

**Minutes of the Livingston Parish Council
Livingston, Louisiana
January 26, 2023**

The Livingston Parish Council met in a regular session duly called, advertised, and convened at its regular meeting place, at the Governmental Building in the Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, January 26, 2023, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Jeff Ard	Gerald McMorris
Garry Talbert	Tracy Girlinghouse
Maurice "Scooter" Keen	Randy Delatte
Erin Sandefur	Shane Mack
John Wascom	

Absent: Parish President Layton Ricks

Also present: Mark Harrell on behalf of the Parish President's absence
Christopher Moody, Parish Legal Counsel

The chair called the meeting to order.

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

The chair addressed agenda item number 7, "Reorganization of Council member seating in the Council chambers – Gerald McMorris and John Wascom".

The chair acknowledged that the seating arrangements had been taken care of prior to the beginning of the meeting, to which Councilman Gerald McMorris concurred.

- The chair addressed agenda item number 8, "Department of Public Works – Sam Digirolamo"
- a. Approve the 2023 Road Construction List as presented by Billy Taylor, Parish Road Engineer
 - b. Approval to locate the proposed gas main along the slope of the existing ditch farthest from the edge of road within the Parish right-of-way along AydeLL Lane in Council District 6 regarding upgrades facilitated by Livingston Gas and Utility – Gerald McMorris"

The chair called upon Mr. Billy Taylor to address agenda item number 8a, "Approve the 2023 Road Construction List as presented by Billy Taylor, Parish Road Engineer".

LPR NO. 23-032

MOTION was made Randy Delatte and duly seconded by Tracy Girlinghouse to approve the 2023 Road Construction List as follows:

**2023 ROAD IMPROVEMENT PROGRAM
RECOMMENDATION FOR 2023 ROADS**

	ROAD	LOCATION	DISTRICT	ROAD LENGTH	CONST. COST	CUMULATIVE COST	PRIORITY SCORE
1	Fountain View Drive	Located in Spring Lake Subdivision	1	1,800	\$135,000	\$135,000	45.8
2	Lake Terrace Drive	Located in Spring Lake Subdivision	1	650	\$48,750	\$183,750	42.1
3	NATURES WAY	Located in Spring Lake Subdivision	1	1,800	\$135,000	\$318,750	40.5
4	Garnet Lake Drive	Located in Spring Lake Subdivision	1	500	\$37,500	\$356,250	31.5
5	Diamond Lake Drive	Located in Spring Lake Subdivision	1	1,300	\$97,500	\$453,750	29.1
6	Sapphire Drive	Located in Spring Lake Subdivision	1	500	\$37,500	\$491,250	27
7	Ruby Lake Drive	Located in Spring Lake Subdivision	1	1,300	\$97,500	\$588,750	25.8
8	SPRING LAKE DR (NORTH SECTION)	Located in Spring Lake Subdivision	1	1,800	\$135,000	\$723,750	25
9	Quarter Horse Lane	Located Off of Thoroughbred Lane	1	4,650	\$348,750	\$1,072,500	41.9
10	Thoroughbred Lane	Located Off Louisiana Purchase Blvd	1	2,600	\$195,000	\$1,267,500	35.3
11	Percy Young Road	B/t LA Hwy 1024 & LA Hwy 1025	1	9,000	\$675,000	\$1,942,500	42.9
12	Rosalie Avenue	Located in Easterly Lakes Subdivision	2	1,400	\$84,000	\$2,026,500	30.9
13	Hunstock Avenue	Located off of La 16	2	1,900	\$114,000	\$2,140,500	23

