

Minutes of the Livingston Parish Council

Livingston, Louisiana

October 14, 2021

The Livingston Parish Council met in a regular session duly called, advertised, and convened via Zoom on Thursday, October 14, 2021, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

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

Gerald McMorris
Tracy Girlinghouse
Randy Delatte
Shane Mack

Garry Talbert

Also present: Christopher Moody, Parish legal counsel
Sam Digirolamo, Planning and Department of Public Works Director

Absent: Parish President Layton Ricks

The chair called the meeting to order.

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 and explained the procedure to be called upon.

The chair addressed agenda item number 7a, "Update of the redistricting of Livingston Parish based on 2020 United States Census by Cedric Floyd, President of Data Center, LLC".

The chair called upon the Parish's demographer, Mr. Cedric Floyd, President of Data Center, LLC.

Mr. Cedric Floyd, President of Data Center, LLC greeted the Councilmembers and other elected and appointed officials. He thanked them for giving Data Center the opportunity to provide redistricting services for the Livingston Parish Council based on the 2020 Census. Mr. Floyd advised that the 2020 U.S. Census had been released. It confirmed that the Parish of Livingston had a population of one hundred forty-two thousand two hundred eighty-two (142,282), which is an increase from the previous 2010 U.S. Census population count that was one hundred twenty-eight thousand twenty-six (128,026), reflecting a population gain of fourteen thousand two hundred fifty-six (14,256) or eleven point four percent (11.4%). He further explained that consistent with state law, Revised Statute 13:1411, the population from the 2020 Census had been applied to the nine (9) Parish Council Districts, which is called the benchmark plan, and is the starting point for redistricting. Mr. Floyd questioned if the Councilmembers received the information that he had submitted for their review to be placed in their meeting packets which consisted of a proposed ordinance, and the criteria for redistricting. The Councilmembers affirmed that they had. Mr. Floyd continued and explained that the benchmark plan indicated that the Parish's plan had a deviation of twenty-nine point forty-one percent (29.41%). He advised that the deviation is calculated by taking a parish population and dividing it by nine (9), as there are nine (9) Council districts in the Parish of Livingston, whereby giving the ideal district size, which is fifteen thousand eight hundred and nine (15,809). He stated that in this equation, the highest district being the largest populated. Mr. Floyd offered that Council District 6 had the largest population, being eighteen thousand six hundred thirty-seven (18,637), and the Council district with the smallest population of thirteen thousand nine hundred eighty-eight (13,988) was Council District 8 having a difference of four thousand six hundred forty-nine (4,649). By taking this number and dividing it into the ideal district size, it equates into twenty-nine point forty one percent (29.41%). Mr. Floyd explained that the difference between the largest and the smallest district was one thousand five hundred eighty (1580) which is ten percent (10%), being in an acceptable range. However, because the Parish was at twenty-nine point forty one percent (29.41%), they were over the ten percent (10%) for deviation for a redistricting plan and that is why the Parish of Livingston must redistrict. He asked if everyone understood the calculations that had been given. Mr. Floyd advised the Councilmembers that the main result after the census is to determine that for every governmental body that elects its members by district, that district must have the same amount of people. The term for which, is called one person, one vote. He stated that when a candidate is elected to represent a governmental body by district, they are elected to represent the number of people, not voters, of that district. Mr. Floyd ascertained that the COVID-19 pandemic

had made the procedures for redistricting different from the past. He explained that the Parish of Livingston's redistricting plan would not be effective until the election of 2023. Therefore, there would be a little bit of time to "slow walk" the redistricting plan. He offered that the next steps that his company would proceed with would be meeting with individual members and also meet with members in a group, being no more than four (4) members at a time, to insure there would not be a quorum. His company would be working with the Councilmembers' using that member's knowledge and experience they have of their individual districts and their intellect for their neighboring Council Districts. He explained the computer technology that they would be using to make sure that they come up with the right number and have a redistricting plan that is reflective of the parish and reflective of the Parish Council. Mr. Floyd reported that his company had applied the 2020 Census to their Parish Council Districts and as a result, provided the best numbers as indicated in their handout. He directed them to the second page of their handout that provided the long-standing criteria of redistricting mandates.

The chair allowed an open discussion for questions and input that could possibly resolve some of the redistricting needs.

The chair offered and proposed the dates for the introduction and adoption of the ordinance presented that would "set forth the 2020 Census Counts in each Parish Council Election District for determination that redistricting is required".

There being no other comments or discussion, the chair moved to address the next item on the agenda.

The chair addressed agenda item number 7b, "Financial narrative for funding the Livingston Parish Capital Outlay/Priority List – Jim Ryan".

The chair called upon Jim Ryan, IRMA, Government Consultants, Inc., Parish Financial Advisor to address this request from Councilman Randy Delatte. Mr. Ryan asked the chair for direction. The chair invited Councilman Randy Delatte to engage with Mr. Ryan for what information he would like to gather with respect to Capital Outlay and what might be beneficial or not beneficial to the Parish.

Councilman Randy Delatte explained that he had brought this item up previously at a Council meeting approximately six (6) months ago. He stated that it was the consensus at that time that it was not financially feasible to look into this matter, but they decided that later on in the year might be a better time to address this.

Councilman Delatte shared that he, as well as all of the other Councilmembers, had many bad roads and he wished to look for some sort of program or plan that would be financially feasible for the Parish to get those roads instead of dragging them on for years, and get them fixed right now. He stated that he was not saying to bond all of the money, but to bond it enough so that the engineer would state that this gets the Parish out of the door and now the Parish could go ahead and keep up maintaining per year. Councilman Delatte stated that he was looking for Mr. Ryan to advise if this would be financially feasible or is it not financially feasible?

Mr. Ryan briefly explained the way that he receives earnings for the work that he provides for governing entities. He conveyed his fiduciary responsibility under the federal securities law to act in the governing entities' best interest and not in his best interest.

