

**Minutes of the Livingston Parish Council**  
**Livingston, Louisiana**  
**September 12, 2019**

The Livingston Parish Council met in a 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, September 12, 2019, at the hour of six-thirty (6:30) 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

Absent: Layton Ricks, Parish President

Also, present: Christopher Moody, Parish Legal Counsel  
Sam Digirolamo, Planning and Department of Public Works  
Director: representing in the absence of the Parish President  
(as per Section 3-09(8) of the Livingston Parish Home Rule  
Charter)

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The chair asked the public to please mute or turn off their cell phones.

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

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The chair addressed agenda item 7, “Presentations:” and advised that there were no presentations at that time and moved to the next agenda item.

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The chair addressed agenda item 8, “Adoption of the Minutes from the August 22, 2019 regular meeting of the Council”.

**LPR NO. 19-287**

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to dispense with the reading of the minutes dated August 22, 2019 for 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. HARRIS, MR. AVERETT, MR. ARD, MR. KEEN,  
MR. GIRLINGHOUSE, MR. TALBERT, MR. MACK, MR. WASCOM

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 9, “Adopt a resolution authorizing Livingston Parish Sewer District to proceed with the issuance and delivery of its not to exceed \$4,500,000 Revenue Refunding Bonds, in one or more series; and otherwise providing with respect thereto – Jim Ryan”.

Councilman Garry Talbert explained that Mr. Ryan was not able to attend the meeting. He advised the intent of the resolution presented and that Livingston Parish Sewer District wished to refinance their bonds with a savings of three hundred thousand dollars (\$300,000.00).

The chair asked if there was any public input from the audience. Having none, he then inquired if the Councilmembers had any comment. Having none, he then called for the vote.

**PARISH COUNCIL OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA**

The following resolution was offered by Jeff Averett and seconded by John Wascom:

**L.P. RESOLUTION NO. 19-288**

A Resolution authorizing Livingston Parish Sewer District to proceed with the issuance and delivery of its not to exceed \$4,500,000 Revenue Refunding Bonds, in one or more series; and otherwise providing with respect thereto.

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, as amended, and La. R.S. 33:1415, it is now the desire of the Parish Council of the Parish of Livingston, State of Louisiana, as the governing authority (the “*Governing Authority*”) of the Parish of Livingston, State of Louisiana (the “*Parish*”) to approve the issuance and delivery of not to exceed \$4,500,000 Revenue Refunding Bonds, in one or more series (the “*Bonds*”), by Livingston Parish Sewer District (the “*District*”), the proceeds of which will be used by the District to (i) refund all or a portion of the District’s \$4,625,000 Revenue Refunding Bonds, Series 2014, of which approximately \$4,045,000 is currently outstanding (the “*Series 2014 Bonds*”); (ii) fund a Reserve Fund, if necessary; and (iii) pay the costs of issuance of the Bonds.

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

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, as amended, and La. R.S. 33:1415, and in accordance with the request of the Board of Commissioners of the District, the Governing Authority approves the issuance and delivery of not to exceed \$4,500,000 Revenue Refunding Bonds of the District. The Bonds shall bear interest at a fixed rate or rates not exceeding five percent (5.00%) per annum, shall mature no later than March 1, 2044, and shall be issued under the authority of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, or such other authority as may be determined by resolution at the time of the issuance of the Bonds.

SECTION 2. The Parish President and Parish Council are hereby authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Resolution and to assist the District in carrying out its functions in connection with the financing.

SECTION 3. This Resolution shall become effective immediately.

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

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

NAYS: NONE

ABSENT: NONE

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 12th day of September, 2019.

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

\s\ Shane Mack  
Shane Mack, 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 Council*”) do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Parish Council on September 12, 2019 authorizing Livingston Parish Sewer District to proceed with the issuance and delivery of its not to exceed \$4,500,000 Revenue Refunding Bonds, in one or more series; and otherwise providing with respect thereto.

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 23rd day of September 2019.

