

Minutes of the Livingston Parish Council
Livingston, Louisiana
March 8, 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, March 8, 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 moved up agenda item 8 (with no objection), "**Introduction of ordinance** to call for an election to amend the Home Rule Charter as it relates to term limits" and called upon Mr. Jim Ryan, Government Consultants, Inc. who read the ordinance by title.

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

L.P. ORDINANCE 18-04

AN ORDINANCE ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, ON NOVEMBER 6, 2018 TO AUTHORIZE THE AMENDMENTS OF CERTAIN ARTICLES OF THE HOME RULE CHARTER OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA TO PROVIDE FOR TERM LIMITS FOR THE PARISH PRESIDENT AND COUNCIL MEMBERS; MAKING APPLICATION TO THE STATE BOND COMMISSION; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

LPR NO. 18-058

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 7, "Presentations: Recognition of Live Oak Cheerleaders" and called upon Councilman Garry "Frog" Talbert. Councilman Talbert and Councilman Maurice "Scooter" Keen presented the Live Oak High School Cheerleaders with Certificates of Recognition for winning First Place in the Medium Varsity Division 1 Finals of the 2018 UCA National High School Cheerleading Championship. The chair allowed time for a group photo.

The chair brought the meeting back to order and informed the audience that the members of the Council were wearing green t-shirts in support of the Walker High School boys' basketball team. The team was playing in the Final Four playoffs that evening, and if they won, they would be playing for the state championship the following Saturday.

Councilman Shane Mack also wished to congratulate the Holden High School Lady Rockets for their state championship.

The chair called upon Councilman John Wascom, who wished to acknowledge Mr. Brian McNabb in the audience. Mr. McNabb came to the podium and addressed the Councilmembers. Mr. McNabb explained that he worked for United States Senator Bill Cassidy and wished to give a brief report of Senator Cassidy's work at the nation's Capital, which included educating his colleagues on the 2016 Great Flood, his position on the Appropriations committee in Washington, D.C., his position on the Senate Finance committee to secure provision write off losses by amending 2016 tax returns, and the inclusion of Louisiana to be considered for the bill for duplication benefits to make the citizens of the Capital Region whole again. Mr. McNabb also invited the Council and their citizens to use Senator Cassidy's offices for help and resources not only for flood relief, but also for seniors having trouble with their social security benefits or a veteran having issues with the Department of Veteran's Affairs as well. He thanked the Councilmembers for the work that they do in Livingston Parish.

The chair addressed agenda item 9a, b and c, "Adoption of the Minutes for the February 22, 2018 meetings".

LPR NO. 18-059

MOTION was made by John Wascom and duly seconded by Tracy Girlinghouse to dispense with the reading of the minutes dated February 22, 2018 of the special meeting of the Livingston Parish Council, the minutes of the February 22, 2018 Juban Crossing Economic Development District meeting and the minutes of the February 22, 2018 regular meeting of the 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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 10, "Parish President's Report" and called upon Parish President Layton Ricks. Mr. Ricks also wore a green t-shirt in support of the Walker Wildcats basketball team reaching the Final Four playoffs. He updated the Councilmembers on a possible lawsuit regarding the Laurel Levee in Ascension Parish. He advised that any action right now would be premature. He indicated that he had been in conversations with Ascension Parish President Kenny Matassa, Chris Moody, and the Army Corps of Engineers and that new information had been received that day that the Parish of Livingston's engineers would pour through. Ascension Parish President Matassa assured Mr. Ricks that any and all studies would be submitted to the Parish of Livingston for their review and in no way did they want to jeopardize this Parish. Mr. Ricks assured Mr. Matassa that they would take time to review the studies, but if that's not the case, then the Parish of Livingston would move forward with legal action.

The chair addressed agenda item 11a, Office of Homeland Security and Emergency Preparedness – Mark Harrell, Resolution authorizing the parish president to extend the Federal Emergency Management Agency's Manufactured Housing Unit (MHU) deadline until May 15, 2018, within Livingston Parish." Parish President Layton Ricks advised that he would address these items for Mr. Mark Harrell.