Mr. Ryan advised the reasons that would give him pause to advising the Parish should borrow money. He stated that interest rates were still at historically low levels. He opined that there was not an emergency for funds. He apprised Councilman Delatte that he wished to caveat his statement at the end and opined that there were two (2) things that he wished to caution about at that time. He discussed the negative balance in the jail fund and the details of how this matter came about. He discussed in great detail how the lending entities review and approve to borrowers. He offered that the one (1) caveat that he could give to Councilman Delatte was if the infrastructure bill would pass with a percentage match, he would then propose borrowing for the Parish's percentage match of whatever project was being offered. Other than the infrastructure bill, Mr. Ryan stated that his recommendation would be to wait until the Parish could obtain a surplus in the jail fund and then request from Administration to quantify how much loss of money would be lost because of Hurricane Ida, and over what period of time did they anticipate losing more funds because of the storm. Councilman Delatte questioned how the one cent sales tax would be affected as it can only be used for capital outlay and would that make a difference? Mr. Ryan agreed with Councilman Delatte, and described how the lending agencies, such as Standard and Poor's, did not agree with

that logic. Councilman Delatte had other questions that he wished to ask of Mr. Ryan and stated that he will take Mr. Ryan's advice and revisit this in three to four (3-4) months again. Councilman Delatte asked how much the interest rate was currently? Mr. Ryan wished to clarify that the Parish's target at that time is to keep in communication with the Finance Director and identify where they were in regard to the deficit of the jail fund and when she has a good picture of how much funding will go to the storm costs. He explained that would be the Parish's target date for applying for bonding. He further stated that he would be guessing that the current interest rate may be at two and a quarter percent (2.25%). Councilman Delatte questioned if there was a procedure in place once the Parish could be given the green light to proceed? Could they check with government entities or with the bonding agency to let them know that the Parish was considering the bonding process but they did not wish to spend a lot of money to investigate if the Parish could not afford it. He questioned if there was some sort of procedure that the Parish could use to get some more information four (4) months from now? Mr. Ryan advised that there was and that it was an easy analysis and described in great detail how it could be accomplished.

Councilman Delatte thanked Mr. Ryan and wished to give an explanation on his position to the Councilmembers and why he was so interested in this. He explained that he felt like yes, maybe five, seven-eight years the majority of the roads may get done at that time, but he still did not believe the majority of the bad roads would be done at that time. He opined that if the Parish spent a couple of million dollars fixing bad roads, the next year there would be other roads that became bad and so on, and so on. He felt that with the new procedures in place in overlaying their roads they are lasting a lot longer than they ever had before and he felt that the Parish could knock out all of the maintenance and do it at a fair rate. He proposed only bonding some of it and keep the rest for those rainy days that are there. Councilman Delatte stated that the bottom line of who wins there is the people who are paying their money, and have been paying their money and they get their road fixed now and they don't tear their vehicles up and it is no longer a safety hazard. He reiterated to the Councilmembers that was the only reason he was interested and thanked them for giving him the opportunity to address this issue. Mr. Ryan greatly discussed the Parish's past history of bonding the roads and the extreme poor state and condition of the roads at that time.

The chair wished to ask Mr. Ryan as they discussed how much reimbursement and how much cash the Parish were going to have to burn through, he suggested that another consideration should be given to when the millages were renewed. The Council had been advised by the Livingston Parish Assessor that he was going to re-evaluate and until they Parish Council received that re-evaluation, they really did not know what the revenue for the upcoming year would provide based on millages and possible roll backs needed for the hurricane. Mr. Ryan agreed that was another huge consideration that the chairman had posed. The chair submitted to Councilman Delatte that the Parish had the information that Councilman Delatte needed and that the Parish Road Engineer would have that information based on what roads that have been evaluated. He discussed in detail a balance that was there, but the Parish needed to look at a couple of criteria, but did not disagree with Councilman Delatte's statements. Councilman Delatte agreed that was all good points that had been made, and that's why he was being patient and letting it play out. He continued and stated that the bottom line is that people need services and they are paying for them and the Parish has a mechanism to do that. The chair stated that he did not disagree and ended the discussion to move to the next agenda item.

The chair addressed agenda item number 9, "Public Hearing and Adoption of L.P. Ordinance No. 21-25: Authorization to proceed with refinancing \$8,000,000.00 Revenue Refunding Bonds for the "Livingston Parish, Louisiana - North Park Project - Jim Ryan".

The chair opened the Public Hearing and called upon the Council clerk to read the ordinance by title.

The chair asked if anyone from the public wished to speak and give Public Input. Having no one speak, he then asked if there was anyone who had any questions on the adoption of this ordinance.

Having none, the chair closed the Public Hearing asked if anyone on the Council wished to comment or ask Mr. Jim Ryan any questions while he was present for the meeting.

The chair requested if anyone had any questions what they were doing, or why the Council needed to do it. Having none, the chair advised that at that point and time he requested that they entertain a motion to adopt Livingston Parish Ordinance No. 21-25.

Having no other comment, the chair called for the vote.

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

LPR NO. 21-292

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on September 30, 2021 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 October 14, 2021 on Motion of Maurice “Scooter” Keen and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 21-25

AN ORDINANCE AUTHORIZING THE PARISH OF LIVINGSTON, STATE OF LOUISIANA TO PROCEED WITH A NOT TO EXCEED \$8,000,000 FINANCING THROUGH THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY; AUTHORIZING AND RATIFYING THE PARISH OF LIVINGSTON’S REQUEST OF THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY TO ISSUE ITS REVENUE REFUNDING BONDS; AUTHORIZING THE BORROWING BY THE PARISH OF LIVINGSTON OF THE PROCEEDS FROM THE SALE THEREOF; APPROVING AND RATIFYING WITHIN CERTAIN PARAMETERS THE TERMS OF THE SALE OF THE BONDS; AUTHORIZING THE FORM AND EXECUTION OF THE LOAN AGREEMENT; AUTHORIZING THE FORM OF AND EXECUTION OF AN AGREEMENT FOR THE PURCHASE OF THE BONDS AND ANCILLARY FINANCING DOCUMENTS; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 14th day of October 2021.

(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)

The chair addressed agenda item number 8, “Adoption of the Minutes from the September 30, 2021 regular meeting of the Council”.

LPR NO. 21- 293

MOTION was made by Jeff Ard and duly seconded by R.C. “Bubba” Harris to dispense with the reading of the minutes from the September 30, 2021 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. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, 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 number 10, “**Public Hearing and Adoption of L.P. Ordinance No. 21-26:** Creation of Section 50-15, “River Safety Regulations”.

The chair explained at that point and time, they would open the Public Hearing and have the Council clerk to read the ordinance by title into the record and then the amendments.

