment", and agenda item 14, "Introduction of ordinance: Pond Excavation Requirements" and called upon Councilman Shane Mack who advised that he would like to request that these items be considered at a later date.

LPR NO. 18-031

MOTION was made by R.C. "Bubba" Harris and duly seconded by Maurice "Scooter" Keen to reappoint Tony Sibley (resident of Council District 5) to Fire Protection District No. 5, whose two (2) year term will expire on January 1, 2020.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

The chair addressed agenda item 15, "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".

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 18-032

MOTION was made by R.C. "Bubba" Harris and duly seconded by Shane Mack 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:

Virginia Clanton - Councilman Jeff Ard, District 1
Erica Lea Estates

**29377 Sonya Hope Drive
Livingston, LA 70754**

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

The chair addressed agenda item 16, "District Attorney Report(s)". Mr. Moody advised that he had nothing to report.

The chair addressed agenda items 17 a and b, Committee Report(s):

- Ordinance Committee – Shane Mack, Chair

Councilman Shane Mack advised that there were some recommended ordinance changes requested by the Department of Public Works and he would emailing the pond and minor subdivision ordinances to the Councilmembers upon their completion. He advised that he was still finalizing and perfecting the pond and minor subdivision ordinances, and he wanted to make sure that the Council got it right.

- Finance Committee – Garry "Frog" Talbert, Chair

Councilman Maurice "Scooter" Keen reported on the committee meeting that was held earlier that evening and advised that each one of the nine (9) Councilmembers had received a year-to-date statement of the Parish's finances submitted by the Finance Director, Jennifer Meyers.

Councilmen's Comments:

- Councilman Maurice "Scooter" Keen expressed the importance of renewing each of the upcoming Fire Protection Districts' tax renewals. Councilman Tab Lobell concurred.

Having no further business, the chair requested a motion to adjourn until the next regular meeting scheduled on Thursday, February 8, 2018, at the hour of six (6:00) o'clock p.m. in Livingston, Louisiana.

LPR NO. 18-033

MOTION was offered by R.C. "Bubba" Harris and duly seconded by Tracy Girlinghouse to adjourn the January 25, 2018 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. AVERETT, MR. WASCOM

ABSTAIN: NONE

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

Sandy C. Teal, Council Clerk

Jeff Ard, Council Chairman