

Minutes of the Livingston Parish Council
Livingston, Louisiana
March 8, 2022

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 Tuesday, March 8, 2022, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Garry Talbert
Maurice "Scooter" Keen
John Wascom
R.C. "Bubba" Harris

Gerald McMorris
Tracy Girlinghouse
Randy Delatte
Shane Mack

Jeff Ard

Also present: Sam Digirolamo, Department of Public Works and Planning Director; also representing on behalf of the Parish President in his absence
Christopher Moody, Parish Legal Counsel

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 7, "Presentations:". Having none, the chair moved to the next agenda item.

The chair addressed agenda item number 8, "Adoption of the Minutes of the February 24, 2022 regular meeting of the Council".

LPR NO. 22-070

MOTION was made by Tracy Girlinghouse and duly seconded by Gerald McMorris to dispense with the reading of the minutes from the February 24, 2022 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. GIRLINGHOUSE, MR. WASCOM, MR. HARRIS, MR. MCMORRIS,
MR. DELATTE, MR. KEEN, MR. TALBERT, MR. MACK

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 9, "Parish President's Report" and advised that there was none and moved to the next agenda item.

The chair addressed agenda item number(s) 10a through f, "Planning Commission Recommendations" and called upon Planning Director, Mr. Sam Digirolamo.

Mr. Digirolamo thanked the Council chairman and advised that first on their Planning Commission Recommendations was Sweetwater Subdivision, the engineer of the project being Quality Engineer. He stated that it was in Mr. Bubba Harris's district located on Four-H Club Road.

Mr. Digirolamo stated that it was the recommendation of the Livingston Parish Planning Commission to approve the preliminary plat for Sweetwater Subdivision, contingent on comments being addressed. He advised that all comments have been addressed as of that day.

The chairman called upon Councilman R.C. "Bubba" Harris. Councilman Harris asked if this agenda item was preliminary what the Council would be approving. Mr. Digirolamo concurred that it was. Councilman Harris stated that he did not wish to approve this agenda item at this time until the Council receives everything back from the drainage, the state on the turning lanes and whatever else it may take. He continued and advised that when those things had been received,

they needed to come back before the Planning Commission or either their board right here to make that decision next. He advised that it was something that they have been wanting to do for a long time by not approving the project until it comes back with all of the other matters addressed.

Mr. Digirolamo questioned the chair if Councilman Harris was making a motion at that time?

The chair advised that they would have a motion before they would get to that. He asked if there were anyone from the public who wished to speak on this agenda item?

Public input: Deric Murphy, Quality Engineering and Surveying: representing the project

Mr. Murphy advised that this project had been presented to the Planning Commission and approved at the Planning Commission stage because it does meet the ordinance and it does meet the codes and it does meet everything that it needed for approval at this stage for this Parish. He stated that they understood and wholeheartedly agree and expect to do a full-fledged drainage impact study to meet the code. Mr. Murphy further advised that they understood that they were going to have to go, because this is a DOTD highway, they were going to have to go to DOTD. They were going to have to make sure that any traffic issues are mitigated through the DOTD type process and they were going to have to present what they call a preliminary plat too as per your code with any changes and if the changes are deemed per your code, they would need to come back before this body at this particular time, and they would be doing that as well. He advised that anything that meets the letter of the law, the four (4) pages in that book that the subdivision regulations and the code that is written upon, they were going to follow that to the "t". He stated that in this particular case, if that process needs to change, the Council is the legislative body of course to make those changes and the Council has the ability to do that. He affirmed that at that particular time, the project did meet the code in every aspect. Mr. Murphy asked if the Council would indulge him, he would like to speak a little bit about the quick design. He indicated that this design was done in order to buffer a lot of the people along this project. They have put in a lot of time and a lot of care to put large vegetative type buffers, they have put ponds between adjacent property owners and this project in order to make sure that, because they do know this area very intimately as far as drainage is concerned. They also wished to make sure, if they could, and they are committed to do this, they were going to detain a hundred (100) year for this project and would be presenting that in the drainage impact study because they knew the complexity and the sensitivity of the drainage for this region. He continued to explain that they wished to present that as part of this project and suggested that if it were the Council's desire, they may perhaps approve it with that contingency and they were fine with that, to make sure that they detain the one hundred (100) year storm for this particular project, which is above and beyond what is required in today's code. He further explained that their presence at the Council meeting, based on the approval from the Planning Commission, as well as staff that he preferred not to speak for, the project met the code as far as he was concerned as an engineer for this project and he was there to answer any questions that each one of the Council members had on this project. Mr. Murphy completed his statements and thanked the Council members.

Public input: Erin Sandefur, resident of Oma Harris Road in Council District 5: opposes development

Councilman Randy Delatte called upon the chair and requested to speak and say a few things. He advised that he knew more people attended the Planning Commission meeting than what were represented in the audience of their Council meeting, and there is a concern, having two (2) sides. Councilman Delatte stated that they, as a Council, have to figure out those two (2) sides without limitability of what they could do. He stated that he had done a little bit of research and it said that, "if a development has met legal standards it is presumed valid in absence of extraordinary circumstances we must approve it". Councilman Delatte asserted that was what they have been told forever. He continued and stated that number two (2) on the Louisiana Constitution says, "Unified land development code states land use is subject to the police powers of various governing bodies and the courts will not interfere with the decisions of these bodies unless that it is clear that the action is without any relation to the public health, safety or general welfare", and that is what they were basically talking about, public health, safety and general welfare. Councilman Delatte stated that number three (3), opinion, attorney general opinion 16-0011 states according to the attorney general that the Parish Planning Committee has the authority to deny an application seeking approval of a subdivision when the plat meets all statutory and regulatory requirements. Councilman Delatte continued and said last but not least, he thought the way to go about doing this, is that he wanted to use the powers of this government entity to help these people in the room, and to do that, he thought that they could achieve this by asking for a AG opinion on this specific matter because it seemed to be a public welfare, safety, hazard issue here based on their sworn duty to take into account the public health safety or general welfare that this

subdivision would cause not only these people, but from around the road. He stated that there's a set of precedence where overdevelopment is, and he stated that in his area he was looking at the same thing, when you overdevelop in certain areas it does cause a hazard to people that is normally living there and he thought that they have been told two (2) or three (3) things, what he just read, anyone could google or could get and could get more additional information than this, but they had the right to ask the attorney general to guide them and he would like to pass a motion that they wait until the attorney general guides them in this matter telling the Council what their legal procedures are, what they can and cannot do.

Councilman Tracy Girlinghouse requested that Councilman Delatte read the second to last part of what he had just read aloud.

Councilman Delatte consented, but stated that he would start and read it from the entirety:

The first thing that is said is that "we've been told is that if a development has met legal standards, it is presumed valid in absence of any extraordinary circumstances they must approve it and that is what they have been doing in the past".

The second point was, Louisiana Constitution said unified land development code stated land use is subject to the police powers of various governing bodies and the courts will not interfere with the decisions of these bodies unless it is clear that the action that is taken is without any relation to the public health, safety or general welfare, just if they arbitrarily do that, and not have a real reason.

He continued and stated that the third and final point that he wished to make, can the attorney general, who gave this opinion to Ascension Parish, and that number was in 2016 and that number zero, zero, eleven, he said that the Parish Planning committee had the authority to deny an application seeking approval of a subdivision when a plat does meet all the statutory and regulatory requirements that they have set forth. He stated that there were issues, everything was not black and white, there are issues that cause certain things to happen and that exact development may work ten (10) miles down the road or twenty (20) miles or whatever may work in that particular area it seemed that the citizens have tried to get the attention of government to listen to their voice that they have a problem and for the Council members to tell them that no, we have to do this, tells him that it should have never come before them to start with. He stated that if they have to do it, do it where you're doing that in the planning committee meeting. Councilman Delatte stated that when it come before the Council members, this was their last stop, and if the Council does what it had done in the past, he felt that they were digging themselves a bigger and bigger hole, because not only this development, but the next development, and the next development and the next development, and they were just discussing public health and safety and welfare and had never mentioned anything about schools or drainages or trafficking that one (1) of the developments in his area, was talking maybe twelve (12), fourteen hundred (1400) homes with a school that is overcrowded now with no additional land to buy. He questioned how are those things going to happen? He advised that he had to figure that they had some sort of leeway, based on what he had read, and if the attorney general would just make it plain to the Council members if they could ask that opinion before they approved this development. Councilman Girlinghouse stated that he wished to second that.

The chair stated that he would like to ask Mr. Moody, the Parish Legal Counsel, what his opinion was on this issue.

Councilman Garry Talbert stated that he wanted to ask the attorney, Mr. Moody, a question because the attorney general said that the Planning Commission could deny it, the Planning Commission has already approved. He gave the Planning Commission opportunity to deny it and they approved it, so his question was, are they bound since the Planning said that the AG's opinion said that they Planning Commission can deny, and they approved it, are they bound by their recommendation?