The chair further explained that the ordinance was introduced at the Council meeting two (2) weeks ago. The Ordinance committee met since that time and wished to recommend some changes. The chair stated that because the ordinance was introduced one (1) way two (2) weeks ago and then the Ordinance committee recommended some amendments to it, they would read the ordinance as amended, then have the Public Hearing and the Councilmembers would vote without having to make motions to accept it as amended.

The Council clerk read the ordinance by title and then in its entirety as follows:

L.P. ORDINANCE NO. 21-26

AN ORDINANCE TO AMEND CHAPTER 50, “OFFENSES – MISCELLANEOUS”, BY ENACTING SECTION 50-15 “RIVER SAFETY REGULATIONS”, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON AS SET OUT MORE SPECIFICALLY HEREIN.

Section 50-15. River Safety Regulations

Any business using public waterways in the Parish of Livingston must adhere to the following safety guidelines:

- (1) Businesses shall show a water safety training video pertinent to the area of business before collecting payment for services from customers. The video shall identify any hazards of the public waterway in use, the area the business encompasses (a starting and stopping point), safety tips for adults and children, and emergency response procedures.
- (2) Signage specifications:
 - (a) The signage shall identify a starting and stopping point, potentially dangerous areas, areas with a known depth of greater than four (4') feet.
 - (b) The signage shall have reflective signs with white reflective markings and shall have three (3) inch lettering on both the front and back of signage.
 - (c) Signage should be placed on both sides of the river.
 - (d) Location markers should be placed every tenth (1/10th) of a mile and should be labeled NA1 and continue consecutively along the business route. (NA= North Amite).
 - (e) Signage along the river shall be installed and purchased by the business operator for safety purposes.
- (3) Businesses shall provide anyone entering the waterway with United States Coast Guard approved life vest or floatation devices and provide access to it.
- (4) Privately owned boat launches are exempt from this ordinance.
- (5) Violations; penalty: A violation, other than those exempt, shall be punishable as provided in Section 1-8.

The chair stated that the ordinance that was read would be the ordinance that would be voted on that evening and he wanted everyone to be aware of the whole ordinance from start to finish.

The chair stated that the Public Hearing was open and asked if there was anyone from the public who wished to comment during the Public Hearing at that time. He encouraged the public to feel free use the Zoom tools by raising their hand, or start chatting. The chair recognized Ms. Hilliard's presence and attendance via Zoom and asked if she wished to comment on with respect to the work that the Council has done at this point and time.

Public input: Lisa Hilliard

Ms. Lisa Hilliard wished to comment and stated that she appreciated the work that was put in to get this thing going so quickly. She advised that she appreciated the fact that the Council recognized that there needed to be safety protocols in place and she looked forward to continuing to work with this Council to address some of the other issues on the river. She continued to advise that it was a good starting point and that she was so happy and so pleased and so thankful that the members of the Livingston Parish Council had done this. She stated that was her only comment.

The chair thanked Ms. Hilliard and asked if there were any other comment from the public.

Having none, the chair closed the Public Hearing asked if anyone on the Council or Ordinance committee members wished to comment.

The chair called upon Councilman Randy Delatte. Councilman Delatte advised that he was in favor of the ordinance and wished to congratulate everyone for the hard work that had been put forth. He indicated that he had one small question: Is there going to be any problem on who is going to enforce the ordinance? The chair explained that they had talked and had multiple conversations with the Sheriff's office, the 911 office and the Sheriff. He advised that the Sheriff may have a few minor changes that he would like to see added to the ordinance, but they did not want to stop the adoption of the proposed ordinance that evening because they had mentioned from the beginning that this ordinance would be a living document and the Council would continue to work on it as it moved forward. The chair stated that he thought that the Sheriff had embraced the enforcement of this, the local volunteer fire department and fire districts, on both sides of the river, are pleased with the movement that they have made with respect to this ordinance. He continued to explain that the first responders that had been utilized in the past problems, look forward to having markers to help locate the calls that are made. He stated that everyone that has had input has been positive. The chair requested if there was anyone who wished to make a motion. Councilman Tracy Girlinghouse made the motion to adopt the ordinance.

Councilman John Wascom stated that he wished to ask a question. He stated that on item (e) of the ordinance was a little bit unclear of what it said. He read that every business shall provide a life vest that is U.S. Life Guard approved. Councilman Wascom wished for clarification and that might be misunderstood, and he wished for the other councilmembers' thoughts on this part of the wording in the ordinance. He asked if this wording meant every business shall provide and they must wear it? Or does that mean that it has to be provided, so that it could be available? Councilman Wascom requested that it be clarified what the intent was with the wording of "providing". Does that mean that they must wear it? Or does that mean that it has to be available? The chair explained that it means the business operator must provide everyone entering the river a Coast Guard approved life vest and provide access to it. The chair further explained that the committee did not want to step on individual liberties as to whether you had to wear that life jacket, but it is imperative that the operator provide the life vest. Councilman Wascom agreed, but asked if it would be important to provide, but to use the wording "provide and make available". He questioned other interpretation of this wording in the ordinance and asked if they could clarify the wording so that there is no question when someone reads the ordinance, that they say no it's not required that you have to have it, we're required that you have to make it available. The chair stated that based on the fact that it had been reviewed by the parish's attorney, it had been reviewed by the legal entities of the Sheriff's department and this ordinance has been debated for over a month and a half, he felt that everyone had a clear understanding of what the ordinance's intent was, and what the wording stated. The chair further stated that if the Council needed to clarify the wording at a later date, they would do so. Councilman Wascom asked if the Parish's legal counsel was present at the meeting. The chair called upon Mr. Christopher Moody, Parish legal counsel, and asked if he had reviewed the ordinance. Mr. Moody stated that he had looked at the ordinance in the early part of the process, but felt the wording looked fine as it was presented that evening for adoption. He suggested that it could be tweaked some more, whereby Councilman Wascom asked if the wording could state "shall provide by making available U.S. life vest" or "you shall provide the availability of a life jacket" so that everyone understands the Council's intent. Mr. Moody advised that the Council had the option to make a motion to amend the language if you choose if there are enough votes to do it. He continued and stated that he did not think that it was a substantial change and it could still be adopted that evening.

The chair stated that there had been a motion for the adoption of the ordinance and requested if there was a second to that original motion. Councilman Jeff Ard advised that he wished to second that motion. The chair reiterated that a motion had been made by Councilman Girlinghouse and the second to that motion was made by Councilman Ard to adopt the ordinance.