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

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The chair addressed agenda item 10:

Notice of Consideration of Action on Thursday, October 10, 2019 – Jim Ryan

- a. regarding the calling of an election regarding an existing sales tax currently being levied and dedicated to (i) construct, acquire, extend, expand, improve, maintain and operate roads, bridges and related road drainage throughout the Parish and acquire equipment related thereto, and (ii) construct, acquire, extend, expand, improve, operate, maintain, equip and furnish jail facilities of the Parish
- b. regarding the calling of an election regarding an existing ad valorem tax currently being levied and dedicated to acquiring, constructing, improving, maintaining and operating the Livingston Parish Library
- c. regarding the calling of an election regarding an existing ad valorem tax currently being levied and dedicated to constructing, operating and maintaining roads and bridges within the Parish

The chair explained that he had been advised that there should be no discussion on these particular agenda items. He continued and clarified that the Notice of Consideration would be read, and this would be put on the agenda for discussion on October 10, 2019.

The chair read aloud the following three (3) Notice(s) of Consideration:

**PURSUANT TO LA. R.S. 42:19.1**

**NOTICE OF CONSIDERATION OF ACTION REGARDING SALES TAX**

*NOTICE IS HEREBY GIVEN that the Parish of Livingston, State of Louisiana will meet on Thursday, October 10, 2019, at 6:30 p.m., in the Council Chambers in the Governmental Building, 20355 Government Blvd., Livingston, Louisiana, at which time there will be consideration of action regarding the calling of an election regarding an existing sales tax currently being levied and dedicated to (i) construct, acquire, extend, expand, improve, maintain and operate roads, bridges and related road drainage throughout the Parish and acquire equipment related thereto, and (ii) construct, acquire, extend, expand, improve, operate, maintain, equip and furnish jail facilities of the Parish.*

**PURSUANT TO LA. R.S. 42:19.1**

**NOTICE OF CONSIDERATION OF ACTION REGARDING AD VALOREM TAX**

*NOTICE IS HEREBY GIVEN that the Parish of Livingston, State of Louisiana will meet on Thursday, October 10, 2019, at 6:30 p.m., in the Council Chambers in the Governmental Building, 20355 Government Blvd., Livingston, Louisiana, at which time there will be consideration of action regarding the calling of an election regarding an existing ad valorem tax currently being levied and dedicated to acquiring, constructing, improving, maintaining and operating the Livingston Parish Library.*

**PURSUANT TO LA. R.S. 42:19.1**

**NOTICE OF CONSIDERATION OF ACTION REGARDING AD VALOREM TAX**

*NOTICE IS HEREBY GIVEN that the Parish of Livingston, State of Louisiana will meet on Thursday, October 10, 2019, at 6:30 p.m., in the Council Chambers in the Governmental Building, 20355 Government Blvd., Livingston, Louisiana, at which time there will be consideration of action regarding the calling of an election regarding an existing ad valorem tax currently being levied and dedicated to constructing, operating and maintaining roads and bridges within the Parish.*

A motion was made by Jeff Ard and duly seconded by Tracy Girlinghouse to remove items numbered 10a, 10b and 10c from the agenda. Councilman Garry Talbert called for the question and stated, “remove from the agenda”. The chair and Councilman John Wascom questioned this as the items had already been addressed and read aloud giving notice.

Mr. Christopher Moody, Parish Legal Counsel, stated that the formal action was to give the notice, so there is no further action that needs to be taken, there is no need to make a motion and table.

Councilman Talbert asked if they could make a motion that the Council not consider this item October 10<sup>th</sup>? Councilman Ard concurred.

Mr. Moody explained that the notice had been previously given for October 10<sup>th</sup>, therefore you would have to amend the notice to a day certain, or you could just rescind the notice.

Councilman Jeff Ard made the motion to rescind agenda items numbered 10a, 10b and 10c and was duly seconded by Tracy Girlinghouse.

The chair questioned what the purpose of this rescindment was?

Councilman Talbert stated that they would prefer to have this election in November 2020 when there is a presidential, not when there is a small election. He further stated that if they were going to ask to people of Livingston Parish to renew the road tax, they wished to have the vote presented at the most opportune and the most attended election.

The chair questioned if the election failed? Councilman Talbert advised that they six (6) months to bring it back in the spring of 2021 and still have time to make the tax rolls in the fall of 2021.

The chair questioned if this was accurate even if the tax expired in January of 2021?

Councilman Maurice “Scooter” Keen advised that it didn’t matter, they were still going to rescind it.