Mr. Ricks explained that FEMA had extended the timeline for mobile homes and trailers from the 2016 Great Flood until May and have requested that the Parish of Livingston support their

timelines. FEMA is working diligently to get people out of the FEMA trailers and the state of Louisiana has formed a task force to help as well. Mr. Harrell had conveyed to the Parish President that he felt that FEMA may come back and ask for an additional three (3) or four (4) months at the end of the current timeline, but this would be unknown until it happened. Councilman Tracy Girlinghouse questioned if the Parish Council could make their timeline coincide with FEMA's. The Parish President advised yes. Mr. Girlinghouse concurred that if the Council followed FEMA's timeline, then it changed, it would not need to come back before the Council for their approval.

LPR NO. 18-060

MOTION was made by Tracy Girlinghouse and duly seconded by Jeff Averett to authorize the Parish President to extend the Federal Emergency Management Agency's Manufactured Housing Unit (MHU) deadline and follow the Federal Emergency Management Agency's timeline thereafter, whereby extending the deadline to coincide with the Federal Emergency Management Agency's timeline extensions within Livingston Parish.

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, MR. GIRLINGHOUSE

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 the trip he and Councilman Jeff Ard had taken to attend the NACo convention in Washington, D.C. He advised that they had met with Senator Cassidy and Congressman Garrett Graves and discussed flood disaster relief and impending flood insurance rates.

The chair addressed agenda items 12a through d, "Planning Commission Recommendation(s)" and called upon Planning Director, Sam Digirolamo.

Mr. Digirolamo advised that agenda item 12a, "Holden Travel Plaza, Arrow Engineering, Preliminary Site Plan, Henry Norred Road, Section 31, T6S R6E, Council District 9", would need to be deferred, due to lack of information. He further advised that the Planning Commission would be revisiting this item at their meeting next month.

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

L.P. ORDINANCE NO. 18-05

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF JOHN BLOUNT, L.L.C., A 60' SERVITUDE OF PASSAGE, IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN ON THE MAP SHOWING SURVEY OF THE REVOCATION OF A 60' SERVITUDE OF PASSAGE ACROSS TRACT SC-2 LOCATED IN SECTION 24, T6S-R3E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA, BY BRETT J. MARTIN, PROFESSIONAL LAND SURVEYOR, DATED NOVEMBER 17, 2017.

LPR NO. 18-061

MOTION was offered by Tracy Girlinghouse 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, 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. KEEN, MR. HARRIS, MR. TALBERT, MR. LOBELL, MR. AVERETT,
MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

*****Mr. Digirolamo advised that all requirements were met for the ordinance introduction.*****

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

L.P. ORDINANCE NO. 18-06

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF NORTH OAKS HEALTH SYSTEM, A 50' COMMON ACCESS SERVITUDE, IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN ON THE MAP SHOWING REVOCATION OF AN EXISTING 50' COMMON ACCESS SERVITUDE ACROSS TRACT 2-A, LOCATED IN SECTION 3, T7S-R4E, GREENSBURG LAND DISTRICT LIVINGSTON PARISH, LOUISIANA, BY BRETT J. MARTIN, PROFESSIONAL LAND SURVEYOR, DATED NOVEMBER 07, 2017.

LPR NO. 18-062

MOTION was offered by Jeff Averett 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, 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. KEEN, MR. HARRIS, MR. TALBERT, MR. LOBELL, MR. AVERETT,
MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

*****Mr. Digirolamo advised that all requirements were met.*****

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

L.P. ORDINANCE 18-07

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF JESSIE LEN HODGES, A 35' SERVITUDE OF PASSAGE AND A 60' RIGHT OF WAY, IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN

ON THE MAP SHOWING SURVEY & DIVISION OF TRACTS MH-1A, MH-1B, & REMAINING PORTION OF TRACT 3 INTO TRACTS MH-1A-1 & MH-1B-1 AND THE REVOCATION OF A 35' SERVITUDE OF PASSAGE & A 60' RIGHT OF WAY, LOCATED IN SECTION 40, T6S-R5E, GREENSBURG LAND DISTRICT LIVINGSTON PARISH, LOUISIANA, BY BRETT J. MARTIN, PROFESSIONAL LAND SURVEYOR, DATED NOVEMBER 20, 2017.