Mr. Moody advised that he had not seen or studied that particular opinion, he would have to read the whole opinion, and frankly, he could not believe that was the whole opinion. He continued to advise that the Council could use their discretion in deciding these matters, but if it met the Parish's ordinances, you were pretty much handcuffed, because what you could not do is treat one (1) developer differently than you treated three hundred (300) others that had come before you, because if you do that to this developer, then you have violated his personal property rights and that was protected by the U.S. Constitution. He further explained that you could not take someone's property rights away by just stating that this group would be allowed to do it and this

one (1) cannot. He explained that it becomes almost per se, arbitrary and capricious. Mr. Moody further explained that if the Council members turned the development down because of angry citizens and politically connected people who spoke against this development, as this had happened once before, being somewhat similar, and the Council was sued. They went to federal court and they were turned down at the preliminary plan of approval, (Mr. Moody explained that this was the Council members who had served before them, and none of them had been on the Council at that time), the Council had went against our legal advice, and were sued in federal court, and wound up having to pay the other side's attorney's fees. Mr. Moody advised that it just so happened to be a black developer and they had other constitutional issues connected to that. He admitted that he understood the anger about this and explained that when they give you the police power, what they mean by that is that you can pass tougher and tougher ordinances and advised there's your power. He offered that he thought that the Council they had pretty tough rules in place and he advised that he knew that they were working on making them tougher, but once someone goes and buys property and engages the services of engineers and begins doing some work knowing what the rules are, after being told, and so they know they can buy the property there and develop, then the Council cannot come up there as the property owner and developer meet all of those rules, you cannot just jerk that away from them. He explained that was arbitrary. Mr. Moody then considered if he could think of some circumstance where the Council could state that they were turning it down because there is some super health reason to protect the citizens from, but generic traffic, drainage and school issues, that's every found in every subdivision that comes before the Council for approval. He asserted that the Council would need something better than that, unless the Council could enunciate something that is better than those reasons, he ruminated that this would not just withstand a lawsuit. He pondered if the Council could delay it and send it back to the Planning Commission to take another look at the development, could you ask for an attorney general's opinion? He acceded that the Council could, but ultimately he thought that the Council would just be delaying the inevitable, unless he was missing something.

Councilman Garry Talbert sought to address Mr. Moody to ask another question. He stated that it was somewhat related. Councilman Talbert stated that in the past, the Council had these submittals come in on preliminary plats and then in essence, whatever rules were in place at the time is how they had to build, however, if you go to the code and read section 125.2, it basically says that these regulations shall apply to any development that is not under construction as defined in section 125-1, definitions as of the date of the adoption of the ordinance submitting this article February 14th, however, and it lists a group of sections, shall apply upon adoption of the ordinance from which the article is derived. So he continued, and stated that in essence, this section says that if we toughen the standard before construction starts, they've got to meet the new standards. Councilman Talbert asked if that is how Mr. Moody perceived the...

Mr. Moody advised that he would need to look at what Councilman Talbert was talking about changing. He advised that the Council could make things tougher if it applies across the board, but if it is done to just arbitrarily keep them from developing a piece of property... Councilman Talbert interjected in the negative and stated that the Council was already talking about a tougher standard, so his question addressed to Mr. Moody is that there is some concerns about drainage with respect to this particular development, there were concerns about all kinds of developments, and so they were looking at toughening the drainage standard, and some design standards, limiting the length that a drainage impact study is good for. Councilman Talbert again stated that his question was: this thing has been submitted, does that mean that any of these sections that they were changing are listed as being you know, when they are adopted they then become law, does that mean that none of those different stuff or standards will apply to this development in the future, or...

Mr. Moody questioned if Councilman Talbert was referring to the ones that the Council was about to put into place? Councilman Talbert answered, "right".

Mr. Moody explained that the rule on that generally is, if it is across the board and it is for health and welfare purposes, you can install cover requirements. So just like you could say we want a tougher sewer requirement, that goes for everyone in the Parish that has to meet that, so if anytime you get a new permit you will have to upgrade that. Mr. Moody advised that you must typically give people a grace period to meet that or if you wanted to adopt a sign ordinance and state that the Parish cannot have big signs anymore, you will need to give them a grace period. So, the further you get away from health and the safety issues, the more you will need to give them grace or let them become grandfathered in. Most every other time, you have grandfathered them in, because then that becomes arbitrary about who gets what, because if you let one have it, you will have to let them all have it. Mr. Moody stated that the Council is doing it the right way, you have toughened up your subdivision restrictions greatly in the past four (4) to (6) years since this seated

Council has been here. Councilman Maurice “Scooter” Keen stated that we’ve tried to do even more. Mr. Moody responded and said that he thought that the Council could go further.

The chair called upon Councilman Shane Mack. Councilman Mack stated that he wished to ask a question that should be directed to the Planning Director, or maybe Morgan, someone who reviews the development plans. He stated that his general question was, as to his understanding, that the preliminary plat passes, then there are certain requirements within the ordinance, certain studies that need to be performed, and if that study determines that action needs to take place to meet the requirements of the ordinance, or to meet the results of the study, specifically a traffic study or a school, if there is an impact for the school or something. He requested that they explain how that works. Councilman Mack asked if the study was performed, who performs the study and if the study is performed and determined that maybe a street needed to be widened or maybe a canal needed to be dug in a drainage study that costs funds in order for the drainage plan to operate or maybe it’s a large portion of new students that need to be educated in our school district and he advised that those things cost money. He asked if the study determined that, and was communicated to the developer that he was going to have to meet the requirements of the study or else not be developed. Councilman Mack asked if that was pretty much how it worked? He asked if someone could come up to the lectern and explain this because he felt that the Council should take action in some way, shape or form and pledged that they would work on this in the future. He stated that as they continued to grow and the Parish continued to populate, if the Council does not address these developments, within these highly low-lying areas with extreme drainage problems that continue to flood our schools and we continue to just develop without actually improving infrastructure. Councilman Mack conveyed that it was his opinion that this is not good growth and is not responsible government. He asked Morgan Sanchez, Parish Review Engineer with Forte and Tablada, if the developer did not meet the requirements, then you would deny that development so that it would protect the people that currently exist in the surrounding area. So if that’s not the case and that’s not the current way that this group is operating, he felt that some changes needed to be made. He asked if Ms. Sanchez could explain that and if that was the way that it worked. Ms. Sanchez stated that they met those requirements. She advised that she would begin with the drainage impact study first. Ms. Sanchez explained that if a drainage impact study is conducted, that meant that the developer would be presenting what they would be doing to meet the Parish’s ordinances and now your ordinance is pre to post in a twenty-five (25) year storm event. She further explained that you cannot negatively impact anybody on one hundred (100) year. While the developers in this Parish meet pre to post in one hundred (100) years and there is no negative impact downstream because they’re not increasing the flow downstream in a hundred (100) year storm event. They do it and then incorporate into their construction plans, their ponds, their ditches, keeping it off every one else’s property putting in their pond and then discharging it out, that is what they do. There have been studies where someone might say hey you already have a problem in this canal, it needs to be cleaned out. Ms. Sanchez stated that they do report it to DPW or the drainage district so they can see there’s already an existing issue, but they are not making it worse. She continued to state that as far as the traffic study, she will go ahead and do this development that they were discussing. Ms. Morgan stated that DOTD would require them to do a traffic study and if they show that a turning lane is needed, they are going to make them put the turn lane in. They will make them analyze multiple intersections to show the impact of the subdivision. Ms. Sanchez advised that she had received an email from DOTD about a subdivision that is coming in that’s going to be a lot of lots and they want the Parish’s input on if they think that they’ve covered all the intersections which they did. They made them do a lot of intersections, but they do kind of coordinate with the Parish, and ask for their opinion.

Councilman Mack questioned if the school system is not able handle the extra volume of kids because it is over capacity, can the project be denied? Who denies that? Ms. Morgan stated that as far as the school goes, the school does their own impact study.

Councilman Delatte stated that most times, we’ve been told, that you in the planning stage, the preliminary stages, that there was nothing that they could do. But from some of the documents that he was reading, maybe that was not true. So he questioned, why can’t they get a clarification of that? He thought that they could postpone this matter until the next meeting for this particular one.

Mr. Moody offered that you could request an attorney general’s opinion by the next meeting, but you would not be able to get an answer that quick from the Attorney General’s office. Mr. Delatte asserted that he would like to postpone this until the next meeting and he would like to request that attorney general’s opinion on these specific areas, and agree with our attorney on what we are asking for. He continued that he felt that the Council had power and legal ability that when they are seeing that it is causing general welfare, not just safety and public health, it’s general welfare and problems, he thought that the Council should be able to fix it, if not, why is he coming to us? Why is he coming to them if all they can do is look at each other? They shouldn’t be coming to

the Council unless it's something that they can provide to do. He stated that the last thing in the document was the attorney general's final word, then the Council would not have to have this conversation back and forth.