The chair shared his opinion that the people of Livingston Parish deserve the opportunity to discuss this, if the Council so chooses, on October the 10<sup>th</sup>. Councilman Talbert called for the question to rescind the notification.

The chair explained his opinion on giving this matter the opportunity to be discussed on October 10<sup>th</sup> and called for the vote, clarifying that it was to rescind the notifications.

Councilman John Wascom requested to discuss the motion to rescind. Mr. Moody advised that technically, there has been a motion to call for the previous question and if there is not unanimous consent, then you undertake the question of the vote, then you have a vote to end the debate.

Councilman Wascom made a motion that they would allow the discussion whether or not to rescind this matter. No one made a second, and Mr. Moody advised that the Council would then need to vote on the previous motion to rescind the notice. If that dies for lack of a second, then they would then vote on the main motion to rescind the notice.

The deputy clerk asked if the chair was ready to call for the vote. She began the vote, then interjected to question the chair go back and state what the motion was that they were voting on. The chair explained what a vote for and against would mean and why there could not be any discussion regarding the topics listed in the Notice of Considerations.

#### **LPR NO. 19-289**

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to rescind agenda items numbered 10a, 10b and 10c.

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

NAYS: MR. MACK, MR. WASCOM

ABSENT: NONE

ABSTAIN: NONE

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

The chair wished to make a statement and then allowed an open discussion.

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The chair addressed agenda item 11:

Discussion of Veto statement of L.P. Ordinance No. 19-25, “Notification and disclosure of Pump/Grinder Sewerage Installation”:

- a. Accept or Override Veto Statement

- b. **Introduction of ordinance:** New language for the Disclosure and Notification of pump/grinder sewerage installation

Councilman Talbert explained that on item 11a, the Councilmembers needed to accept or deny the override for the veto statement received from the Parish President regarding L.P. Ordinance No. 19-25.

Mr. Moody, Parish Legal Counsel, instructed that the Councilmembers had two (2) choices: they could either override the veto or consider the previously prepared proposed ordinance in lieu of the other one which basically takes out the responsibility of the realtor.

The chair allowed a short open discussion then called for any further input on the veto statement. Having none, Councilman R.C. “Bubba” Harris made a motion to accept the veto.

**LPR NO. 19-290**

MOTION was made by R.C. “Bubba” Harris and duly seconded by Maurice “Scooter” Keen to accept the veto statement received from the Parish President regarding L.P. Ordinance No. 19-25, in regard to the “Notification and Disclosure of Pump/Grinder Sewerage Installation”.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 19-291**

MOTION was made by Jeff Ard and duly seconded by Jeff Averett to table agenda item 11b, “**Introduction of ordinance:** New language for the Disclosure and Notification of pump/grinder sewerage installation”, until the next meeting which will be held on Thursday, September 26, 2019 at six-thirty (6:30) p.m.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 12, “Parish President’s Report”. Councilman Talbert advised that the Parish President was not in attendance as it was his birthday.

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The chair addressed agenda item 13a, “Department of Public Works: **Introduction of ordinance:** Declaration of DPW Surplus Equipment” and called upon Mr. Sam Digirolamo who explained the purpose of the proposed introduction.

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

**L.P. ORDINANCE NO. 19-28**

AN ORDINANCE TO DECLARE CERTAIN SURPLUS PROPERTY  
(EQUIPMENT) NO LONGER NEEDED FOR PUBLIC PURPOSES;

PROVIDE FOR ITS SALE BY INTERNET SALES AND/OR PUBLIC  
AUCTION AND PROVIDE FOR TERMS OF SALE.

**LPR NO. 19-292**

MOTION was offered by Tab Lobell 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, September 26, 2019 at the hour of six-thirty (6:30) 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. HARRIS, MR. AVERETT, MR. ARD, MR. KEEN,  
MR. GIRLINGHOUSE, MR. TALBERT, MR. MACK, MR. WASCOM

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 14a:

Department of Public Works: Sam Digirolamo

- a. Authorization for The Preserve at Gray's Creek – Placement of offsite sewer within the public right-of-way
  - i. Forest Delatte Road

Mr. Digirolamo explained that this issue happens quite often, and he brings it before the Council each time.

The chair allowed the Councilmembers to question Mr. Digirolamo and permitted a lengthy open discussion.