The chair requested if Councilman Wascom wished to make a substitute motion.

Councilman Wascom stated that he did not wish to argue or fight with anyone, he just wished that they understood that he wanted to be clear that the Council was in agreement that the ordinance is not mandating that people must wear life jackets, the ordinance was mandating that you must have them available. Councilman Girlinghouse encouraged Councilman Wascom to make the motion for what he proposed and stated that he would second Councilman Wascom's motion.

Councilman Wascom stated that he wished to make the motion that the Council clarify that section (e) would stipulate that they shall be mandated to have life jackets available for every customer that came to that business.

The chair requested that Councilman Wascom state what he wanted the motion to specifically state on the line that he was making the substitute motion for.

Councilman Wascom stated that he wished to have input on the Council for the wording. He advised that item (e) stated that “you shall provide” and offered the wording “you shall provide the availability”, and add the word availability, in that section of the ordinance.

The chair clarified that Councilman Wascom’s wishes were to strike the wording “provide access to it” and put “available” somewhere else, and that he did not like the “access” part? Councilman Wascom answered that he thought the wording “access” was great.

Councilman Shane Mack wished to comment. He suggested that the wording be amended to “businesses shall provide and make available anyone entering the waterway with the United States Coast Guard approved life vest or floatation device” and felt like by adding those two (2) words it clarified what Councilman Wascom was trying to state and add some simplicity to that line of the ordinance. Councilman Wascom stated wished for Councilman Mack’s suggested wording be his motion. The chair and the Council clerk asked for clarification of the wording. Councilman Mack repeated his proposed addition to the wording of the amendment: “Businesses shall provide and make available to anyone entering the waterway with United States Coast Guard approved life vests or floatation devices and provide access to it.”

The chair stated that there was a motion by Councilman Wascom, based on what Councilman Mack stated, and asked for a second. Councilman Girlinghouse stated that it seemed redundant, but he would make the second to the motion.

Councilman Jeff Ard stated that he had an issue with the wording “make available”. He predicted that the business owners would provide a tub of life vests that would be placed in a corner, pointing the customer to where they were to advise that they were available, versus having a designated employee of the business to stand handing the customer a life vest, to which the customer could state that they did not want it.

The chair advised that he had the business owner of the business in question come and meet with him the previous day prior to the Council meeting. The chair questioned the business owner why he had not participated in the process of creating this ordinance. The business owner advised that he had no objection to the ordinance as it was written, he had watched the Council’s meetings from the beginning, and it was his intent to raise the costs of the tubing and had already priced the costs of what life vests would be. He continued to explain that the customer would be paying to rent the tube and the business owner would be giving the customer the life vest for them to have and leave with, it would then be owned by the customer as their life vest and they could leave with it. He felt that based on the wording that was already in place, this business owner knew how he would be going to address the new ordinance and he thought that Councilman Ard brought forth a valid point.

Councilman Wascom stated that he was just trying to prohibit from mandating that people had to wear the life jackets. The chair stated that he thought that the ordinance wording did not mandate anyone to wear anything. He indicated that it was an encouragement for people to wear them based on the video and it was a mandate that the business owner give and provide the customer a life vest, not just make it available.

Councilman Girlinghouse called the question, whereby the chair advised that the Council would vote on the amendment and the chair called for the vote.

LPR NO. 21- 294

MOTION was made by John Wascom and duly seconded by Tracy Girlinghouse to offer a substitute motion of proposed L.P. Ordinance No. 21-26 by amending Section 50, “Offenses”, and enacting Section 50-15, “River Safety Regulations”, by amending current wording of Part (3) as follows:

Current wording:

(3) Businesses shall provide anyone entering the waterway with United States Coast Guard approved life vest or floatation devices and provide access to it.

AND WHEREBY amending the wording of proposed L.P. Ordinance 21-26, amending Section 50 “Offenses”, and enacting Section 50-15 “River Safety Regulations”, Part (3) to read as follows:

Amended wording:

(3) *Businesses shall provide **and make available** to anyone entering the waterway with United States Coast Guard approved life vests or floatation devices and provide access to it.*

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

YEAS: MR. MACK, MR. WASCOM

NAYS: MR. ARD, MR. TALBERT, MR. MCMORRIS, MR. DELATTE, MR. HARRIS,
MR. KEEN, MR. GIRLINGHOUSE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted.

The chair called for the original motion to adopt the ordinance. Councilman Jeff Ard requested clarification to what was being voted on.

The chair identified what was being voted upon as follows:

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

LPR NO. 21-295

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on September 30, 2021 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 October 14, 2021 on Motion of Tracy Girlinghouse and seconded by Jeff Ard:

L.P. ORDINANCE NO. 21-26

AN ORDINANCE TO AMEND CHAPTER 50, “OFFENSES – MISCELLANEOUS”, BY ENACTING SECTION 50-15 “RIVER SAFETY REGULATIONS”, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON AS SET OUT MORE SPECIFICALLY HEREIN.

Section 50-15. River Safety Regulations

Any business using public waterways in the Parish of Livingston must adhere to the following safety guidelines:

- (1) Businesses shall show a water safety training video pertinent to the area of business before collecting payment for services from customers. The video shall identify any hazards of the public waterway in use, the area the business encompasses (a starting and stopping point), safety tips for adults and children, and emergency response procedures.
- (2) Signage specifications:
 - (a) The signage shall identify a starting and stopping point, potentially dangerous areas, areas with a known depth of greater than four (4') feet.
 - (b) The signage shall have reflective signs with white reflective markings and shall have three (3) inch lettering on both the front and back of signage.
 - (c) Signage should be placed on both sides of the river.
 - (d) Location markers should be placed every tenth (1/10th) of a mile and should be labeled NA1 and continue consecutively along the business route. (NA= North Amite).
 - (e) Signage along the river shall be installed and purchased by the business operator for safety purposes.
- (3) Businesses shall provide anyone entering the waterway with United States Coast Guard approved life vest or floatation devices and provide access to it.
- (4) Privately owned boat launches are exempt from this ordinance.
- (5) Violations; penalty: A violation, other than those exempt, shall be punishable as provided in Section 1-8.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 14th day of October 2021.