Mr. Moody wished to follow Councilman Delatte's statements and expressed that he was open and totally okay with if the Parish wants an attorney general's opinion, however, it is true that the Council could turn down this development, you can do anything that you want if you have enough votes. An attorney general's opinion is going to tell the Council that they have the authority to turn the development down, because the law gives you that authority. But he as an attorney, questions what happens if the Council has to go to court because they are sued, that is where he looks at the bigger picture, because if you get sued, after you make your vote, because you have the authority to turn it down. Councilman Delatte stated that an attorney general's opinion is going to be seven (7) to eight (8) pages long, and he's going to give them some information that the Council can use to help them govern and help regulate some of this business that is going on. He further stated that it is much better to try to do something different than to try to keep doing the same thing over and over and say, look we couldn't help you. Councilman Delatte felt that if they do nothing at all, he felt that he had not done the right thing by the people, because if they explore all avenues, then he would feel like he had everything that he could to help in that fight.

Councilman Girlinghouse stated that he understood that if you turned the development down just because it is not wanted, that is a schoolable defense, but if they can turn it down in order to get an attorney general's opinion, from what Councilman Delatte had read earlier, he questioned if Mr. Moody felt that would not apply to this development or was he just not up to speed on it?

Mr. Moody explained that he could only surmise, but if it does say that specifically, then you would do well to take it that far, but the attorney general is not going to give you advice and tell you what will happen if the Council gets sued. Mr. Moody stated that he would like to look at that too, because if they need help rejecting this particular matter and continuing and want to recess this concern, as long as you just do not reject it and turn it down, you could buy some time with that.

Councilman Girlinghouse asked if that was Councilman Delatte's motion. Councilman Delatte stated that he wanted a motion to get an attorney general opinion on what the Council's obligations are, not just on this development, but any future development, what can the Council do, what can they not. If the Planning Commission gives to them that this has passed, and there is an abundance of public input requesting for the Council to look at the general welfare of this situation. He added that he would like it to be more specific than general welfare.

Councilman Girlinghouse concurred and stated that this was a bigger issue than just this development. He further stated that he would also like for Mr. Moody to read the opinion that Councilman Delatte presented and wished for Mr. Moody to clarify this to them if this gets deferred and what he thinks. Councilman Girlinghouse sustained that there could be many things that you cannot know just off of the top of your head, that being true to the Council members and Mr. Moody.

Councilman Talbert stated that he was not sure that Councilman Delatte's motion was relevant in this particular instance, only because what they were trying to do is approve or not approve Sweetwater Subdivision, and so the question is, he's asking for an attorney general's opinion that hadn't really dealt with the subject. He questioned if they would be deferring it to ask for an attorney general's opinion, are they going to approve it after an attorney general's opinion or were they going to table it? He stated that just asking for an attorney general's opinion doesn't really address what they needed to do, so he wasn't sure that motion was something germane to this particular deal. He offered that the motion should be to table as, defer it as, approve it as, and stated that he wasn't sure that the motion that was made was accurate. Councilman Talbert advised that he did want to ask Deric Murphy, engineer of the development, about the traffic study. The chair asked if Mr. Murphy could come back to the lectern.

Councilman Talbert addressed Mr. Murphy and stated that he had a couple of questions. One, he stated, was that he had wished to verify how many filings there were in the development. Mr. Murphy stated that there were four (4) filings with one (1) drainage impact study. Councilman Talbert asked if Mr. Murphy would be making an application with DOT on all four (4) filings, on all lots in the application? Or are you going to piece mill it in, one (1) at a time? Mr. Murphy stated that the plat would be going to DOTD. Councilman Talbert questioned if he would be making the submittal with all however many lots are in the subdivision. He stated that he wanted

to make sure that they would be treating the drainage and the traffic identically the same. Mr. Murphy advised that DOTD has seen the plat already and they were working out some issues.

Councilman Maurice “Scooter” Keen acknowledged that Councilman R.C. “Bubba” Harris had made a motion. The chair advised that they needed to continue the discussion.

Councilman Talbert stated that their ordinances were set up in such a manner, that the Council receives a preliminary plat and it is approved so that the studies could be done. He stated that a drainage impact study would be done to find out the impact, but they did not know what the impact would be at this time. He further stated that it sounded like this Council, or certain members of this Council, are assuming that the impact is negative without doing the analysis. Councilman Girlinghouse disputed that statement. Councilman Talbert stated that no one is going to move forward and spend the money on a traffic and drainage impact study if they do not know that they can move forward. He advised that to find out the impact, they must approve the preliminary plat with the understanding that they will find out what the impact is, and design the thing so that the impact is addressed and the neighbor will not be harmed. He stated that there was no doubt that they have talked about ordinances earlier in the ordinance committee where they had an engineer sit there and tell them that the neighbors would be better served with the design on the new ordinance, than the existing ordinance. But yet they did not act on it and put it aside because they wanted to do some modifications on it, even though they could have introduced it that night, and made the modifications in two (2) weeks, they kicked it down the road out of committee. He stated that what he was telling them was that there are abilities to do things to help people out and this ordinance that they operate on specifically, would allow, if they approve new tougher standards and for those to be applied based on what our ordinance was submitted. He stated that there seemed to be some opinion if you can or can’t, but it clearly states in the ordinance “until construction begins”, the new ordinances can apply, so in essence approved, the submittals made, so it doesn’t matter, by deferring it until an ordinance is approved, they needed to approve this thing and let them do their studies and try to figure out if there is an impact. Then the Council could move forward with other ordinances, not directed at this development. But at every other development coming forward in the Parish to give it more protection to the neighbors and not making sure that it is a hundred (100%) percent perfect before they introduce it, because there is still time to correct it. Councilman Talbert stated that all he was saying is that they had their attorney basically tell them, that yes, you can get an AG’s opinion to defer it, but that doesn’t mean that you are going to win in court. He stated the ultimately, he has tried and deferred a couple of things for health, safety and welfare, but when the developer comes up there and prefaces that you can’t do that, it’s costing me money, the Council has voted it in. He stated that ultimately that the Council has tried to impose health, safety and welfare, this Council has ultimately voted in preliminary plats with no required waivers and then they’ve asked their review engineers to make sure that the studies are done and the design is such, that the impact is minimal or none. He advised that the Council could continue to make tougher laws, but he thought with this thing, he respectfully disagreed with Councilman Delatte and he thought the Council needed to approve it, then they needed to work toward toughening the laws so in the future. Many of the audience members argued that would not help them at all. The chair brought the meeting back to order and called upon Councilman John Wascom.

Councilman Wascom addressed Mr. Murphy and questioned if there would be individual sewer systems in this development? Mr. Murphy stated that no you could not do that. Councilman Wascom asked if there were any MO-DADs or community package systems? Mr. Murphy stated that on the community package, they were not sure yet because they were working through that. Councilman Wascom questioned if they had come up with a plan for sewer yet? Mr. Murphy stated that there was city sewer there, but they were working through some capacity issues upgrade or a community plant. If they did go with the community plant, the development would need to come back before the Council for their approval. Councilman Wascom stated that should be a simple thing that needed to be fixed before they move forward with the approval. Mr. Murphy advised that would be part of the studies moving forward. This is a concept plan that the developer comes before the Council with ponds drawn in the plans. Until they actually do the drainage impact study and see what they have, they do not know if the ponds are sized appropriately. They know that theoretically preliminary and those kinds of things are close. If the developer must make massive changes due to the amount of pond that they have to come back to the drainage impact study that states those changes, then the developer will be required to come back before the Council again. Mr. Murphy advised that this was a first step of many, and they had so many eyes on these codes as they go forward.

Councilman Wascom questioned what if the developer may look at the project and state that they need to put a community sewer package in the development? He stated that the Council members

have all kind of decided that they were getting away from that and were requiring people to go to municipal sewer systems and if they can't, maybe it's not the right location for it. He further stated that was clear, and they had set that standard years ago. Mr. Murphy acknowledged that yes, if there is community and there are municipal sewer systems directly in the region, then yes, the developer is required by ordinance to tie to them. If there are capacity issues, then the developer works with that to try and get those capacity issues addressed, or they are allowed to put community package plants. Councilman Wascom stated that he was familiar with them, and they have talked in the past about sewer package community plants and they have all agreed that they do not want that because they start stinking and no one takes care of them... There was an ardent open discussion and the chair called the meeting back to order.

Councilman Delatte stated that there was an opportunity there and he was doing this as tasteful as we can. This is the only time that you will be able to stop this development is here preliminary, once you give them preliminary and they start spending their money, you cannot stop at them, they have been told that. The only question that he was asked was if they can legally stop it or not. He did not know. There was conflicting information. He had a second on the motion to get this information from the attorney general to see if they are within their legal rights to stop a development because of general welfare and safety and public health, any one (1) of those three (3) counts in that thing. He stated that they needed to get that information, let's get that attorney general's opinion and if they find that he says that you can do that legally, as long as it is one (1) of those three (3) things. He further stated that if they were brought to court, then what they have to do is prove is that this was a general welfare problem and they definitely had to state what the problem was going to be and they take us to court, they have to prove or disprove that we was wrong or they was right. Councilman Delatte stated that the Council would not just arbitrarily turn down every subdivision that comes through there, but when one (1) causes problems, it was their job to stand up and represent those people and the only way to do that was to get an outside opinion. He stated that the Council members were divided on this issue right here in this table and he recommended that they request for an opinion if they could legally do this or no you cannot legally do it and that was all they were asking. Then they would know how to proceed from that point on. He stated that was a simple question and he would like to take a vote on the motion he had made earlier.