LPR NO. 18-063

MOTION was offered by Shane Mack 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 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. KEEN, MR. HARRIS, MR. TALBERT, MR. LOBELL, MR. AVERETT, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

*****Mr. Digirolamo advised that all requirements were met.*****

The chair addressed agenda items 13a and b, "Department of Public Works". Mr. Digirolamo continued to address the Council members. He advised that all of the proper paperwork was in place and he was satisfied.

LPR NO. 18-064

MOTION was made by Tracy Girlinghouse and duly seconded by John Wascom to grant authorization for the Livingston Parish Sewer District to place the sanitary sewer facilities within the public right-of-way.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo said that agenda item 13b for Hidden Lakes, was the same situation as the previous agenda item, and advised that all of their paperwork was in place to move forward with the project.

LPR NO. 18-065

MOTION was made by Tracy Girlinghouse and duly seconded by John Wascom to grant authorization for Hidden Lakes Estates, LLC to place the sanitary sewer facilities within the public right-of-way.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda items 14a, b, and c, “Planning Department”, and called upon Mr. Digirolamo to continue his report to the Council members.

LPR NO. 18-066

MOTION was made by Maurice “Scooter” Keen and duly seconded by John Wascom to accept the road(s) and improvements into the parish maintenance system for Plainview Ridge, 1st Filing, located at Louisiana Highway 1019, Section 64, T6S R2E, in Council District 3.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-067

MOTION was made by Maurice “Scooter” Keen and duly seconded by Jeff Averett to release the maintenance bond in the amount of one hundred twenty-six thousand seven hundred five dollars and eighty-six cents (\$126,705.86) for Plainview Ridge, 1st Filing, located at Louisiana Highway 1019, Section 64, T6S R2E, in Council District 3.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-068

MOTION was made by Maurice “Scooter” Keen and duly seconded by R. C. “Bubba” Harris to accept the road(s) and improvements into the parish maintenance system for Oak Landing Subdivision, located at Dunn Road, Section 9, T6S R3E, in Council District 3.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-069

MOTION was made by Maurice “Scooter” Keen and duly seconded by Tab Lobell to release the maintenance bond in the amount of twenty-eight thousand four hundred fifty-six dollars and forty cents (\$28,456.40) for Oak Landing Subdivision, located at Dunn Road, Section 9, T6S R3E, in Council District 3.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-070

MOTION was made by Tracy Girlinghouse and duly seconded by John Wascom to accept the road(s) and improvements into the parish maintenance system for Reserve at Cross Creek, located at North Corbin Road, Section 18, T6S R4E, in Council District 7.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-071

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. “Bubba” Harris to release the maintenance bond in the amount of seventy-five thousand one hundred eighty-four dollars and seventy-six cents (\$75,184.76) for Reserve at Cross Creek, located at North Corbin Road, Section 18, T6S R4E, in Council District 7.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair moved up agenda item 17, “Discussion of Boondocking Lane in Council District 9”, with no objection and called upon Councilman Shane Mack.

Councilman Mack explained that he put this on the agenda at the request of one of his constituents, Ms. Georgia Hall. He advised that there is a discrepancy, possibly, of whether or not the entire gravel road is in the parish maintenance system.