(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)

The chair addressed agenda item number 11, “Adopt resolution to reschedule the 2021 November and December regular meeting(s) of the Livingston Parish Council due to the Thanksgiving and Christmas holidays – Garry Talbert”.

The chair directed the Councilmembers to review the calendars located in their meeting packet and asked the Council clerk to read the dates in question.

LPR NO. 21-296

MOTION was made by Jeff Ard and duly seconded by Shane Mack to change the regularly scheduled meeting dates of the Livingston Parish Council for the months of November and December to accommodate for the upcoming holidays as follows:

NOVEMBER:

The regular meeting of the Livingston Parish Council scheduled on **Thursday, November 11, 2021** at six o’clock (6:00) p.m. **has been rescheduled and changed to Thursday, November 4, 2021 at six o’clock (6:00) p.m.**

and

The regular meeting of the Livingston Parish Council scheduled on **Thursday, November 25, 2021** at six o’clock (6:00) p.m. **has been rescheduled and changed to Thursday, November 18, 2021 at six o’clock (6:00) p.m.**

DECEMBER:

The regular meeting of the Livingston Parish Council scheduled on **Thursday, December 9, 2021** at six o’clock (6:00) p.m. **has been rescheduled and changed to Thursday, December 2, 2021 at six o’clock (6:00) p.m.**

and

The regular meeting of the Livingston Parish Council scheduled on **Thursday, December 23, 2021** at six o’clock (6:00) p.m. **has been rescheduled and changed to Thursday, December 16, 2021 at six o’clock (6:00) p.m.**

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE, MR. HARRIS, MR. MACK, MR. KEEN, 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 number 12a, “Parish President’s Report: Authorization to execute and file an application for Council on Aging DOTD grant under 49 CFR 5311, Non-Urbanized Area Formula and/or 49 CFR 5339, Discretionary Capital Program – Stephanie Landry, Livingston Parish Council on Aging Executive Director”.

The chair asked if there were anyone present from Administration that could comment on this agenda item. Having no one represented from Administration to speak on this item, the chair inquired if there were anyone present that could comment on the application process.

The chair called upon the Council clerk who explained the mandates required for the Council on Aging to apply for their annual transportation grant which provides the funding for their vans used to aid in many of their programs for the elderly.

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

LPR NO. 21-296

The following resolution was offered by Randy Delatte and duly seconded by Tracy Girlinghouse:

LP Resolution No. 21-296

Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under any of the following FTA programs managed through Louisiana Department of Transportation and Development.

- 49 CFR 5311, Formula Grant for Rural Areas
- 49 CFR 5339, Grants for Bus and Bus Facility Program

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Livingston Parish Council:

1. That the Livingston Parish President is authorized to execute and file an application on behalf of the Livingston Parish Council with the Louisiana Department of Transportation and Development, to aid in the financing of operating and / or capital assistance projects pursuant to FTA transit programs.
2. That the Livingston Parish President is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the Livingston Parish President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application of the project.
4. That the Livingston Parish President is authorized to set and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the Livingston Parish President is authorized to execute grant contract agreements on behalf of the Livingston Parish Council with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. This resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, 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 numbers 13a through j, "Planning Commission Recommendations", and called upon Planning Director Sam Digirolamo who explained these recommendations.

LPR NO. 21-298

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to accept the recommendation of the Livingston Parish Planning Commission **to approve the final site plan for Basic Paintball**, located on Ruby Moore Road, Section 45, T5S R3E in Council District 2.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Shane Mack requested to speak on agenda item number 13b, “Rocky’s Premier Carwash located on Louisiana Highway 43, Section 39, T6S R6E in Council District 9”.

Councilman Mack explained that he was in favor of the project, but wished to make known that the traffic where this commercial business will be located presents an extremely serious issue. He requested that all that are involved to take a long hard look at this issue and make sure that entrance to and from this facility can be done safely. Councilman Mack described the amount of car accidents and high traffic in this area that the business will be located. He suggested the need for a round-a-bout at this location before this business could safely handle the extra traffic. He further stated that there was not any prohibitions in place to deny this project, and he wished to ask the review engineers, the developer and everyone who is involved with this whole entire project to look at the car accident data on a daily and weekly basis and take consideration for this concern, being the biggest, before the Council voted to approve the preliminary site plan for Rocky’s Premier Car Wash located in his district. Councilman Mack wished to warn that this location involves James Chapel Road, which is heavily populated in addition to Old Baton Rouge Highway’s traffic also located in the same area. He also explained that there were several businesses located in the same proximity and suggested the implementation of round-a-bouts being used to help alleviate this serious traffic problem before a business like this could safely handle the extra traffic.

The chair noted that he had been involved in the process with the state on driveway applications. He remarked that the entrance being off of James Chapel Road with his proximity to Highway 43, he felt that as it was designed now, would be the way that it was built because it’s going to be too close to Highway 43.

Mr. Digirolamo wished to confirm to Councilman Mack that the commercial business in question did have two (2) entrances in and out and he felt that would help the traffic situation quite a bit.

Councilman Mack concurred with Mr. Digirolamo’s statements, but noted that the exit would be going into a parking lot of an existing business being right where all of those roads intersect. It was his opinion that something needed to be redesigned to be able to handle that volume of major traffic.

LPR NO. 21-299

MOTION was made by Shane Mack and duly seconded by Randy Delatte to accept the recommendation of the Livingston Parish Planning Commission to approve the preliminary site plan for Rocky’s Premier Carwash, located on Louisiana Highway 43, Section 39, T6S R6E in Council District 9.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 21-300

MOTION was made by Maurice “Scooter” Keen and duly seconded by Shane Mack to accept the recommendation of the Livingston Parish Planning Commission to approve the preliminary site plan for Mandy’s Primary Healthcare, located on Ben Fugler Drive, Section 47, T5S R3E in Council District 2.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 21-301

MOTION was made by Gerald McMorris and duly seconded by Maurice “Scooter” Keen to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for K & N Crawfish**, located on Louisiana Highway 447, Section 13, T7S R3E in Council District 6.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Jeff Ard requested to ask Mr. Digirolamo a question in regard to agenda item number 13e, “John Schneider Studios, approve the preliminary stie plan located on US Highway 190, Section 26, T6S R5E in Council District 1”.