The chair announced that Councilman Delatte had called the question and asked Mr. Moody's opinion if that were the case. Mr. Moody advised that unless there were opposition to the question, in which case you would need to take a vote on whether or not you...

Councilman Girlinghouse stated that he wished to make a point. Mr. Moody stated that Councilman Delatte had moved for previous questions, so that either needed to be....

Councilman Talbert stated that they needed to vote for the previous question and then they could continue to discuss this.

Mr. Moody stated that if the Council members were ready to end the debate, you would vote in favor of the previous question. The chair questioned if he could vote to continue the discussion since he had something to say? Mr. Moody stated that if there were enough votes, you would continue with the discussion so it will give people to vote down the previous question.

Councilman Gerald McMorris stated that he did not think that everyone had their fair share to speak on this matter. The chair asked if Councilman McMorris wished to vote to continue the discussion. Councilman Morris stated yes. The chair requested for a second to this motion. Councilman Talbert stated that the wished to make the second to continue the discussion. The chair called for the Council clerk to call for the vote on this resolution.

LPR NO. 22-071

MOTION was made by Gerald McMorris and duly seconded by Garry Talbert to continue the discussion after the question was called for agenda item number 10a, Planning Commission Recommendations: Sweetwater Subdivision, Preliminary Plat, LA Highway 1032, Section 40 and 44, T7S, R2 and 3 E, located in Council District 5.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Gerald McMorris asked if this gave he and Councilman Girlinghouse a chance to speak? The chair stated yes.

Councilman McMorris acknowledged that the whole problem with their parish was all about change. He stated that he was not for big developments. He did not wish to lie to anyone, he was born in the country and no one wants to see these big developments coming. He further stated that if they wished to stop it, they needed to buy the properties. Councilman McMorris acknowledged that he could not buy it, but he believed that would be the only way to do it, unless the Council put a moratorium on builders coming into their parish, and get their ducks in a row. He observed everyone shaking their heads, but he wished to mention that Ascension Parish did it and they put some good plans together and they were able to move forward with drainage, and with road studies. Councilman McMorris recognized Councilman Tracy Girlinghouse who contacted just about everyone on the Council to try and get everyone to come before the ordinance committee to present it. He continued to admonish that the Council members needed to do their jobs and protect the ones after this one gets approved.

Councilman Girlinghouse wished to acknowledge that he had spoken with pretty much everyone of them about a moratorium. He stated that there would need to be five (5) votes in order to get that to happen. Also, it would be a little more complicated than to just say let's do a moratorium. He recognized that the western part of the parish was being overrun. He acknowledged that Councilman Talbert had brought some things forward that would help in that regard on the ordinance committee. He stated that if and when the Council would push for a moratorium, the Council would need to be in one accord. He noted that he had said for about five (5) or six (6) years now that it was too much, they were being run, and he did not care what the drainage impact study said at zero (0) net, they all knew that was not true, if that were the case then it would not be getting worse year after year after year after year. He stated that the problem was that it did not come back to the Council once they vote on the preliminary plat. He did not know if they told them what happens beyond that with the traffic impact study or the drainage impact study. He stated that the Council has no say and it never comes back to them for anything. He further stated that part of him was led to believe that he did not know something happened along the way, but it is not zero (0) impact and it is not acceptable impact, not to mention with the schools. He knew that in the Walker area that they were getting hammered. He stated that at minimum, the school board should have a say in this procedure too, now whether the Council would take it under advisement or the Council allows the school board to have a say. He advised that the reason that a lot of people come to Livingston Parish is because of the school system and they are going to wind up with getting the school that is not worth if they just keep putting kids in and it is going to be in a community that is not worth living in either because it will be bumper-to-bumper cars and pavement and roads that are going to be clogged up and these are the problems that they are facing. He admitted that they needed to come together, not just the members of the ordinance committee, it was all of them. He stated that the ordinance committee should not be the only one bringing ordinances forward. He encouraged the other members to work toward fixing these things because these problems are not going to go away, they were not going to fix themselves and they were not going to go away. He questioned Councilman Delatte's motion and asked if he wished to defer it? Councilman Delatte stated that he wished to get an attorney general's opinion that allows to tell him to have authorization to vote no or yes. He further stated that it seemed like his authorization is only to vote yes to rubber stamp when it comes up to the Council. Councilman Delatte questioned if that were true, why were they spending all of this time and just rubber stamping when they are at the planning commission if they cannot vote no. He wished this motion and hopefully if that would pass, he would be greatly glad to table this until the next meeting or to whatever it took. He stated that that his first motion that he wanted to make was to get an attorney general's opinion that would tell them if they had authorization to vote yes or no, or once it is there are they going to automatically have to vote yes, or they would get sued. He stated that he was reading that there are reasons that the Council could vote no.

Councilman Girlinghouse wished to clarify something that Councilman Talbert said. He asked if Councilman Talbert stated that even if the Council votes yes that evening, they can change the ordinance and before the developer starts to build, those ordinances would have to apply?

Councilman Talbert directed everyone to go to 125 of the ordinance of this deal and read 125-2 section c says: "administration of this chapter shall be by the parish council planning commission on the direction of the parish president these regulations shall apply to any development that is not under construction that is defined in section 21-1". Councilman Talbert stated that basically 21-1

says that clearing and grubbing isn't under construction you got to have a set of construction plans to build a subdivision as of the date of the adoption of the ordinance amending this article, February 14th to 2002. However, section 125-9, 125-13, 125-14, 125-15, 125-19. Councilman Talbert stated that we have in the proposed ordinance to add two (2) more sections to it and then 125-27, 25-28, shall apply upon the adoption of the ordinance from which this ordinance is derived. He continued to explain that "if basically, you don't have construction plans and have not started construction, anything that's changed in those listed sections have to apply to the new development according to what our ordinance says, now whether it's ever been challenged in court or not, I can't tell you. But basically, what it says is that when you make a submittal there's a group of ordinances that you work under. However, if you don't have construction plans which you got to have before you start construction according to our ordinance and clearing and grubbing is not construction, then, any of these other sections, you have to meet the new standard."

Councilman Talbert asked, "isn't that what the ordinance says Chris?". Mr. Chris Moody answered "yes" and he thought that it would probably stand up.

Councilman Talbert continued and stated that ultimately, what I am telling you is that we approve it and don't drag their feet on the changes to the subdivision ordinance. They will have to meet the new standard.

Councilman Girlinghouse questioned if Councilman Talbert had planned on introducing those? Councilman Talbert stated that the ordinance committee recommended to table it, so they could study it some more.

Councilman Girlinghouse requested again if Councilman Talbert planned on introducing it that evening? Councilman Talbert stated that he would like to introduce it and then read it, introduce it and then remove the fonsi part of it and they knew that there was a methodology that they wanted to change, they had discussed a fifty (50) reduction on one hundred (100) year, they wanted to store for one hundred (100) years and then have a ten (10) reduction on a ten (10) year pre-construction deal and he thought that was actually a developer that's going to ask his engineer to take some approved developments or some designed developments and run a preliminary on it to see what the impact would be and make sure that we are accomplishing what we want to accomplish. He stated that they could move forward, and that ultimately the power within this council rests in changing the law and making it tougher.

The chair acknowledged that this subject was on the agenda.

Councilman Talbert stated that they have talked about impact fees and were told that they would need a study to justify. He stated that they do not generate appropriations, they just approve them, so they couldn't go fund the study to back up whether they can justify impact fees so ultimately all they can do is pass that make the requirements more stringent than protect your neighbor. He stated that he had asked the engineer up here that night or is it a neighbor better protected under the ordinance that they have or whether the proposed ordinance, and he said the neighbors under proposed ordinance. Councilman Talbert stated that we know that if we will pass the ordinance, making the changes, introduce them, approve them in two (2) weeks, that this development will fall under the new regulations. Councilman Girlinghouse stated "ok". Councilman Talbert stated that ultimately we are protecting the neighbor, we're trying to do what we have in front of us, and stated that was how this thing was set up to work. He stated that he knew that they've been talking about a moratorium, the issued is you have to define what you are trying to resolve and you've got to put a timeline on it. He further stated that they did not have appropriation to do the study to determine how they solve these issues, so it is hard for them to set forth a moratorium because they don't have the ability to do the study that would give them the results to make the changes. He asked if they understood what he was saying? He further stated, "you got to have a defined ending to a moratorium and you've got to be trying to accomplish something". Councilman Talbert stated that when he received the phone call from Councilman Girlinghouse about the moratorium, that's when Councilman Talbert said, "look, if we're going to do something, this is how we have to do it". Councilman Girlinghouse responded, "ok".

The chair called on Councilman Maurice "Scooter" Keen. Councilman Keen advised that he had not being saying much on this, because everything that had been said so far, made sense. He reminded everyone that ever since the 2016 Flood, Councilman Talbert brought forth a lot of changes. He countered that Councilman R.C. "Bubba" Harris had mentioned a whole lot of changes that the Council needs to consider to make this where development continues, but it doesn't impose any water or hardship on the people that are already living here. He stated that Councilman Girlinghouse and Councilman Shane Mack have brought changes to be made. He continued and questioned, "what have we done, set on our hands" because they couldn't obtain

the support needed from other Council members, or they thought they couldn't, so from this day forward, every single ordinance that pertains to improving Livingston Parish comes to a vote, so everybody in this has to vote yes or no on these improvements. Councilman Girlinghouse agreed. Councilman Keen thought that the ordinance that Councilman Talbert presented should be introduced that night, then work on the changes.