Public input: Georgia Hall, resident on Boondocking Road, Council District 9

Councilman Mack explained his confusion and requested input from Mr. Sam Digirolamo, Planning and Department of Public Works Director. Mr. Digirolamo indicated that he had met with Ms. Hall when he first came to work for the Parish President, Mr. Ricks. He explained that the Parish has a road list that is used, along with footage indicated, and that is as far as the Parish will go to maintain certain roads. He advised that Ms. Hall lived behind the Parish marked line and asked if she lived in a motor home, to which she confirmed. Councilman Mack called upon Deputy Clerk Angie Cornett to explain research that the Council office had conducted. Ms. Cornett advised that the “Grant Bankston List” indicated that Cockerham Road located off of Edna Kinchen Road was one thousand eight hundred and forty-eight (1,848) feet. She further advised that on April 25, 2006, Ms. Hall submitted a petition, being the only signator, to rename the road from “Cockerham Road East” to “Boondocking Road”. The road indicated on the “Grant Bankston List” is designated and named “Cockerham Road” and ends at one thousand eight hundred forty-eight (1,848) feet, but the section that Ms. Hall resides at is some two thousand (2,000) or more feet after that and is known and listed on her petition as “Cockerham East”.

Public input: Georgia Hall

Councilman Shane Mack requested that Mr. Chris Moody review and advise the Council on how they should handle this situation. Mr. Moody replied that he would be happy to, and offer what remedy there may be. Councilman Garry Talbert advised that when the “Grant Bankston List” was established, it was adopted based on a certain footage of the road. Mr. Digirolamo advised that Grant Bankston had been accompanied by an engineer in the development of this list. He also indicated that there were several roads in the parish where the parish servitude shows a certain length, but the road stops at an earlier point, simply because there was no one there beyond it. He advised that Grant Bankston and the engineer drew that line in the sand because there were not any other residents at that point. Councilman Scooter Keen questioned if the right of way was present, does that mean that the Parish would need to work that piece of land? Mr. Digirolamo explained that the Parish does not develop roads. The Parish is not equipped to develop roads. The Parish maintains roads that have been accepted into the maintenance system. Mr. Digirolamo explained that there were several places in the Parish that had the same issue as Ms. Hall.

Mr. Moody advised that this issue is very common. He stated that this conception, that just because it’s been taken into the system, you have an obligation to maintain it, is just not practical. Councilman Talbert explained that everywhere there is a red street sign, there is a Parish right of way, but that does not mean that the Parish maintains it and put it in the maintenance system, there is a distinction between the two (2).

Councilman Mack suggested that the paperwork that had been filed be reviewed, and a recommendation be made by Mr. Moody.

Ms. Hall requested to be notified when they would meet again for determination on this issue. Councilman Mack advised that he would be in touch with her. Ms. Hall requested for work to be done on her road before it rained again. Councilman Maurice “Scooter” Keen advised that it was illegal for the Parish to do any work or maintenance on a road that was not accepted into the parish maintenance system. The chair ended the open discussion and advised that when Mr. Moody had made a recommendation, Councilman Mack would then get in touch with Ms. Hall.

The chair addressed agenda item 15, “Public Hearing and Adoption of L.P. Ordinance No. 18-03, Amend Section 13-54.1, Street Standards” and called upon the Deputy Clerk to read the ordinance by title.

LPR NO. 18-072

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on February 22, 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 March 8, 2018 on Motion of Shane Mack and seconded by Tracy Girlinghouse:

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.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 8th day of March 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 16a, “Board resignation(s) and appointment(s): Livingston Parish Planning Commission” and called upon Councilman Tab Lobell. Councilman Lobell advised that the Planning Commission board member representing his Council district needed to resign due to other obligations, and he had someone else to be considered that would do a really great job to fill that vacancy.

LPR NO. 18-073

MOTION was made by Tab Lobell and duly seconded by Shane Mack to accept the resignation of Justin Young from the Livingston Parish Planning Commission, (board appointment representing Council District 8), effective date of resignation to be March 5, 2018, the expiration and remainder of (4) year term coincides with the term of the appointing Livingston Parish Council members, being January 13, 2020.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-074

MOTION was made by Tab Lobell and duly seconded by R.C. “Bubba” Harris to appoint James Verbois to the Livingston Parish Planning Commission, who will replace Justin Young, representing Council District 8, serving out the remainder of the (4) year term that will expire coinciding with the term of the appointing Livingston Parish Council member on January 13, 2020.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 16b, “Board resignation(s) and appointment(s): Gravity Drainage District No. 5 Board (re)appointment(s)” and called upon Councilman Jeff Averett. Councilman Averett explained his wishes to reappoint the expiring members on Gravity Drainage District No. 5.