Councilman Ard asked if the Parish Permit office was involved in this process and was in approval? Mr. Digirolamo answered and stated that Permitting had been involved in the whole process. He explained that he had visited the location with members of the Permit Department, Compliance Department, with staff from the Planning Department, with the Parish’s engineers took a birds eye view of what was there. He clarified that Mr. Doug Jackson, a longtime Parish chief inspector, helped put this project together. Mr. Digirolamo stated that the Planning Commission’s recommendation is that the Council approve what is located there now. He advised that John Schneider Studios received an enormous amount of storm damage and that had been noted by the Planning Department. He advised that if anything changes from the original scope of their initial inspection, they must come back to Planning for those changes. Councilman Ard advised that he was good with the project after those comments and wished to make the motion to approve.

LPR NO. 21-302

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for John Schneider Studios as built as of October 6, 2021**, located on US Highway 190, Section 26, T6S R5E in Council District 1.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 21-303

MOTION was made by Shane Mack and duly seconded by Randy Delatte to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Little Sprouts Daycare**, located on US Highway 190, Section(s) 22 & 27, T6S R6E in Council District 9.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 21-304

MOTION was made by Tracy Girlinghouse and duly seconded by Shane Mack to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Nethery Properties Warehouse**, located on US Highway 190, Section 23, T6S R3E in Council District 7.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo offered that it was the recommendation of the Livingston Parish Planning Commission to approve the preliminary plat for Eagle Gate, 2nd through 15, located at Brown Road and Joe May Road, Section(s) 22 & 23, T7S R3E.

Councilman Gerald McMorris wished to address Billy Taylor, engineer of the Eagle Gate development. Councilman McMorris asked how many homes were being built in this subdivision? Mr. Billy Taylor advised that there was one thousand one hundred thirty-nine (1,139) lots. Councilman McMorris questioned how did the development propose to get that many people in and out. Mr. Taylor advised that all lots would not be built on day one (1). It will be a phase project over however many years that may take. He explained that the development does have four (4) points of access on this project. Two (2) will be off of Brown Road, one (1) off of Joe May, which both connect to major highways, another access off of Loblolly Lane and they will be required by the Parish to provide a traffic study to see if any improvements to the parish roads are needed that will be conducted along with a drainage study. Councilman McMorris questioned what the point of access to Loblolly was located. Mr. Taylor advised that Loblolly would go out to Brown Road. He confirmed that three (3) points of access would come out on Brown Road and one (1) point of access would come out on Joe May Road.

Councilman McMorris advised that he knew that the development met all of the criteria, but he was against the development. He would not vote against it, because it met all of the criteria. He questioned how would they fix the problem of everyone getting in and out of this development.

The chair asked for assurances from the engineer. Mr. Taylor answered his questions.

The chair allowed an open discussion.

LPR NO. 21-305

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary plat for Eagle Gate, 2nd – 15th**, located on Brown Road and Joe May Road, Section(s) 22 & 23, T7S R3E in Council District 6.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 21-306

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary plat for Foxglove, 4th Filing, contingent on the road tie in to Isabella Lakes and sufficient water supply**, located on Duff Road, Section 23, T6S R5E in Council District 7.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 21-307

MOTION was made by R.C. “Bubba” Harris and duly seconded by Jeff Ard to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary plat for Juban Garden**, located on Forrest Delatte Road, Section 9, T7S R3E in Council District 5.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair advised that Councilman Shane Mack requested for agenda items number 17 and number 21b up from their placement on the agenda as he had a prior engagement. No one objected.

The chair addressed agenda item number 17, “Adopt resolution to authorize a variance of Section 125-12(6), “Requirements for Minor Subdivisions”, to waive the forty foot (40’) servitude requirement and allow a twenty-five foot (25’) servitude as there are existing structures within the forty foot (40’) servitude mandate for David and Beth Wolfe located in Council District 9”, and called upon Councilman Shane Mack.

Councilman Mack advised that he had spoken earlier with the property owner and also the surveyor and he asked if the Council could defer this agenda item until the next meeting to be held on October 28, 2021.

The chair moved to agenda item number 21b, “Board (re)appointments/Resignation(s): Fire Protection District No. 11”, and called upon Councilman Shane Mack.

LPR NO. 21-308

MOTION was made by Maurice “Scooter” Keen and duly seconded by Tracy Girlinghouse to reappoint Jane Duffy Sullivan (resident of Council District 9) to the Board of Commissioners of Fire Protection District No. 11, whereby this two (2) year term of appointment will expire on November 10, 2023; and

WHEREAS, the board appointment of Mr. Raymond Addison (resident of Council District 9) that will expire on November 10, 2021 will be deferred until the next regular meeting of the Livingston Parish Council on Thursday, October 28, 2021; and

WHEREAS, the board appointment of Don Kinchen (resident of Council District 9) whereby stands being vacant on the Board of Commissioners of Fire Protection District No. 11; said term will expire on November 10, 2021, whereby leaving a vacancy for the next two (2) year term; and

WHEREAS, Dennis Grier shall be appointed to fill the vacancy left by Don Kinchen on the Board of Commissioners of Fire Protection District No. 11, whose two (2) year term of appointment will expire on November 10, 2023.

THEREFORE, BE IT ORDAINED THAT:

- Jane Duffy Sullivan (resident of District 9) be reappointed, term to expire on November 10, 2023
- Raymond Addison (resident of District 9) board appointment shall be deferred until the next regular meeting of the Livingston Parish Council on October 28, 2021
- Dennis Grier (resident of District 9) be appointed to fill the vacancy left by Don Kinchen, term to expire on November 10, 2023

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE, MR. HARRIS, MR. MACK, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair advised that they would be returning back to the regular order of the agenda and addressed agenda item number 14, “Correct the footage of Dunmark Road from 1140 to 1410 on the parish maintenance list and accept the additional 270 feet onto the 2021 priority road list – Maurice “Scooter” Keen”.

LPR NO. 21-309

MOTION was made by Maurice “Scooter” Keen and duly seconded by Randy Delatte to correct the footage of Dunmark Road from one thousand one hundred forty feet (1140’) to one thousand four hundred ten feet (1410’) on the parish maintenance list and accept the additional two hundred seventy feet (270’) onto the 2021 priority road list as assessed by the Livingston Parish Department of Public Works.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE, MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item number 15, “Adopt resolution to lift the contingency of LPR No. 21-223 adopted at the July 8, 2021 regular meeting of the Livingston Parish Council that approved the waiver of cumulative lots, being Section 125-12, for the minor re-sub, contingent upon Mr. William Stegall installing culverts, Lots A and B, located on Reininger Road, Section 14, T5S R3E – Garry Talbert”.

