

Minutes of the Livingston Parish Council
Livingston, Louisiana
February 22, 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, February 22, 2018, at the hour of six (6:00) o'clock p.m. with the following Livingston Parish Council members present:

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

Also present: Layton Ricks, Parish President
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 7, "Presentations:", having none, the chair moved to the next agenda item.

The chair addressed agenda item 8, "Adoption of the Minutes from the February 8, 2018 regular meeting of the Council".

LPR NO. 18-044

MOTION was made by John Wascom and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated February 8, 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. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN,
MR. HARRIS, MR. TALBERT, MR. LOBELL, MR. AVERETT, MR. MACK

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair requested that the Councilmembers lift the agenda to consider accepting the lowest responsive bid for the new Office Building for the Livingston Parish Assessor's office.

LPR NO. 18-045

MOTION was made by Maurice "Scooter" Keen and duly seconded by Tracy Girlinghouse to lift the agenda for the purpose of considering accepting the lowest responsive bid for the New Office Building for the Livingston Parish Tax Assessor.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair called upon Parish President Layton Ricks. Mr. Ricks requested that the Council accept the low bid for the Delmas L. Taylor Governmental Annex Building submitted by John Blount General Contractors in the amount of three million two hundred sixty-nine dollars (\$3,269,000.00).

LPR NO. 18-046

MOTION was made by Garry “Frog” Talbert and duly seconded by John Wascom to accept the lowest responsive bid in the amount of three million two hundred sixty-nine dollars (\$3,269,000.00) submitted by Blount General Contractors, L.L.C. for the New Office Building for the Livingston Parish Tax Assessor, to be known as “the Delmas L. Taylor Governmental Annex Building”.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-047

MOTION was made by Jeff Averett and duly seconded by Tab Lobell to go back to the regular order of the February 22, 2018 agenda.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed the Parish President’s Report and called upon Parish President Layton Ricks to address his agenda items. Mr. Ricks stated he was in need of approval for agenda number 9a, “Approve Change Order 1, Delmas L. Taylor Governmental Annex Project”. He indicated that this was a “good change order”. The project was restructured to reduce some costs, that would save over eight hundred seventeen thousand dollars (\$817,000.00).

LPR NO. 18-048

MOTION was made by Jeff Averett and duly seconded by R.C. “Bubba” Harris to approve Change Order Number 1 for the Delmas L. Taylor Governmental Annex Building decreasing the contract sum in the amount of eight hundred seventeen thousand six hundred eighty-five dollars (\$817,685.00), the contract time will not be increased, and the new date of Substantial Completion will be January 13th, 2019.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The Parish President wished to update the Councilmembers on agenda item 9b, “Resolution reiterating opposition to Ascension Parish project to extend flood protection levee along SW side of the Amite River Basin, as well as any other regional project that has the potential to adversely affect neighboring areas”. He advised that they had just received the studies from Ascension parish from the engineers yesterday to review, so he would not be requesting a resolution at this time. Homeland Security Director, Mark Harrell, along with Forte and Tablada, attended a meeting in Clay Schexnayder’s office (Louisiana State Representative, District 81) with Ascension’s engineers who did a presentation. Mr. Ricks has been provided a study by the Parish President of Ascension parish, to which Forte and Tablada have possession and are reviewing. Mr. Ricks advised that when he received a report back from Forte and Tablada, he would forward it to Councilmembers by email. Mr. Ricks advised that he was still inclined to stop the project, or at least slow it down, until he is comfortable that the project will not adversely affect our parish. He also advised that he had been in conversation with Mr. Moody and District Attorney Scott Perrilloux regarding the possibility of filing a lawsuit. It would be premature to ask for their support or go any further than discussion of this, he just wanted to keep the members of the Council aware of what was happening, and what they were looking at.

The chair addressed agenda item 10, “Office of Homeland Security and Emergency Preparedness – Mark Harrell”. Having no business to report, Parish President requested to speak to the Councilmembers once again.

The Parish President wished to update the Councilmembers on the Road Program. He advised that the survey work had been completed, the design phase was taking place and they would be optimistically begin laying asphalt on June the 1st, about the time that school would be ending, and hopefully work during the time that school would be out.

Councilman Garry “Frog” Talbert questioned where the parish was on the bidding process. Mr. Ricks advised that he would have to check with Sam Digirolamo to answer his questions.

Councilman John Wascom requested a final list on the roads. Mr. Ricks advised that he would provide that. Mr. Wascom asked if it would be provided by district, to which Mr. Ricks advised no, they would be listed by priority.

The chair addressed agenda item 11a, “Planning Department – Sam Digirolamo, Adopt resolution authorizing Forte & Tablada as our parish review engineer to send a letter on behalf of the Livingston Parish Council to the Louisiana Department of Transportation and Development (DOTD) to seek assistance in drainage north of I-12 at Juban East”. Councilman Garry “Frog” Talbert requested that this item be tabled.

The chair addressed agenda item 12a, “Board appointment(s) and Accept Board resignation(s): Livingston Parish Planning Commission – Tab Lobell, Accept resignation and Board appointment”. Councilman Tab Lobell requested that this item be put on the agenda for the next meeting.

Councilman Garry “Frog” Talbert addressed item 12b, Recreation District No. 2 Board (re)appointment(s) – Garry “Frog” Talbert” and expressed his wishes to reappoint three (3) members to this board.