LPR NO. 18-075

MOTION was made by Jeff Averett and duly seconded by John Wascom to reappoint Richard Harris and Robert Huffman (residents of Council District 6) to Gravity Drainage District No. 5, whose five (5) year terms will expire on February 26, 2023.

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, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 18, “Introduction of ordinance: Rescind L.P. No. 17-41 and Abolish Mosquito Abatement District and Board” and advised that he would allow each Councilmember five (5) minutes for discussion on this agenda item. He advised if a Councilmember had nothing to discuss, he would move to the next Councilmember. He advised that he knew everyone had a lot to say in regard to this item and respectfully requested that each member not speak over the other, to ensure that everyone had their turn to speak, then there would be a rebuttal discussion being limited to two (2) minutes for each Councilmember.

The chair called on Councilman Shane Mack. Councilman Mack explained why he placed this item to Abolish the Mosquito Abatement District on the agenda. His clarified his reasons for this:

1. The testimony of Michelle Osborne Gibbs and his concerns about the safety of the dispersion of the chemicals
2. Focus and energy should be on the roads in our parish and the limited amount of funds for that, and the need for improvement of drainage in our parish to get rid of stagnant water
3. Requests of the constituents that he represents, which included spending their money wisely

Mr. Mack described the previous Mosquito Abatement program in the parish, which included spraying, and discussed its ineffectiveness and the waste of money put forth. He advised that he was against having a Mosquito Abatement program. He expressed his opposition of taking funds away from the Parish’s General Fund or a fee tacked onto an electric bill. He also expressed opposition, at this present time, that would use a tax to fund a program. He indicated that this was originally presented as a research and fact-finding board to gather information for fighting mosquitos. Mr. Mack stated that he was open to research to improve the quality of life in Livingston Parish. He continued to explain that a Mosquito Abatement Board was not needed for research. Mr. Mack wished to make a motion to introduce the ordinance to abolish the Mosquito Abatement District in Livingston Parish. Mr. Mack closed by expressing his desire to see organic measures taken in our parish without using chemicals on vegetables and fruits. He stated that he was against Mosquito Abatement, that it was nothing personal, he complimented his fellow Councilmembers on doing an outstanding job so far, but this is a business decision and he did not think that it was the right direction for Livingston Parish at this time to fund and oversee a Mosquito Abatement operation.

The chair called on Councilman Tab Lobell. Councilman Lobell explained that he had spoken with many of his constituents who were not for having a Mosquito Abatement program. He expressed his feelings that maybe one day, but not now, as there are other things that are more

important, such as drainage. He continued to explain the vast differences between his district and other districts that were covered up with subdivisions. He agreed with Councilman Shane Mack that now is not the time for a Mosquito Abatement program and he too was against it.

The chair called on Councilman Jeff Averett. Councilman Averett advised that he was not against having a Mosquito Abatement Board. He explained the board was not to put a tax on anyone, it was for education. He acknowledged the statements previously made regarding the need for drainage, and also explained how that proposal failed. Mr. Averett indicated that he was not for Mosquito Abatement but was willing to be educated on it for the future.

The chair stated that he was probably the most in-between regarding this discussion because a third (1/3) of his district was covered by the Town of Livingston, who has a mosquito spraying program and the rest is not. He explained his concerns regarding the chemicals and the harm they may produce. He advised of the need for that issue to be looked into. He gave instances of the harmful effects that it had to other insects and the harm that mosquitos have on humans. He expressed desire to look at data to stay on top of it and watch this closely. He advised that the Parish was not ready for a tax and that a Mosquito Abatement Board was not needed to gather information. He stated that the Councilmembers could have people come to each meeting and continue obtaining information and stay on top of it, in case there starts to be a trend of multiple cases, then bring the data to the people and provide proof that the areas sprayed have less cases of disease infections. The chair agreed with the previous statements that drainage is a priority to help stop the spread of mosquitos, and that now is not the time to have a Mosquito Abatement program.