The chair explained that he had placed this item on the agenda. He wished to remind the Council members that Mr. Steagall had bought a lot on both sides of the road and subdivided it into two separate lots and then came back and wanted to re-subdivide that into a certain number of lots. The issue was the time frame from the original time frame from the subdivision of the two lots separated by the state highway. The Council granted the waiver, but in granting the waiver the Council took the opportunity to try to reduce the number of driveways on a state highway by requiring Mr. Steagall to put in culverts that had shared driveways. Mr. Steagall made the application, but the state DOT denied it. They wanted something different. However, because of the hurricane it’s been hard to communicate with DOTD, but the chair had a conversation with them that week. The chair asked the Councilmembers to do two (2) things if they were willing: One being that they had the conversation that this was an effort to reduce the number of driveways on a state highway, however, if they would have granted the waiver without the contingency, they would have eighteen (18) driveways, in lieu of nine (9) driveways. They have a set of rules that they must follow and there is hardly any room for wiggle room. However, they asked the Council to do two (2) things by resolution: 1) Ask them to approve the common shared driveways in an

effort to reduce the number of culverts on the road and the supervising manager that the chair had spoken with felt that there should be no problem getting it approved. He again explained that DOT have a set a rules that they are mandated to follow. He further advised that when DOT reviews an application, they do not understand a minor re-sub without improvements. DOT looks at it like a regular subdivision and it is not. He stated that they had some minor discussion to try and make some changes to the Parish's rule. The chair advised that he was asking the Council to adopt a resolution asking the state to support Mr. Steagall's initial application for common driveways. However, if they do not accept that resolution, and after some discussion, they wished for the Parish make some changes to coincide with theirs.

The chair was requesting that the Council adopt a resolution asking the state to support Mr. Steagall's initial application of the common driveways of a shared driveway of those lots and he felt that should resolve the issue. However, if they do not accept the resolution, the chair requests that the Council lift the restriction, so that he can move forward to selling and not have to come back before the Council.

Councilman Randy Delatte questioned if the chairman was making two motions or one? The chair stated that he thought they the Council could make it as one motion by sending a letter to DOTD saying that the Council supports Mr. Steagall's application for the driveway and culvert permits on Reinninger Road with the shared driveways and the second part of the resolution being that after that letter is sent and they do not accept the application, then he does not have to come back before that Council, and just sell the lots without the culverts. Councilman Randy Delatte stated that he wished to make that motion. Councilman R.C. "Bubba" Harris advised that he wished to make the second to that motion. The chair asked if there were any questions or objection.

Having none, the chair called for the vote.

LPR NO. 21-310

MOTION was by Randy Delatte and duly seconded by R.C. "Bubba" Harris to lift the contingency mandated by the adoption of LPR NO. 21-223 on the July 8, 2021 at a regular meeting of the Livingston Parish Council that approved the waiver for cumulative lots, being Section 125-12, for the minor re-sub, contingent upon Mr. William Stegall installing culverts, Lots A and B, located on Reinninger Road, Section 14, T5S R3E and send a letter to the Department of Transportation and Development requesting for them to support Mr. Steagall's initial application of common driveways and the allowance of shared driveways, having ten (10) culvert permits on Reinninger Road; however, if DOTD does not accept said resolution for application, Mr. Steagall does not have to come back before the Parish of Livingston and he will be allowed to move forward with the selling and he will not have to come back before them as a Council.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE, MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item number 16:

16. Requested update from Administration and the Livingston Parish Office of Homeland Security and Emergency Preparedness – Randy Delatte
 - a. What is the estimated time frame for limbs, trees and debris pickup on Parish roads?
 - b. What is the time frame to remove trees and limbs in Parish road ditches and who will execute?
 - c. What is the plan and time frame to clear Council District 8's waterways, lateral ditches, creeks and canals?

The chair called upon Councilman Randy Delatte to seek answers to the questions that he had. Councilman Delatte stated that the questions listed on the agenda were self-explanatory and he invited Ms. Brandi Janes, Director of the Livingston Parish Office of Homeland Security and Emergency Preparedness to answer the questions presented.

Ms. Janes gave a very detailed report on the debris pickup from the damage of Hurricane Ida.

Councilman Delatte explained his frustration, and the frustration of his constituency over the lack of information that has been provided.

The chair asked who was the monitoring contractor for the Parish's debris clean up? Ms. Janes advised that it was Thompson Consulting Services. The chair questioned if part of Thompson's contract with the Parish didn't require a hotline. Ms. Janes advised that she could look at the contract. She apologized and explained that she had not been handling debris, Mark Harrell had come in just to handle the debris for the Parish, and she would check into that. The chair stated that he would be interested in if in the past if the monitors had set up such a hotline and if it had been required.

The chair asked if anyone else had any comment or questions. Having none, he thanked Ms. Janes.

Councilman Tracy Girlinghouse advised that there was a question from the audience.

Public input: Jim Chapman, resident of Council district 4; questioned why only half of the debris in his neighborhood had been picked up, while leaving the rest.

Ms. Janes requested that Mr. Chapman email her the information on his neighborhood and she would check into that for him.

Councilman John Wascom questioned if the area Mr. Chapman was inquiring about was in the City of Denham Springs, or outside in the Parish. Mr. Chapman advised that it was outside of the city limits within the parish and explained where it was located.

Mr. Christopher Moody, Parish legal counselor, requested to comment. He advised that he represented some other jurisdictions and that question had come up in other places. He could not speak for what's going on there, but that same question was answered in Tangipahoa and they said that often they had different trucks that pick up different size piles, so for instance they'll go in and pick up the lighter limbs because they can really get a lot of volume and can get that out of the way, and then they have other trucks that come in and get the heavier logs, and of course they will not pick up anything that's mixed in with construction waste and other waste, so that may be some part of the question.

Ms. Janes explained the rules of what debris can be picked up.

Having no other discussion, the chair moved to the next agenda item.

The chair addressed agenda item number 18, "Adopt resolution to place a 4-Way stop at the intersection of Greencliff Drive and Parkway Drive and Parkway and Sinclair located in Southhaven Subdivision in Council District 6 – Gerald McMorris".