**LPR NO. 19-293**

MOTION was made by Garry "Frog" Talbert and duly seconded by Maurice "Scooter" Keen to authorize the placement of offsite sewer within the public right-of-way being located in The Preserve at Gray's Creek on Forrest Delatte Road in Council District 5; and also affirming that all maintenance and improvements will be covered by the Livingston Parish Sewer District.

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

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

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item(s):

15. Planning Commission Recommendations: Sam Digirolamo

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|-----------------------|---------------------|--------------------|
| a. DTD Office Space   |                     | Garry Talbert      |
| Change of Usage       |                     |                    |
| La. Hwy. 16           | Section 64, T6S R2E | Council District 3 |
| b. Journey Church     |                     | Alvin Fairburn     |
| Preliminary Site Plan |                     |                    |
| La. Hwy. 16           | Section 52, T5S R2E | Council District 2 |

Mr. Digirolamo addressed agenda item 15a, DTD Office Space, and advised that the address should be on Amite Church Road and not LA Highway 16 as indicated on the agenda. Councilman Talbert concurred with this statement.

Councilman Talbert advised that before the chair called for the vote, he wished to recuse himself from the vote as he owned one-third (1/3) of this company and one-third of that building and would not be voting on this particular situation.

**LPR NO. 19-294**

MOTION was made by Maurice “Scooter” Keen and duly seconded by Jeff Ard to accept the recommendation of the Livingston Parish Planning Commission and **approve the CHANGE OF USAGE for DTD Office Space,** located off of Amite Church Road, Section 64, T6S R2E, in Council District 3.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN/RECUSED: MR. TALBERT

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

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**LPR NO. 19-295**

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 Journey Church,** located off of LA Highway 16, Section 52, T5S R2E, in Council District 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair advised that he wished to move up agenda item 22:

District Attorney Report(s):

a. **Executive Session:**

Discussion of:

19<sup>th</sup> Judicial District Court for the Parish of East Baton Rouge, State of Louisiana  
City of Walker, City of Denham Springs, The Williamson Eye Center (APMC),  
Timothy John Kinchen, and Shannon Farris Kinchen v. State of Louisiana through  
the Department of Transportation and Development, ET. AL  
Number: 654278

However, upon further thought, the chair suggested that he wished to move up agenda item 19 from its placement on the agenda before addressing agenda item 19, and then then Councilmembers would go back to the regular alpha numerical order of the agenda:

Discussion and consideration to adopt resolution to allow two (2) additional board members to expand Ward 2 Water District from five (5) members to seven (7) members, request Legislative representation to amend state law accordingly, and publish mandates in the Official Journal – John Wascom

The chair called upon Councilman John Wascom who explained why he wished to place this on the agenda.

Councilman Wascom advised that Ward 2 Water had expanded the boundaries of their services and he would like to see the area's expansion to have representation on the board for Ward 2 Water by asking the Legislature to approve adding two (2) additional members by amending current state law. Councilman Wascom praised the services provided by Ward 2 Water.

Public input: Cookie Killcrease, employee of Ward 2 Water for over forty (40) years

Ms. Killcrease wished to clear up any misconceptions about the expansion of Ward 2 Water. She explained the area that would be included in the expansion. In her opinion, additional board members were not needed.

The chair allowed the Councilmembers to question Ms. Killcrease. This led to a lengthy open discussion.

**LPR NO. 19-296**

MOTION was made by John Wascom and duly seconded by Jeff Averett to request the Livingston Parish Legislative Delegation to consider amending current state law by adding two (2) additional board members to the Ward 2 Water Board of Commissioners.

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

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

NAYS: MR. KEEN, MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

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

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The chair advised that he would have to depart from the meeting to attend the wake services of a family member and turned the chairmanship duties over to the co-chair, Councilman Garry Talbert.

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The co-chair stated that he would like to go into executive session and requested a motion.

**LPR NO. 19-297**

MOTION was made by Jeff Ard and duly seconded by R.C. "Bubba" Harris to go into executive session.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

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The Councilmembers removed themselves from the Council chambers and retired to their back office to hold executive session as to allow for the comfort of the audience members so that they may remain in their respective positions in the audience and not have to adjourn to stand outside while executive session was taking place.