Public input: Clint Harris; opposes proposed Sweetwater Subdivision development

Councilman R.C. "Bubba" Harris wished to state what he began at the beginning of the meeting in regard to sending things back. He further stated that maybe the Council needs to do more than that. He advised that the Council takes action on the recommendation of the Planning Commission. He stated that he was not speaking bad about the Planning Commission, but maybe they should put more input into study before it comes to the Council.

The chair asked if there were any other input from the public?

Public input: Mike Juneau; resident of LA Highway 1042, 4-H Club Road: pro-development; admonished the Council members to get policy and procedure right
Holly Clark; resident of LA Highway 1032, the Council should be able to tell this development "No"

Deric Murphy, owner of Quality Engineering and engineers for Sweetwater Subdivision, addressed the Council members. He stated that the Council members had a hard job, that doesn't really pay a whole lot, but your job as Council is to make laws. Mr. Murphy advised that in 2016, it affected all of them, and at that time, the drainage for this parish was a ten (10) year equal ten (10) year minimum that you could do which was the same throughout this entire region. The 2016 floods proved that was grossly inadequate. It was a thousand (1,000) year storm or a two (2,000) thousand year storm, whatever you wished to call it. Since then, Mr. Murphy stated that he had worked with many of the Council members trying to make and toughen those laws and those rules working with different entities and so forth. He cited that they had a twenty-five (25) year and they were talking that evening about going to a hundred (100) year or doing something else. Mr. Murphy applauded their efforts. He expressed that to say that we are not doing something different, is wrong, they are, things are being moved, they are moving the goalposts, many wished it would be moving faster, but at the same time, they are a land of laws and that's what they have and when people start looking at their property and the property rights that they have, they have crossed every "T" and dotted every "I", it then becomes a use by right. I have followed the rules and the laws of this parish and should be able to do with my property as those laws allow. He stated that he was all for changing and working, and discussing zero (0) net, he agreed. He continued that when you start looking at the ordinances ten (10) equal ten (10) equal ten, they are zero (0) net, or twenty-five (25) equal twenty-five (25), but as soon those storms and that kind of stuff goes beyond that, then those design requirements are exceeding. That is why they are upping the design requirements as they go, because the zero (0) net becomes more and more and more stringent and the frequencies of storms become more and more prominent. He continued to advise that they were going to have impact, and the reason that you see retention ponds, and what they are there talking about, is because they mitigate those impacts. The reason that you have turn lanes and you do different things is because these cars do provide impact on the roads and they also pay taxes. But the improvements of those intersections or the improvements of that turning lane is what mitigates that impact the same as a pond, the same as anything that they do. He further explained that the school board has to receive those plats before the developer comes before the Council, so does most other entities if not all of them, fire, water districts... All of those kind of entities that they Council has in place. The Council already has in place those laws to make sure that every entity is notified when these plats come. Mr. Murphy advised that they say this a lot: "We'll abide by the law, we just want to know what it is". He clarified that they were there that evening asking for approval of a project that meets the laws that the Council and the ones before you have put in place, and they were asking for approval to move to the next step, to have those studies, to put that in place. He stated that in other parishes and other districts, those laws were different. Every parish, municipality, city of Denham, city of Walker, and so forth, every place that they go in and develop is different, however, they know what those rules are because they are set before they come before you and the expectation there is that if they meet those laws and rules, then they can move forward with what they are wanting to do.

Mr. Murphy indicated that he was present that evening, asking for that approval and they hoped that the Council would grant it. He finished his address and thanked the Council members.

The chair called for public input.

Public input: Jane Chambers; resident of Enterprise Drive in Plantation Estates: discussed the negative impact of added developments
Erin Sandefur; wished to make the point that the surrounding parishes have put certain measures in place, as she was responding to what one of the engineers had stated

The chair stated that he wished to make a couple of comments. For those that did not know, as chairman, he was not allowed to make a motion or second that motion. His job was to run the meeting and it was the other Council members to make the motion and the second, but he had no problem with rolling the dice and taking a stand. He stated that they needed to do it somewhere. He further explained that the Council needed to start protecting the people who live there currently and quit worrying about the people who are coming in the future. He admitted that the Council had stated that before on that floor. He charged that he was good with either one (1) of the motions that were made, whether it be the statements of Councilman Talbert to put the stricter laws in and when construction phase begins, they need to follow the more stringent laws, or he could go with what Councilman Delatte proposed, but the Council needed to do something, they had to make a start somewhere.

Councilman Delatte stated that he agreed with the chairman's comments and the start is, they needed to pass both of those motions. He recommended that the Council get the attorney general's opinion to give them some teeth and some back and so they get more braver, and he offered that they also pass the motion that Councilman Talbert had.

The chair inquired if Councilman Delatte wished to change his motion to include both? Councilman Delatte concurred and other Council members questioned what Councilman Talbert's motion was. The chair clarified that Councilman Talbert did not make a motion earlier, he discussed his proposed ordinance introduction to make section 125 more stringent. There were many commentators who advised that the proposed ordinance introduction was already on the agenda for that evening's meeting.

The chair wished for Councilman Delatte to clarify that he wanted to add to his motion that when the construction phase starts the developer must abide by whatever the Council passes.

Councilman Talbert stated that you could in theory, approve planning commission's recommendation as long as whatever laws were in place at the time of construction they followed.

Councilman Delatte recounted, and stated that he could not agree with Councilman Talbert's statements that he just made. He would have to vote no against the approval of the plat, so for him to that, he wished to make his first motion remain. The chair characterized that Councilman Delatte would be making a motion to get the attorney general's opinion to see if the Council could legally approve it, just because it meets and it comes to the Council.

The chair asked for order to clarify that Councilman Delatte was asking for an attorney general's opinion and before the Council voted on this motion, ask if the Council can deny a project that meets the ordinance.

Councilman Delatte stated that just because it meets the ordinance, does the Council have to vote yes, or could they deny it. The chair questioned if Councilman Girlinghouse still wished to second that motion or did he desire now to pull it?

Councilman Girlinghouse stated that they needed a time on that, he questioned if Councilman Delatte wished to defer it to the next meeting or was he deferring it what? The chair advised that Councilman Delatte had stated that he wished to defer it to the next meeting. The chair clarified that originally Councilman Delatte had stated the next meeting. Councilman Delatte stated that he would make that motion to do that. However, he did not wish to make one (1) motion to cause another motion to lose. He wished that it would be two (2) separate motions.

The chair requested that Councilman Delatte define his statements of what the motion he making would be.

Councilman Delatte stated that he thought that it was imperative for the Council to get an attorney general's opinion on what they can and cannot do, that was a no brainer. Secondly, he was willing to vote to defer this until the next meeting. However, if you put both of those motions together, one may agree with one part of it, and he would definitely....

Councilman Talbert interjected and stated that he wanted a point of order. He stated that the item on the agenda is to approve or disapprove the preliminary plat, it has nothing to do with an attorney general's opinion. He can either make a motion to defer and ask for an attorney general's opinion, or he can make a motion to approve and ask for an attorney general's opinion, he cannot make a motion to ask for an attorney general's opinion if he doesn't defer or approve or deny.

Councilman Delatte stated that he disagreed with Councilman Talbert's statements.

The chair requested clarification from the Parish Legal Counsel. Mr. Moody stated that just a motion to get an attorney general's opinion doesn't resolve the agenda item, you still have to vote on that.

Councilman Shane Mack requested to comment. He stated that his thought was that he somewhat agrees with both of them, that Councilman Delatte's motion should be to defer the approval of the preliminary plat of Sweetwater Subdivision until they receive an attorney general's opinion on whether or not they can approve or deny the preliminary plat and if he changes his motion to that, then he would second Councilman Delatte's motion. Councilman Delatte stated that's good.

The chair questioned if Councilman Delatte was good with that? Councilman Delatte reiterated that yes, he was.

Councilman Keen stated that he wished to make a comment. He stated that it could take six (6) months, it could take a year to get the attorney general's opinion back and wished to confer this with Mr. Moody.

Mr. Moody stated that they all take at least six (6) weeks unless there's like some statewide burning...

The chair stated that unless they received another motion, they were about to vote. Councilman Keen stated that Councilman Harris had made a motion earlier in the discussion, but did not receive a second. The chair stated that they could repeat Councilman Harris's original motion when they first began. The chair relayed that his wishes were to basically defer it because he wanted to try and get it where they have to bring all of their findings to the Council before they will approve. Councilman Keen stated that he thought he said to approve the preliminary plat and wait before we get to findings and then come back to the Council with the final....

The chair explained that Councilman Harris did not want to approve the preliminary plat until the Council receives all of the findings. The chair questioned if there was a second to Mr. Harris's motion? Councilman John Wascom asked for clarification of what Councilman Harris's motion was.