The chair called upon Councilman R.C. "Bubba" Harris. Councilman Harris explained that he was basing his decision on the voices he heard from, not just in his district, but all over the parish of Livingston. He discussed the previous attempts to bring it to the vote of the people and how it failed each time. Mr. Harris stated that he had spoke with many constituents who lived in subdivisions, and they did not see a difference in the mosquito population from the previous Mosquito Abatement program. He further advised that he was not totally against having a program, just not at this time, and would like more information.

The chair called upon Councilman John Wascom. Councilman John Wascom explained his position against a Mosquito Abatement program. He advised that it had failed in two (2) separate elections. He encouraged residents to seek other options, such as hiring their own individual companies to treat their homes and yards and how much more effectiveness that they had in the abatement issue. He offered his experiences with Mosquito Abatement spraying in the City of Denham Springs and its ineffectiveness. He also explained the waste of money and offered other ways to use the money to help the parish. He concluded his objections against a Mosquito Abatement program and yielded the floor to Councilman Maurice "Scooter" Keen.

Councilman Maurice "Scooter" Keen stated that he was not for or against Mosquito Abatement at this point whatsoever. He discussed how the parish was contacted by an entomologist to get a program going in our parish because they thought that we would have a major influx of West Nile type mosquitos, not the regular nuisance mosquitos. He advised of different cases of the West Nile virus and how they affected the human condition and then other cases of spraying doing harm to humans. He expressed the need for education and how the Parish needed to have a plan in place in the event there was a disease outbreak. He told of the need to have nine (9) members on the Mosquito Abatement board and have a program that would encourage the need for the promotion of human life. He continued his discussion on the need for a board to be in place that would have a plan of action that would not hurt human life, and the warnings and education received from the Louisiana Department of Health. He stated that it would be wrong to dissolve the Mosquito Abatement District at this time, and he would vote no for its dissolution.

The chair called upon Councilman Garry "Frog" Talbert. Councilman Talbert expressed his surprise that it had come to this. He advised that when the ordinance for the district and the board was introduced and adopted, its purpose was discussed. He discussed the language in the ordinance to levy taxes, service charges and to incur debt and was not hidden from anyone. He also discussed the section of the ordinance's wording regarding the board putting a service charge

on water works within water works districts and advised that section was there to cover all of their bases if they chose to raise revenue, then it would be there. He continued to discuss the board's rights, but that it did not give it permission to impose taxes without a vote of the people. Mr. Talbert discussed the four (4) elections held in the parish of Livingston for Mosquito Abatement. Mr. Talbert gave account of election results in several Council districts for the election held in 2003 in favor of the Mosquito Abatement proposition. He explained the semantics and issues that were encountered with making people pay. He discussed at length the statistics when the former Council attempted to collect a more permanent type of funding by collecting a three (3) mill property tax from an election held on November 6, 2012. He acknowledged the following on social media who are against taxes and are very vocal about it. He continued that there is another group who are for having Mosquito Abatement, however, they do not wish to be taxed. Mr. Talbert professed of all the thought that went into this board when he drafted the ordinance and what he had hoped that they would do was to educate the Council, come up with a plan, try to put a budget together and look for an acceptable funding source. He affirmed that they were not trying to shove anything down anyone's throats, and if an acceptable funding source did not become available, then it would have never been brought before the people for a vote. He concluded by stating that the shame of the matter was, they will never find out if that would be available, because of the large vocal group who are against taxes, no matter what kind.

The chair called upon Councilman Tracy Girlinghouse. Councilman Girlinghouse advised that he would be reiterating a lot of the previous comments made. He explained that when the Council voted to form the Mosquito Abatement board, he voted yes, strictly based on it being a fact-finding board. He expressed that in hind sight it was a mistake, the fact gathering could have been done as a Council. Mr. Girlinghouse discussed his desire to find out from the speakers at the special meeting if the science had changed. He also discussed the results from the failed election held in October of 2013 for a Mosquito Abatement program.