LPR NO. 18-049

MOTION was made by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to reappoint Tracy McRae, Brett Beard and James Brandon Clark (residents of Council District 2) to Recreation District No. 2, whose five (5) year terms will expire on February 13, 2023.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 13, “Introduction of Ordinance: Amend Section 13-50.2, Construction Procedure” and called upon Councilman Shane Mack. Councilman Mack gave detailed instruction as to why this ordinance was needed. He also indicated that the proposed ordinance came from recommendation of the Planning Director. Councilman Garry “Frog” Talbert expressed his opinions and recommendations. Councilman Tracy Girlinghouse also commented to the proposed ordinance introduction.

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

L.P. ORDINANCE NO. 18-02

AN ORDINANCE TO AMEND CHAPTER 13, “PLANNING AND DEVELOPMENT,” SECTION 13-50.2, “CONSTRUCTION PROCEDURE”, PARTS (B), (C) AND (D) OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

LPR NO. 18-050

MOTION was offered by Garry “Frog” Talbert and duly seconded by Tracy Girlinghouse to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, March 22, 2018 at the hour of six o'clock (6:00) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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

L.P. ORDINANCE 18-03

AN ORDINANCE TO AMEND CHAPTER 13, “PLANNING AND DEVELOPMENT,” SECTION 13-54.1, “STREET STANDARDS”, PART (A), TO INCLUDE THE CRITERIA AND REGULATIONS OF THE LATEST EDITION OF THE LOUISIANA DOTD STANDARD SPECIFICATIONS FOR ROADS AND BRIDGES, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

LPR NO. 18-051

MOTION was offered by Garry “Frog” Talbert and duly seconded by Jeff Averett to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, March 8, 2018 at the hour of six o'clock (6:00) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Shane Mack requested that agenda item 15, “Introduction of Ordinance: Amend Section 13-49.6, Requirements for Minor Subdivisions”, be tabled at this time.

The chair addressed agenda item 16, “Speed limit reduction to be set at 20 mph on all roads in Creekside Estates located on Dunn Road” and called upon Councilman Maurice “Scooter” Keen who explained the request he had received from the Homeowner’s Association to consider setting the speed limit to help alleviate speeding in their subdivision.

LPR NO. 18-052

MOTION was made by Maurice “Scooter” Keen and duly seconded by R.C. “Bubba” Harris to set the speed limit from 25 mph to 20 mph on each street in Creekside Estates subdivision (*as verified by the Livingston Parish Department of Public Works and the Planning Department*) located in Council District 3:

Clear Creek Drive

Creek Bend Avenue

Creek Haven Lane

Creek Hollow Court

Creek Valley Drive

Hollow Creek Court

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 17, “Resolution to amend Council Office Policy and Procedure Manual: a. Establishment of Chain of Command” and requested that this item be tabled. He further advised that 17b, “Disciplinary Action and Policy” had been pulled. He advised that agenda items 17c and 17d, Letters of No Objection Procedure and Procedure for Alcohol Permit Applications and Renewals” would be combined.

Councilman Garry “Frog” Talbert stated his objections and opposition to the proposed policy for Letters of No Objection. The chair allowed a very long open discussion. This item was tabled.

The chair addressed agenda item 18, “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”. Having not received a request, the chair moved on to the next order of business.

The chair requested that the Councilmembers consider lifting the agenda for a matter that had been overlooked earlier.

LPR NO. 18-053

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. “Bubba” Harris to lift the agenda for the purpose of considering a matter that had previously been overlooked.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-054

MOTION was made by R.C. “Bubba” Harris and duly seconded by Tracy Girlinghouse accept the resignation of Shane Reagan as Constable of Ward 7, Council District 5, effective date being February 9, 2018, upon its receipt at the Louisiana Secretary of State’s office.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

STATE OF LOUISIANA

PARISH OF LIVINGSTON

The following resolution was offered by R.C. “Bubba” Harris and duly seconded by Tracy Girlinghouse:

LIVINGSTON PARISH RESOLUTION NO. 18-055

WHEREAS, the Honorable Shane Reagan has submitted his resignation as Constable, Justice of the Peace Ward 7, Parish of Livingston, State of Louisiana, and it has been accepted by the Livingston Parish Council; and

WHEREAS, his resignation has caused a vacancy in office and an election must be ordered and called to fill the unexpired term of office exceeding 18 months; and

WHEREAS, the governing authority of Livingston, Louisiana, is given the authority and responsibility under the provisions of La. R.S. 18:602 to appoint a person to fill the vacancy who meets the qualifications of the office, and to call a special election to fill the vacancy.

NOW, THEREFORE, We, the Livingston Parish Council, at a regularly scheduled meeting, resolved that Donna Renee McComas be appointed to fill the Constable, Justice of the Peace Ward 7 position until a special election can be held to fill the vacancy.

BE IT FURTHER RESOLVED, that a special election be called and held with the special primary election date set for November 6, 2018 and the special general election date set for December 8, 2018 with qualifying dates set for July 18, 19, 20, 2018.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-056

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

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 19, “District Attorney Report(s):”. Mr. Moody invited District Attorney Scott Perrilloux from the audience to speak and give comment, who briefly addressed the Council and thanked them for their work.

The chair addressed agenda items 20 a and b, Committee Report(s):

- Ordinance Committee – Shane Mack, Chair

Councilman Shane Mack advised that he was still at work on the pond ordinance and would be calling an ordinance committee to be scheduled soon.

- Finance Committee – Garry “Frog” Talbert, Chair

Councilman Talbert reported that the committee would meet again on March 22, 2018

Councilmen’s Comments:

- Councilman Shane Mack wanted to wish all of the Livingston Parish sports teams good luck in the play-offs, to which Councilmen Jeff Ard and Garry “Frog” Talbert commented as well.

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

LPR NO. 18-057

MOTION was offered by R.C. “Bubba” Harris and duly seconded by John Wascom to adjourn the February 22, 2018 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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