The chair stated that the motion was to deny the preliminary plat, it was then stated that it would be deferred not denied, and ask that they could get all of the findings sent to the Council before they are approved. Councilman Wascom stated that he wished to second that motion. Councilman Gerald McMorris asked if they also wished to include in that motion to ask for an attorney general's opinion. Councilman Harris stated that he would add the attorney general's opinion to that original motion. The chair questioned if Councilman Wascom still wished to make the second on that motion. He stated that he did.

The chairman stated that they had a motion and a second that was the first one (1) on the floor.

The chair and Councilman Wascom once again for clarity stated that the motion was to defer the preliminary plat until the Council could get all of the findings. Councilman Talbert asked if that was the substitute motion that Councilman Delatte had made? The chair stated no, this would be the original motion. Councilman Talbert asked if there was a substitute motion? The chair asked if Councilman Delatte wished to make a substitute motion? Councilman Delatte replied it was basically the same thing.

Mr. Moody stated that the original motion that Councilman Delatte had made a subsequent motion, should not have been entertained until they had dealt with, but now they have consolidated it one (1) motion. Mr. Moody stated that they could accept it as a friendly second so you can vote on that.

Councilman Keen stated that he wished to make a substitute motion, that the Council approved the preliminary plat based upon the findings having a positive outcome on the traffic studies and the drainage impact studies, because the developer could not even do those unless the Council

approves the preliminary plat, so they will not know if there was an actual problem. He stated that they were just assuming that there was a problem. The chair asked if that was Councilman Keen’s motion? He then requested if anyone would make a second? Councilman Talbert stated that he wished to make the second.

The chair stated that the Council would be mandated to vote on the substitute motion first. The chair then directed the Council clerk to call for the vote. The Council clerk requested clarification on the substitute motion.

LPR NO. 22-072

SUBSTITUTE MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry Talbert to approve the preliminary plat based on the traffic and drainage studies, then the developer of Sweetwater Subdivision would be mandated to bring those findings back to the Livingston Parish Council for final approval and if the Council is not satisfied they can kill it.

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

YEAS: MR. GIRLINGHOUSE, MR. KEEN, MR. TALBERT

NAYS: MR. ARD, MR. WASCOM, MR. HARRIS, MR. MCMORRIS, MR. DELATTE, MR. MACK

ABSENT: NONE

ABSTAIN: NONE

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

The chair then called for the original motion that had been made by Councilman R.C. “Bubba” Harris to defer the preliminary plat and not approve it until the Council received the findings back, just like the other motion that had been made, and then make a decision and ask for the attorney general’s opinion to advise if the Livingston Parish Council could deny if something meets all ordinances. The chair then asked the Council clerk to call for the vote.

LPR NO. 22-073

MOTION was made by R.C. “Bubba” Harris and duly seconded by John Wascom to defer the preliminary plat and not approve it until the Livingston Parish Council receives the findings from the studies made, and then make a decision to approve or deny the preliminary plat for Sweetwater Subdivision located on LA Highway 1032, Section(s) 40 and 44, T7S, R2 and 3E in Council District 5; and to also ask for an attorney general’s opinion to advise if the Livingston Parish Council could deny something if it meets all of the mandates of the Livingston Parish Code of Ordinances.

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

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

NAYS: MR. KEEN, MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

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

The chair stated that this matter had been deferred.

Councilman Harris requested if he could make a comment. He said that it was in regard to what they were discussing that night, that it just so happened, that he served on the Police Jury and also the Council since 1980. He has stated that he had tried to get this passed ever since then, and it had been to a point where it kept getting voted down and voted down. He stated that he was glad to see that the Council was making some headway now in this Parish to get some of this stuff straight.

The chairman requested that Mr. Sam Digirolamo come back before the Council to address agenda item 10b, “Planning Commission Recommendations: DiCarlo’s Food and Spirits”.

Mr. Digirolamo advised that next on the agenda was a commercial development, DiCarlo’s Food and Spirits and was located in Councilman Randy Delatte’s district on Home Port Drive. He

wished to mention that this was the old Kevin’s restaurant and the new owner is requesting to put some outside seating as well. Mr. Digirolamo stated that it was the recommendation of the Livingston Parish Planning Commission to approve the final site plan for DiCarlo’s Food and Spirits.

LPR NO. 22-074

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to accept the recommendation of the Livingston Parish Planning Commission and **approve the final site plan for DiCarlo’s Food and Spirits** located on Home Port Drive, Section 23, T9S, R4E in Council District 8.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item number 10c, “Live Oak High Stem Facility” and advised that was another commercial development that was in Councilman Garry Talbert’s district located off of Highway 16 at the High School. He further stated that it was the recommendation of the Planning Commission to approve the preliminary site plan for Live Oak High School Stem Facility, contingent on our engineer’s review, and of the present date, it had been reviewed, there were no comments. He concurred this with Ms. Morgan Sanchez, Parish Review Engineer, who was located in the audience.

LPR NO. 22-075

MOTION was made by Garry Talbert and duly seconded by Shane Mack to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary site plan for Live Oak High Stem Facility** located on LA Highway 16, Section(s) 44, 46 and 47, T5S R3E in Council District 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item number 10d, “Gator Park Vehicle and RV Sites, Phase 2”, and advised that it was another commercial development and was in Councilman Jeff Ard’s district, located off of Black Mud. He further stated that it was the recommendation of the Livingston Parish Planning Commission to approve the preliminary site plan for Gator Park Vehicle and RV Sites, Phase 2. Councilman Tracy Girlinghouse advised that he wished to make the motion on behalf of the chairman. Councilman Ard, the chair, advised that he had visited the proposed development and he had no objections to its approval.

Councilman Maurice “Scooter” Keen questioned where this commercial development was located. The chair explained its whereabouts between Gator Park and the interstate. He also stated that it was for when they hosted tournaments and other events for RVs.

Councilman Gerald McMorris questioned if these would be additional lots that they would be building? The chair advised that they have already done the ones on the outer portion of it. Mr. Digirolamo stated that they had brought something six (6) months ago and this would be Phase 2 that they would be adding RV spots. Councilman McMorris stated that he thought the campground was on the other side of the interstate. He acknowledged that he was good with the development and thanked them.

LPR NO. 22-076

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. “Bubba” Harris to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary site plan for Gator Park Vehicle and RV Sites, Phase 2** located on Black Mud Road, Section(s) 44, 46 and 47, T5S R3E in Council District 1.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item number 10e, “Eagle Gate Acres” and stated that it was a subdivision without improvements in Councilman Gerald McMorris’s district, located on Brown Road and it was the recommendation of the Livingston Parish Planning Commission to approve the preliminary plat for Eagle Gate Acres with the sewer waiver if the lots are at least one (1) acre in size.

Councilman McMorris requested if the engineer could address the Council members to answer questions. Councilman McMorris stated that he thought the Council had already voted on these one (1) acre lots on this development.

Mr. Billy Taylor advised that they were there at the last meeting on a project with a similar name. it was Eagle Park Estates located off of Joe May Road and this project was separate. He stated that this project was Eagle Gate Acres and it is a revised preliminary plat.

Councilman Garry Talbert questioned if this was the one (1) where you let the horses out of the barn and now you’re trying to gather them back up and redo your original. He stated that this was a part of the original development that was all one (1) deal and now you’re trying to cut it back out so you can put individual mechanicals instead of tying it into the subdivision?

Mr. Taylor advised that he would explain it a little bit differently than that, so if you let him speak... Councilman Talbert stated that nobody likes the way that he explained them, he could tell, and he didn’t understand that. Mr. Taylor advised that this development came before them at a meeting probably back in August and was approved with thirty (30) lots. Councilman McMorris concurred with this. Mr. Taylor stated that this would be reducing the number of lots that was approved with individuals who were thirty (30) lots without a waiver because of the development behind it, same property owner, different name, different restrictions. They had submitted something to the Parish and it was the Parish’s opinion or the Parish Review engineer’s opinion that it would require a waiver. Mr. Taylor informed that their developer wanted him to pass this message to you guys. He wants to be a good partner with you, he wants to be a good neighbor, he wants to develop by whatever the rules are that the Council sets forth. Their developer read the ordinance and came to Mr. Taylor stating that if you have this size lots, then you could do individual sewer, and it looks like they’re trying to promote bigger lots. Mr. Taylor stated that he liked doing bigger lots and he has done some stuff for him, and that’s what the developer had told him and that is how he came about submitting this to you. The developer stated that they would do some small lots in the back with sewer, but he was going to get him some bigger lots on the roadway, so that is what McLin Taylor submitted, and wanted to be a good neighbor. Mr. Taylor advised that if the Council members did not want that, the developer was not going to mad, but he would be back in front of the Council with sixty (60) foot lots. Councilman McMorris stated that he thought that the Council had passed something at the last meeting where the Council did not have to do a waiver, they went back and went with the one (1) acre lots. He stated that Councilman Talbert made the motion to accept that, right? Councilman Talbert answered that what they clarified was continuous, meaning that the way the ordinance talk about roads with respect to connectivity, but in essence, when you develop a subdivision the first twenty (20) can be mechanical, after that, they got to have community sewer. He stated that Eagle Park got the first twenty (20), everything else after that is “an addition”. He further stated that what they clarified was just because it had a different name, or a different owner, didn’t mean it was a...you got 20 20 20 20. So ultimately, this, needs to be tied into the community sewer system. He stated the 20 with the sewer, with the mechanical sewer has already been utilized and he stated that they needed to go back and clarify that because it is kind of ridiculous in the way it’s structured, he makes his submittal on the first 20, and then after that, everybody has to have sewer, we really need to go visit and we’ve talked about trying to

address an ordinance just to eliminate that from period. He stated, “come ask for the waiver if you want mechanical and then put everybody on the community sewer system”. He further explained that ultimately Eagle Gate Acres should be part of a community sewer system along with Eagle Gate Subdivision, because originally they were together and now they are trying to separate them.