He expressed that purpose of the board for him, was to:

1. Gather facts
2. Find out if the science has changed
3. Find out if the chemicals have changed

Mr. Girlinghouse discussed the job of the Councilmembers and representation of their constituents. He discussed the failed past two (2) elections. Mr. Girlinghouse advised that he was not for Mosquito Abatement. He indicated that the City of Walker did have a program in place, however, he did not just represent Walker, he represented Council District 7. He discussed the past failed elections and had determined that the people did not want Mosquito Abatement. He expressed his desire to continue to gather facts and information. He concluded by stating that there were bigger issues here, drainage being one of them for certain. He expressed his desire to put this into perspective and find out what the people want overall.

The chair stated that before he allowed the Councilmembers' rebuttal, he would like to request Public Input from the audience members.

Public Input: Gueydan Smith, resident of Denham Springs, Council District 3 – against Mosquito Abatement tax
John Williams – resident of Denham Springs, Council District 3 – was not for or against the Mosquito Abatement tax
Gordon Courtney – resident of Holden/Hammond area, Council District 9 – for better drainage and a consolidated drainage district

The chair opened the floor for the Councilmembers' rebuttal and warned them to keep it civilized.

The chair called upon Councilman Shane Mack. Councilman Mack discussed the facts received from the representative of the Baton Rouge Mosquito Abatement program at the special meeting. He encouraged personal accountability and future research of mosquito abatement. Mr. Mack concluded that he felt that the Mosquito Abatement Board should be abolished, and he was not for it.

The chair called on Councilman Tab Lobell. Councilman Lobell agreed with the public input received by Mr. Gordon Courtney, that drainage was the key at this time.

The chair called upon Councilman Jeff Averett. Councilman Averett commented on the differences between Baton Rouge and Livingston Parish. He stated that he was not for Mosquito Abatement, but was for education. He continued to discuss the failed election for a drainage district in the eastern portion of the parish. Mr. Averett concluded with his personal experiences with mosquitos.

The chair advised that he did not have much to add. He discussed the need for drainage in the areas that do not have drainage districts and advised that it would take care of a two-part problem being drainage and mosquitos. He encouraged citizens who wish to vote for something to be heard instead of the people who are against things.

The chair called upon Councilman R.C. "Bubba" Harris. Councilman Harris commented that he did not have anything to add, other than being glad that he did have a drainage district in his area and how great that it was working.

The chair called upon Councilman John Wascom. Councilman Wascom wished to comment on two (2) things. He did not feel that a board was necessary to gather facts and information. He opined that having a board in place would lead to another tax and wished to stay as far away as possible from another tax. Mr. Wascom reasoned that the most important tax of the parish will be coming up soon at the end of the year for the renewal of the road tax. He stated that will determine the future of this parish. He wished to convey to constituents in Denham Springs and all across the parish, that he appreciated them voting no for taxes, but to please consider the most important one, which is the road tax coming up at the end of the year. Mr. Wascom concluded his rebuttal advising that a board was not needed for fact-finding.

The chair called upon Councilman Maurice "Scooter" Keen. Councilman Keen wished to defer his rebuttal time to Councilman Garry "Frog" Talbert.

The chair called upon Councilman Garry "Frog" Talbert and stated that the floor was his. Councilman Talbert began with the past election results and stated that the reasoning for the failed elections were unknown. He stated that part of leadership was to gather information and formulate a plan, so if you need to act, you can. He continued and stated that if the Council wanted to abolish this board, so be it, but if everyone wants to be educated, then he suggested to set forth at every meeting, someone to educate them. He further stated that the Council should set aside five (5) or ten (10) minutes at every meeting to have a speaker to address them on Mosquito Abatement by advising what is going on in their area, tell the Council things that they should be looking for, and help the Council develop a plan of action. He advised that what he heard from the other members, was that no one was against education, they're just against a board. Mr. Talbert discussed at great length his position against implementing a tax and the timeline of putting the board in place. He very passionately discussed the other Councilmembers positions on education of Mosquito Abatement and their stance on having a board in place. He explained in detail what a Mosquito Abatement program entailed. The chair advised that Mr. Talbert's time had expired and called upon Councilman Tracy Girlinghouse. Councilman Girlinghouse had interrupted Mr. Talbert's rebuttal with a question and offered to yield some of his rebuttal time back to Mr. Talbert. Mr. Talbert declined Mr. Girlinghouse's offer and advised that he was fine.