All recording devices, documentation and note-taking were halted during executive session until the Councilmembers returned back to the Council chambers and the co-chair called for the vote to go back to the regular order of business of the agenda.



**LPR NO. 19-298**

MOTION was made by R.C. “Bubba” Harris and duly seconded by Jeff Averett to go return back to the regular order of business of the agenda after finishing the matters discussed while in executive session.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

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The co-chair addressed agenda item 16, “**Public Hearing and Adoption of L.P. Ordinance No. 19-24**, Ward 2 Water Boundary Expansion”, and called on the Deputy clerk to read the proposed ordinance by title. He then requested a motion and a second before opening the Public Hearing.

The co-chair called upon Councilman Jeff Ard as making the motion and then stated that the second was Councilman Jeff Averett.

The co-chair opened the Public Hearing for **L.P. Ordinance No. 19-24**, Ward 2 Water Boundary Expansion and requested if anyone had any public input.

Public input: Cheryl Amarosa, resident of Gravesbriar – questioned if the Council did studies to approve the expansion and questioned if the expansion impacted anything in a negative way

The co-chair answered Ms. Amarosa’s questions. Councilman John Wascom and Councilman Jeff Averett also gave positive input satisfying her inquiries and curiosity of the Council’s involvement of Ward 2 Water’s boundary expansion.

The co-chair inquired if there were any other public input. Having none, he closed the Public Hearing and then called for the vote.

**LPR NO. 19-299**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 8, 2019, 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 September 12, 2019, on Motion of Jeff Ard and seconded by Jeff Averett:

**L.P. ORDINANCE 19-24**

AN ORDINANCE RATIFYING, CONFIRMING, AND APPROVING THE CREATION, OPERATION AND EXISTENCE OF WARD II WATER DISTRICT OF LIVINGSTON PARISH, LOUISIANA, AND RATIFYING, CONFIRMING AND APPROVING AN EXPANSION OF THE TERRITORIAL BOUNDARIES OF THE DISTRICT AND THE WATER WORKS SYSTEM OF WARD II WATER DISTRICT OF LIVINGSTON PARISH, LOUISIANA.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

And the ordinance was declared adopted on the 12th day of September 2019.

(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. 5)

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The co-chair wished to go back and state for the record that no action was taken while the Councilmembers were in executive session.  
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The co-chair addressed agenda item 17, “**Public Hearing and Adoption of L.P. Ordinance No. 26**, Add Section to the Code of Ordinances establishing penalties and revocation of permits for falsifying and misrepresentation of Livingston Parish Permit applications” and asked the Deputy clerk to read ordinance by title.

The Deputy clerk read the ordinance by title and then turned to Councilman Maurice “Scooter” Keen and stated that she thought that they were moving this back.

Councilman Keen advised that the agenda necessitated that a Public Hearing be held that evening. He indicated that he had spoken with the Parish President and that the Parish President wished to change some of the wording in the proposed ordinance.

Councilman Keen requested to make a motion to table this ordinance until September 26<sup>th</sup>. The co-chair asked if he wished to table it or defer it? Councilman Keen stated that he wished to defer the ordinance until the 26<sup>th</sup>. The co-chair declared that there was a motion to defer and questioned if there was a second? Councilman Jeff Ard advised that he wished to make the second.

The co-chair stated that they still needed to legally open the Public Hearing.

The co-chair opened the Public Hearing and called upon anyone who wished to make public input. Having none, the co-chair closed the Public Hearing.

The co-chair requested if the Councilmembers had any objection to the deferment this item for two (2) weeks? Having none, the co-chair moved to continue, but was interrupted by the Deputy clerk who wished to state that she had read the proposed ordinance by title, but needed to state and set the next Public Hearing for September 26, 2019 at six-thirty (6:30) p.m.

The co-chair declared that the ordinance had been deferred with no objection and moved to address agenda item 18, “**Introduction of ordinance:** Servitude Revocation/Quit Claim: Carew Harris Road, Council District 5 – R.C. “Bubba” Harris”, and directed the Deputy clerk to read the proposed ordinance by title.

The co-chair inquired if anyone had any comment or wished to discuss this agenda item, or did they just want to make the motion for the introduction?

Councilman Jeff Averett questioned input from Councilman R.C. “Bubba” Harris verifying that Councilman Harris was amenable to the proposed ordinance?