Mr. Billy Taylor disagreed with Councilman Talbert’s comments. Mr. Taylor reported that it was approved as two (2) separate subdivisions, it was a thirty (30) lot subdivision (Eagle Gate), ... Councilman Talbert questioned if they were taking ten (10) lots out of a subdivision, right? Mr. Taylor concurred.

Councilman Shane Mack wished to comment on this. He reiterated that the Council had already approved a thirty (30) lot subdivision, that preliminary plat has already been approved, period. He stated that the Council has also a smaller lot subdivision that is a lot more than thirty (30) lots. And that larger subdivision is going to have that community sewer system so to Councilman Mack, both of those preliminary plats have already been approved. That being said, the developer is coming back and he’s modifying the thirty (30) lot subdivision to be a twenty (20) lot subdivision? Mr. Taylor responded, “yes sir”. Councilman Mack reported that he’s already been approved for single individual mechanical sewer systems for the thirty (30) lot? Mr. Taylor stated that he was originally, but there was a question on that, and that was kind of why they were appearing that evening before the Council seeking their decision on this. The property owner was originally, when they submitted for the rest of the property, the preliminary plat, and at that time, it was advised that he was above thirty (30) lots, and he was mandated to put sewer first on these lots as well. Mr. Taylor explained that was how they had presented it to the Planning Commission to request for the twenty (20) lots, being already approved, but it does require a waiver. He advised that each lot was one (1) acre. He again stated, it all stipulated on what the Council’s wishes were. Councilman Mack asked Mr. Taylor if the ordinance allows for you to have individual mechanical sewer systems? He acknowledged that Ms. Morgan Sanchez, Parish Review Engineer, located in the audience wished to comment. Mr. Taylor answered Mr. Mack’s question and stated that it does, but it does not clarify if it comes out of the same property and he, along with Mr. Sam Digirolamo and Morgan Sanchez have all spoken about this. He advised that he was not going to put words in her mouth. He further stated that they were all in agreement after talking amongst themselves and agreed that they felt like there was a little gray area and they had even spoke to Councilman Talbert about it. He requested that would be one of the things that they would like clarified in the future, but he was only asking about the one in question that was being discussed at that time. Councilman Mack purported that they really needed clarification but it had already been approved at the last meeting as Councilman McMorris had stated earlier. That being the larger lot subdivision with the community sewer, and it had been agreed that they would move forward, and then correct this problem after the fact. Councilman Talbert stated, so in the last meeting there was another twenty (20) lot subdivision that they were *worried* about, so ultimately, he continued, let’s just kind of be honest, that twenty (20) lot was presented last meeting so it wasn’t co-mingled with these and the Council had approved that with individuals because they wanted to get that out of the way. He reproved that now, all of a sudden, they’re back with *another* twenty (20) lot subdivision, trying to get *another* lot twenty (20) approved mechanical, when the understanding was, the first twenty (20) would be approved mechanical and everything else would be community. He stated that to be quite honest with you, Eagle Gate Acres should be mechanical, it should be a community sewer system along with Eagle Gate Subdivision and he said that was just his opinion, it’s just for what it’s worth. He further stated, that to be honest with you, if all three (3) of them would have been presented at the same time, we could have argued that the one approved last meeting with twenty (20) lots, could have been grouped into this, but because it was separated, it got approved for mechanical. He questioned if Councilman McMorris had the same opinion that he did? Councilman McMorris concurred. Councilman Talbert then questioned if Ms. Sanchez felt the say way?

Ms. Morgan Sanchez, Parish Review Engineer with Forte and Tablada, stated that she wished to say why she asked for them to come back. She advised that she was not there at the previous meeting to advise them. She explained that when this originally came, the development showed to be two (2) different larger lot subdivisions, being Eagle Park and Eagle Gate, First filing. She continued that they showed thirty (30) lots, and then a large tract of land behind it, possibly future development. Ms. Sanchez advised the Council members that the way their ordinances were written, is thirty (30) lots, and they got it. She explained that if they would have developed that and never said anything, the truth is, they would have received those first thirty (30). She further advised that the Council’s ordinances read that all filings within a subdivision, *not a named* subdivision, that is how Planning interprets it, they were speaking about a subdivision of property. She stated that currently they have a large tract of land, and now Eagle Gates, second (2nd) through fifteen (15), is going in that property behind it. She advised that they interpret that as that originally

approved plat, is not the same any longer because you've already showed her that you have multiple lots coming behind it within the same subdivision of property, and that is why she wished to have clarification from the Council members on that one. She advised that this one is the same instance, except that they are revising. Revisions come back to the Council, and that's a significant change. Ms. Morgan expounded that they look at this as there is a large piece of property and while they are cutting out the twenty (20) lots in front, there is still all that property in the back and they are showing it now as they've changed the name Eagle Gates Acres and Eagle Gate first and second filing. She clarified that they look at it as cumulative, so you have to count it all in that subdivision of property, it is not the name of the subdivision-that's how they interpret it-and Billy Taylor of McLin Taylor, interprets it differently, which is why Mr. Taylor has asked that Council clean up the ordinance because it is interpreted two (2) different ways by two (2) different people. Ms. Morgan asked if she was going to say that she thinks it is terrible to have acre lots? No, she thought that acre lots were great, and she wished to say that as a citizen of Livingston Parish, this is why she was requesting a waiver or stating that the development needed a waiver, because technically the way the ordinances are written, is that it is the same piece of property and you have to count all filings in all subdivisions of it.

Councilman McMorris stated that he wished to make a motion to accept the waiver and he wished to explain why. He advised that if the Council did not accept this waiver on this one, they would be splitting it up even more, and he would rather have 30, 20, 20 lots, instead of seventy-five(75) lots on acreage right there. Councilman McMorris requested for the Council's support to approve the waiver.

The Council clerk requested clarification on the correct name of the development as there was conflicting documentation. It was determined that the development name should be "Eagles" not Eagle.

Councilman Talbert asked if Councilman McMorris was in favor of the waiver so that you end up with only twenty (20) lots on that twenty-one (21), twenty-two (22) acres. Councilman McMorris emphatically stated yes.

LPR NO. 22-077

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to accept the recommendation of the Livingston Parish Planning Commission and **approve the revised preliminary plat for Eagles Gate Acres with the waiver,** located on Brown Road, Section(s) 22, 23 and 26, T7S R3E in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item 10f, "Eagles Gate First and Second Filing". He clarified that this was *Eagles* with an "S", and it was a subdivision with improvements and was also located in Councilman Gerald McMorris's district being located off of Brown Road and it was the recommendation of the Livingston Parish Planning Commission to approve the preliminary plat for Eagles Gate, first and second filing.

Councilman McMorris explained that the developer made some changes to the plat over to the roads in the part that the Council had already approved. He asked if any of the Council members had any questions, and they could pass them along to Mr. Billy Taylor of McLin Taylor.

The chair asked if there were any public input. Having none, he questioned if the Council members wished to speak.

Councilman Shane Mack directed his question to Mr. Taylor. He commented that he had observed that the retention had subsurface drainage and questioned if the development would be able to drain the entire subdivision subsurface to those retention ponds? Mr. Taylor answered from the audience and his answer to Councilman Mack's question was inaudible. The chair called for the vote.

LPR NO. 22-078

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to accept the recommendation of the Livingston Parish Planning Department and approve the revised preliminary plat for Eagles Gate Subdivision, located on Brown Road, Section(s) 22, 23 and 26, T7S in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11, “Adopt Resolution to name an unnamed road, “Robbie Lee Drive,” located off Walker North Road in District 1 - Jeff Ard.

The chair questioned the Council clerk if the issues with naming this road had been cleared up. Unfortunately they had not. This agenda item would be deferred until the property owners could submit another petition with a name that had not yet been assigned and also needed approval by the 911 system.

The chair addressed agenda item number 12, “Adopt resolution to authorize waiver for mobile home to be placed at 24687 George Settlement Road, Springfield, LA 70462 that will be a second structure on the property and is short of the footage required”, and called upon Councilman Randy Delatte.

Councilman Delatte stated that this was in a non-subdivision, that has her sister’s trailer on it, it’s a half (1/2) acre lot, and she wants to put her trailer on it, being two hundred (200) feet short which is in an area of twenty (20) by ten (10). He advised that he would like to give her a motion to pass. The chair stated that the motion was to allow the second structure.