The chair asked the Councilmembers to refer to the map in their meeting packets that indicated the area in which the four-way stops were being requested and called upon Councilman Gerald McMorris.

Councilman McMorris advised that he had met with the Homeowner's Association and it was their request to have the placement of these stop signs in their subdivision.

LPR NO. 21-311

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to place a 4-Way stop at the intersections of Greencliff Drive and Parkway Drive and Parkway and Sinclair located in Southhaven Subdivision in Council District 6.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item number 19, "Add Cochise Road to the Type D Road List located in Council District 3 – Maurice "Scooter" Keen".

Councilman Keen gave a brief history the conditions of Cochise Road. The chair wished for confirmation that this road met the criteria to be accepted as a Type D Road. Councilman Keen confirmed that it did meet the criteria.

LPR NO. 21-312

MOTION was made by Maurice “Scooter” Keen and duly seconded by Randy Delatte to add Cochise Road to the Type D Road List located in Council District 3.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item number 20, “Adopt resolution to designate North Doyle Road as a “No Truck Route” located in Council District No. 1 – Jeff Ard”.

Councilman Ard advised that he consulted with Mr. Sam Digirolamo, Director of the Department of Public Works about this agenda item. He stated that he had been receiving quite a few calls in regard to many trucks that were coming out of St. Helena Parish using North Doyle Road as their route. He continued to explain that North Doyle Road had just been repaved and he was also concerned that the bridge weight limits were not being adhered to. He advised that there is another route that may be taken for these trucks that is a state road. The state road would be able to handle this type of traffic versus tearing up the parish road.

LPR NO. 21-313

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to designate North Doyle Road as a “No Truck Route” located in Council District No. 1.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda items 21a and c:
Board (re)appointments/Resignation(s):
a. Ward 2 Water District - Gerald McMorris
c. Recreation District No. 5 South – Gerald McMorris

LPR NO. 21-314

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to appoint Jeff Martone (“Scotty”) to Ward 2 Water District; term of board appointment has no expiration and shall serve at the pleasure of the Parish governing authority.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

Councilman Gerald McMorris advised that Recreation District No. 5 South was located in Council Districts 6 and 8. He indicated that there were three (3) members who had sent in their resignation letters and requested for the Council clerk to read their names.

The Council clerk identified board resignations being received from Recreation District No. 5 South as: Mr. Trent Acosta who resides in Council District 8, Mr. Matthew Fussell who resides in Council District 6, Mr. Blake Keller who resides in Council District 8 and had previously received notice of resignation from Mr. Jeremy Collins who resides in Council District 8 which leaves one (1) board member remaining, Mr. Percy Elder.

The chair asked what were the wishes of Councilman Gerald McMorris and Councilman Randy Delatte. Councilman McMorris advised that he wished to schedule a meeting with Councilman Delatte and the potential board members for the following week. Councilman McMorris had four (4) people who were interested in becoming board members for this recreation district. Three (3) who resided in Councilman Delatte's district, and one (1) who resided in Councilman McMorris's district.

LPR NO. 21-315

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to accept the board resignations from the following board members of Recreation District No. 5 South being:

- Trent Acosta (resides in Council District 8); vacancy leaves remainder of this five (5) year term to expire on May 1, 2025
- Matthew Fussell (resides in Council District 6); vacancy leaves remainder of this five (5) year term to expire on May 1, 2026
- Blake Keller (resides in Council District 8); vacancy leaves remainder of this five (5) year term to expire on May 1, 2023
- Jeremy Collins (resides in Council District 8); vacancy leaves remainder of this five (5) year term to expire on May 1, 2022

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE, MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

The chair called upon Councilman Tracy Girlinghouse to address agenda item number 22a, "Committee Reports: Ordinance Committee".

Councilman Girlinghouse reported that the committee had met earlier that evening. The committee discussed the safety ordinance and would be adjusting it and make changes as needed. He advised that they had also discussed the proposed impact fee ordinance and Councilman Shane Mack would be coming back to the committee with some adjustments that he needed to make. He continued to advise that the committee had also discussed load limits on parish roads and the proposed ordinance criteria for detention ponds.

The chair called upon Councilman Jeff Ard to present a report of agenda item number 22b, "Finance Committee". Councilman Ard reported that the Finance committee had not met.

The chair addressed agenda item 23, "District Attorney's Report:", and called upon Mr. Chris Moody.

Mr. Moody stated that he did not have a report that evening but wished to compliment the Council on the efficient way that they have handled the Zoom meetings. He stated that he had done dozens of Zoom meetings and the Council and their clerks have done an amazing job adapting and stated how much that he enjoyed these meetings.

The chair advised that he had spoken at the Republican Women's committee meeting on that previous Wednesday and was questioned about the Council's Zoom meetings. He discussed how

it gave the Council the opportunity to handle their business without putting people at risk. The chair thanked Mr. Moody.

The chair addressed agenda item number 24, "Councilmen's comments:" and asked if any of the Council members wished to speak.

The chair called upon Councilman Randy Delatte. Councilman Delatte wished to expound on Mr. Moody's statements. He complimented the chair and the clerk on a good job and efficiency, but was wondering if the Council had a time frame that they could get back to in-house meetings. The chair advised that he thought that it would be the next chairman that puts the Council back in the in-house meetings. He felt that as long as there was some risk and concern, and the Council was handling its business, but also wished to express that if someone had a different viewpoint, he was willing to sit down and talk about it, but he would just as soon make the rest of the year with Zoom meetings if everyone was happy with that. The chair stated that there were positives and negatives to holding the meetings virtually, and that the next chairman could evaluate the situation as he sees fit.

Councilman Jeff Ard encouraged Councilman Bubba Harris to discuss the upcoming Trunk-or-treat event. Councilman Harris stated that the event would be held on October 30th at South Park and asked for all the volunteers and all the help that he could possibly get, like he does every year. He advised of the progress and commitment of donations to the event that been received.

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, October 28, 2021, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 21-316

MOTION was offered by Jeff Ard and duly seconded by Maurice "Scooter" Keen to adjourn the October 14, 2021 regular meeting of the Livingston Parish Council.

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

YEAS: MR. ARD, MR. TALBERT, MR. WASCOM, MR. MCMORRIS, MR. DELATTE,
MR. HARRIS, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

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

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

\s\ Garry Talbert
Garry Talbert, Council Chairman