Councilman Harris confirmed that he was and wished to make the motion for the ordinance’s introduction.

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

#### **L.P. ORDINANCE 19-29**

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF LIVINGSTON HOLDINGS, A 2,095 LINEAR FEET SECTION OF CAREW HARRIS ROAD AS DETAILED PER (BLUE BOOK) FROM THE 7-YEAR CAPITAL OUTLAY LIST SUBMITTED UNDER THE OFFICIAL

RECORDS OF THE LIVINGSTON PARISH COUNCIL UNDER LPR 02-479  
ON SEPTEMBER 30, 2002.

**LPR NO. 19-300**

MOTION was offered by R.C. “Bubba” Harris 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, September 26, 2019 at the hour of six-thirty (6:30) 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. HARRIS, MR. AVERETT, MR. ARD, MR. KEEN,  
MR. GIRLINGHOUSE, MR. TALBERT, MR. WASCOM

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

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The co-chair addressed agenda item 20, “Adopt resolution to set the speed limit to 15 mph on Harrell’s Lane in Council District No. 3” and called upon Councilman Maurice “Scooter” Keen for comment.

Councilman Keen stated that the residents who lived on this street had requested that the speed limit be changed, and the Parish has already changed it. He explained that he wished for this to be done by resolution and vote of the Council.

**LPR NO. 19-301**

MOTION was made by Maurice “Scooter” Keen and duly seconded by Jeff Ard to set the speed limit on Harrell’s Lane at fifteen (15) mph located in Council District 3.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

*\*Note: Section 46-45(b)(c), “Maximum generally”, of the Livingston Parish Code of Ordinances states:*

- (b) Subject to the restrictions imposed by Section 46-44, where there are no signs posted indicating speed limits, the speed limit applicable to that Parish street or roadway, outside of incorporated municipalities, shall be fifteen (15) miles per hour, except in recognized subdivisions; provided, however, that the maximum speed limit on any state maintained highway within the Parish shall be set or at least approved by the Department of Transportation and Development.*
- (c) No person shall operate a motor vehicle on the streets of recognized subdivisions in the Parish, outside of incorporated municipalities, at a speed of more than twenty (20) miles per hour or as otherwise provided for and appropriately posted according to Section 46-46.*

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The co-chair addressed standing agenda item 21, “Discussion and adoption of a resolution to authorize waiver(s) and variance(s) for L.P. 19-03, adopted on January 24, 2019, Amending

Section 13-57 “Drainage/Drainage impact study” of the Code of Ordinances that prohibits subsurface drainage” and advised that there were no items at that time to discuss.

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The co-chair advised that agenda item 22, “District Attorney’s Report”, had already been addressed earlier in the meeting and moved on to address agenda item 23, “Committee Report(s):”.

The co-chair reported that the Ordinance committee had met earlier that evening. The committee had a constituent, Mr. John Singleton, speak to the committee members and present research information that he had been doing on the noise ordinance. The co-chair added that Councilman Shane Mack was working on an ordinance concerning speed bumps. Having nothing else to report, he called upon Councilman Tracy Girlinghouse to report on the Finance committee’s meeting. Councilman Girlinghouse advised that the numbers were a little higher than what had been projected and someone from the audience had requested detailed copies of the monthly financial report. He stated that they would try to put that online or have a couple of copies at the meeting for the public to review. They also discussed having the financial documents projected on the monitors during the committee meeting.

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The chair addressed agenda item 24, “Councilmen’s comments:” and called upon Councilman R.C. “Bubba” Harris.

Councilman Harris discussed the upcoming Trunk-or-Treat event to be held at South Park in Denham Springs. He commended the Councilmembers for their participation and help with past years’ events. He applauded the extra efforts and help of Councilmen Scooter Keen and Garry Talbert for their boundless help and assistance. He asked for continued help from everyone and discussed the success from the past events’ donations and volunteers.

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Having no further business, a motion to adjourn was requested until the next regular meeting scheduled on Thursday, September 26, 2019, at the hour of six-thirty (6:30) p.m. in Livingston, Louisiana.

**LPR NO. 19-302**

MOTION was offered by Jeff Ard and duly seconded by Jeff Averett to adjourn the September 12, 2019 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

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

/s/ Shane Mack  
Shane Mack, Council Chairman