Councilman Talbert questioned Councilman Delatte if the health department was going to have an issue with the mo-dad because there is not enough square footage? Councilman Delatte stated that if she does, that could be between the health department and her. She was aware that could be a possibility. She was told that her sister could put a bigger septic tank down and she could tie into that.

LPR NO. 22-079

MOTION was made by Randy Delatte and duly seconded by Gerald McMorris to authorize waiver for mobile home to be placed at 24687 George Settlement Road, Springfield, LA 70462 that will be a second structure on the property and is short of the footage required.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 13ai and 13aii, “Board (Re)appointment(s):” and called upon Councilman Shane Mack.

Councilman Mack explained that the Council needed to ratify the Town appointment to Fire District 1 and also the Fire Protection District’s Board appointment.

LPR NO. 22-080

MOTION was made by Shane Mack and duly seconded by Tracy Girlinghouse to ratify the appointment of Sid Woods who replaced Darren Cunningham as the Town of Albany’s Fire Protection District No. 1’s board appointment; whose two (2) year term will expire

on January 1, 2024; in addition to, also ratifying Fire Protection District No. 1’s Board appointment, Rodney Russell, whose two (2) year term will expire on January 1, 2024.

- YEAS: MR. ARD, MR. GIRLINGHOUSE, MR. WASCOM, MR. HARRIS, MR. MCMORRIS, MR. DELATTE, MR. KEEN, MR. TALBERT, MR. MACK
- NAYS: NONE
- ABSENT: NONE
- ABSTAIN: NONE

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

The chair addressed agenda item number 14ai, “Committee Report(s): Ordinance committee: Recommendation(s) for **Introduction of Ordinance**” and called upon Councilman John Wascom, Chairman. Councilman Wascom advised that they had picked up two (2) items on the ordinance committee and requested that they pull them up individually. He stated that number one and two were the same thing, they were just broken down into two (2) ordinances. They felt like a turnaround should be in a different section of the ordinance than the setback, so it’s just basically the same ordinance but it’s in two (2) different sections that’s why what they have done, being the same ordinance that they had spoken about at the last ordinance committee meeting about the setbacks. He explained that tonight they did not have a quorum, but the ordinance committee supported it and all that was done that was different, was Mr. Gerald got with Ms. Sandy and cleaned it up even better and had the attorney look at it and it was approved. Councilman Wascom stated that he wished to make the motion to introduce the ordinance for the building set lines requirements and in that add number 2, Section 125-34, Safety Requirements of Property adjacent to state and federal highways.

Public input: Gerald Burns, chairman of the Master Plan Review Committee

Councilman Garry Talbert asked for a legal opinion from Mr. Christopher Moody.

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

L. P. ORDINANCE NO. 22-04

AN ORDINANCE TO HEREBY AMEND CHAPTER 125, “SUBDIVISION REGULATIONS”, ARTICLE I – “IN GENERAL”, BY ADDING SECTION 125-33, “BUILDING LINES/SETBACKS REQUIREMENTS THAT ARE ADJACENT TO STATE AND FEDERAL HIGHWAYS”, AND SECTION 125-34, “SAFETY REQUIREMENTS OF PROPERTY ADJACENT TO STATE AND FEDERAL HIGHWAYS”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

LPR NO. 20-081

MOTION was offered by R.C. “Bubba” Harris and duly seconded by John Wascom to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, March 24, 2022 at the hour of six o’clock (6:00) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

- YEAS: MR. ARD, MR. GIRLINGHOUSE, MR. WASCOM, MR. HARRIS, MR. MCMORRIS, MR. DELATTE, MR. KEEN, MR. TALBERT, MR. MACK
- NAYS: NONE
- ABSENT: NONE
- ABSTAIN: NONE

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

Councilman Wascom addressed 14ai3:
3. Councilman Garry Talbert’s presentation to the Ordinance committee to amend various sections of Chapter 125, “Subdivision Regulations” by including FONSI to ensure that any alterations to project designs are up to date with the current standards to reduce drainage issues and prevent flooding

Councilman Wascom stated that the Ordinance committee wished to recommend to defer this ordinance introduction.

Councilman Talbert disagreed and wanted to introduce the ordinance even though it had a few problems. He stated that longer we defer then, with two (2) more weeks, two (2) more weeks, two (2) more weeks, we can introduce this ordinance, we can fix a couple of things in ordinance committee, we can amend it, then vote on it in two (2) weeks. Councilman Tracy Girlinghouse suggested to defer it then? Councilman Talbert wanted to introduce tonight as it as it's done, he stated that we know the two (2) things that we want to correct and he stated that Mr. Taylor would like to come and speak on behalf of that, if he thought that he would, Councilman Talbert stated that we've all kind of agreed upon need to be fixed and we can introduce it now and fix them later.

Public input: Billy Taylor

Mr. Taylor advises that two (2) weeks ago there was an ordinance committee meeting and ya'll asked us to talk to a lot of people and invite people to hear what ya'll are trying to pass and there was a lot of people who attended the Ordinance committee earlier that evening with a lot of input. He stated that he agreed with Mr. Talbert and that the Council needed to move this forward with a couple of minor things to fix and got time to do it, so he said that we move forward and go ahead from there.

Councilman Wascom stated that he appreciated that, however, he attended the same meeting earlier and there was a lot people with a lot of questions. He stated that Mr. Talbert was not there for the majority of the meeting. He stated that during the discussion there were a lot of things that needed changing and he offered to let the Ordinance committee have a chance to look it over a rough draft before the Council introduces it.

Councilman Talbert made a motion to introduce. Councilman Maurice "Scooter" Keen made a second. The Council chairman requested that Councilman Talbert repeat his motion so they would get it right.

Councilman Talbert stated so we get introduced, do the introduction and set the public hearing and asked the Council clerk what number the ordinance would be. He stated that they were going to introduce it as it's written and then we're going to amend and then we'll vote on it as amended.

Councilman Talbert amended his motion and amended the introduction and everywhere in the current ordinance where it refers to a fonsi in yellow is going to be stricken.

There was disruption among the Council members about introducing the ordinance. Councilman Shane Mack argued that they needed to discuss this ordinance because there was major modifications to this development ordinance. He stated that was not what the ordinance committee discussed and agreed upon at their meeting earlier that evening.

The chair asked if Councilman Mack wished to make a substitute motion. Councilman Mack agreed that he wished to make a substitute motion.

Councilman Mack made a motion for a substitute motion that the Council would defer this ordinance until the Ordinance committee can read and review and make sure that the ordinance is introduced well written, accurate and it meets the intentions of the ordinance and the constituents. Councilman Wascom seconded that motion. Councilman Mack stated that there was not one word in this ordinance that's modified.

The chair stated that the question had been called.

The chair further explained that he will call for the vote, but he wished to state that the will not vote again after tonight to kick this down the road, not again, when they have the next ordinance meeting, the ordinance needed to be fixed.

The chair called for the vote.

LPR NO. 22-082

SUSTITUTE MOTION was made by Shane Mack and duly seconded by John Wascom to defer the introduction of the ordinance until the Ordinance committee can read and review and make sure that the ordinance is introduced well written, accurate and it meets the intentions of the ordinance and the constituents.

YEAS: MR. ARD, MR. WASCOM, MR. HARRIS, MR. MCMORRIS, MR. DELATTE, MR. MACK

NAYS: MR. GIRLINGHOUSE, MR. KEEN, MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

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

The chair stated that the motion passed and the ordinance was deferred to the Ordinance committee.

The chair stated that he had some business since they were on committee reports. He stated that Councilman Keen had requested to get off of the Ordinance committee because his workload had gotten pretty heavy. Mr. Talbert's agreed to get back and take his spot, so Mr. Talbert will now be on the Ordinance committee.

The chair addressed agenda item 14b, "Finance committee" and called upon Councilman Maurice "Scooter" Keen who advised that the committee had not met.

The chair addressed agenda item number 22, "District Attorney's Report:" and advised he would send them a letter about what they had discussed that evening, so he would have to give his comment to the public.

The chair addressed agenda item number 23, "Councilmen's comments".

Councilman Tracy Girlinghouse stated that his Walker Wildcat girls had fell a little short on the final four the other night, but the boys were still in it and they would be playing the following Wednesday. The chair stated that the boys would be playing in Lake Charles while the Council members were also there attending the Police Jury Association.

Councilman Gerald McMorris wished to encourage everyone to keep the nation of Ukraine in their prayers, just as Councilman Shane Mack had stated earlier.

He also wished to encourage everyone to attend the Parish's Planning Commission meetings, as well as attending the Council's committee meetings. Councilman McMorris stated that the Council members made sure that they were there to help the constituents by putting things in place. He stated that he was begging the people of the Parish to come and fill the Council chambers.

Councilman R.C. "Bubba" Harris wished to thank everyone and the chair stated that everyone was glad to have him back.

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, March 24, 2022, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 22-083

MOTION was offered by Tracy Girlinghouse and duly seconded by R.C "Bubba" Harris to adjourn the March 8, 2022 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

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\ Jeff Ard
Jeff Ard, Council Chairman