Councilman Tracy Girlinghouse agreed with Councilman Talbert's assessment of the failed elections in the past. He advised that he personally, had not had any calls regarding Mosquito Abatement, but he had talked with people who had called about other issues, and he would ask for their opinions and thoughts to get a sense of what was going on in his Council district. He also spoke to others at basketball games and other places, where he may be out and about, to seek insight of their opinions on the Mosquito Abatement issue. He discovered that the consensus of everyone was that they did not want it. Mr. Girlinghouse resolved that he was for education, but

questioned again, if the technology of Mosquito Abatement had changed and was there an imminent threat? He concluded that he did not think that a board was necessary.

The chair acknowledged that the discussion was closed and called upon Shane Mack who had made the original motion to introduce the ordinance to abolish the Mosquito Abatement District and Board. Councilman John Wascom stated that he would like to make the second to Councilman Mack's motion.

Councilman Garry "Frog" Talbert declared that he wished to make a substitute motion to table the introduction of ordinance L.P. 17-41.

LPR NO. 18-076

MOTION was offered by Garry "Frog" Talbert and duly seconded by Maurice "Scooter" Keen to table the introduction of ordinance L.P. 17-41.

YEAS: MR. TALBERT, MR. AVERETT, MR. KEEN

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

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 NO. 18-08

AN ORDINANCE TO RESCIND L.P. ORDINANCE NO. 17-41, ADOPTED ON OCTOBER 12, 2017, PROVIDING FOR THE CREATION OF A MOSQUITO ABATEMENT DISTRICT AND ESTABLISHING A BOARD IN THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, COMPRISING ALL THAT TERRITORY IN THE PARISH AS SET OUT HEREIN AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

LPR NO. 18-077

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 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. HARRIS, MR. LOBELL, MR. MACK, MR. ARD, MR. WASCOM,
MR. GIRLINGHOUSE

NAYS: MR. KEEN, MR. TALBERT, MR. AVERETT

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 19, "Discuss getting Council Employee comp time in line with Parish guidelines – Garry "Frog" Talbert". Councilman Garry "Frog" Talbert advised that he would defer that item to another meeting.

The chair addressed agenda item 20, “District Attorney Report(s):”. Mr. Christopher Moody advised that he did not have anything to report at that time.

The chair addressed agenda items 21 a and b, Committee Report(s):

- Ordinance Committee – Shane Mack, Chair

Councilman Shane Mack reported that he would be having an upcoming committee meeting to discuss four (4) ordinances on March the 12th at six-thirty (6:30) p.m. in the Council chambers and invited everyone to attend. He stated that the meeting would not be televised so he encouraged everyone interested to attend the meeting. He indicated that they would be discussing a junk car ordinance, a pond ordinance, the minor subdivision ordinance and the construction ordinance that was discussed at the last Council meeting.

- Finance Committee – Garry “Frog” Talbert, Chair

Councilman Talbert reported that the committee met earlier that day and went over tax revenue collections and the current year’s budget. He also gave notice of his resignation as the Finance committee chairman, as well as resignation of his membership on the Finance committee.

Councilmen’s Comments:

- Councilman Garry “Frog” Talbert encouraged anyone with an opinion on Mosquito Abatement, positive or negative, by recommending that they show up for the next Council meeting in two (2) weeks. He challenged those he had spoken with who were for the program, to show up, and fill the chamber to express that there is a silent majority in favor of Mosquito Abatement
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Having no further business, the chair requested a motion to adjourn until the next regular meeting scheduled on Thursday, March 22, 2018, at the hour of six (6:00) o’clock p.m. in Livingston, Louisiana.

LPR NO. 18-078

MOTION was offered by Tab Lobell and duly seconded by Jeff Averett to adjourn the March 8, 2018 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Sandy C. Teal, Council Clerk

Jeff Ard, Council Chairman