14	R. Dawes Drive	Located in Easterly Lakes Subdivision (E of Dialtha)	2	2,400	\$144,000	\$2,284,500	21.8
15	Marion Drive	Located in Hunstock Hills Subdivision	2	2,850	\$171,000	\$2,455,500	21.8
16	Gwendolyn Drive	Located in Hunstock Hills Subdivision	2	2,500	\$150,000	\$2,605,500	21.5
17	Beverly Drive	Located in Hunstock Hills Subdivision	2	3,900	\$234,000	\$2,839,500	21.2
18	Ashley Drive	Located in Hunstock Hills Subdivision	2	1,000	\$60,000	\$2,899,500	20.8
19	Dama Drive	Located in Hunstock Hills Subdivision	2	1,000	\$60,000	\$2,959,500	18.8
20	Dialtha Drive	Located in Easterly Lakes Subdivision	2	1,500	\$90,000	\$3,049,500	10.3
21	Wyeth Drive	Located in Easterly Lakes Subdivision	2	3,750	\$225,000	\$3,274,500	17.8
22	Isabella Court	Cypress Garden Subdivision	3	1,000	\$60,000	\$3,334,500	32.2
23	La Madeline Court	Cypress Garden Subdivision	3	700	\$42,000	\$3,376,500	28.3
24	Gemmil Court	Cypress Garden Subdivision	3	300	\$18,000	\$3,394,500	24
25	Willow Brook Avenue	Located in The Willows Subdivision	4	2,800	\$210,000	\$3,604,500	48.1
26	Josephine Street	Located off of Summers Street	4	375	\$28,125	\$3,632,625	46.4
27	Weeping Willow	Located in The Willows Subdivision	4	3,150	\$236,250	\$3,868,875	46.1
28	Montgomery Drive	Located off of LA Hwy 1032	4	1,000	\$75,000	\$3,943,875	43.9
29	Deemer Street	Located off of Summers Street	4	350	\$26,250	\$3,970,125	43.5
30	Gray Eagle Drive	Gray's Creek Subdivision	4	1,900	\$142,500	\$4,112,625	43.3
31	Bruce Drive	Located off of Bret Drive	4	1,650	\$123,750	\$4,236,375	42.3
32	Traci Avenue	Located off of Cockerham Road	4	1,100	\$82,500	\$4,318,875	38.7
33	Gary Drive	Meadowbrook Subdivision	4	1,500	\$112,500	\$4,431,375	35.8
34	Pine Street	B/tw North Range Avenue and White Oak Drive	4	3,025	\$226,875	\$4,658,250	31.4
35	Southpoint Drive (Portion)	From Springhill Drive to Shady Bend	5	925	\$69,375	\$4,727,625	56.7
36	Anna Margaret Lane	Located off of Lee Ellis Road	5	550	\$41,250	\$4,768,875	54.2
37	Wellington Avenue	Located in South Point Subdivision	5	1,275	\$95,625	\$4,864,500	44.8
38	Shady Bend Drive	Located in South Point Subdivision	5	1,000	\$75,000	\$4,939,500	42.7
39	Country Manor Avenue	Located in South Point Subdivision	5	1,750	\$131,250	\$5,070,750	41.8
40	Victory Lane	Located off of Gloryland Way	5	1,500	\$112,500	\$5,183,250	41.5
41	Gloryland Way	Located off of Forrest Delatte Road	5	1,200	\$90,000	\$5,273,250	34.1
42	Regency Park	Located off of Vincent Road	5	1,060	\$79,500	\$5,352,750	36.5
43	John L Lane	Located B/tw Buddy Ellis Road to Brown Road	5	7,150	\$536,250	\$5,889,000	54.9
44	Sandlewood Court	Located in South Point Subdivision	5	1,320	\$99,000	\$5,988,000	33.8
45	Sunnybrook Drive	Located in South Point Subdivision	5	700	\$52,500	\$6,040,500	33.3
46	Waterford Court	Located in South Point Subdivision	5	700	\$52,500	\$6,093,000	31.9
47	Parkway Ave	Located in South Haven Subdivision	6	2,920	\$219,000	\$6,312,000	56.8
48	Cypress Point Lane	Off of Ritchie Road	6	15,000	\$1,125,000	\$7,437,000	5.5
49	Milton Lane (south of Interstate)	B/t Walker South Road and Gaylord Road	7	2,600	\$195,000	\$7,632,000	48.9
50	Twelve Oaks Drive	Off of Gaylord Road	7	1,100	\$82,500	\$7,714,500	45.3
51	Kelley Street	Located B/tw Jo Ann Street and Paul Street	7	750	\$56,250	\$7,770,750	41.4
52	Jim Tilley Street	B/t Travis Street and Church Street	7	450	\$33,750	\$7,804,500	41
53	Old Walker South	From Hartman to Vera McGowen	7	300	\$22,500	\$7,827,000	38.2

54	Hartman	B/t Old Walker South and Gaylord Road	7	2,200	\$165,000	\$7,992,000	36.3
55	Lakeland Drive	Off of Pendarvis Lane (Three Lakes Subd)	7	2,300	\$172,500	\$8,164,500	34.6
56	Elm Street	B/t LA Hwy 447 and Stump Street	7	650	\$48,750	\$8,213,250	32.4
57	Sycamore Street	Located Off of Travis Street	7	1,100	\$82,500	\$8,295,750	31.5
58	College Drive	From Hwy 190 to Wildcat Drive	7	1,100	\$82,500	\$8,378,250	30.9
59	Aydell Lane (east of bridge to Gaylord)	B/t Walker South Road and Gaylord Road	7	1,850	\$138,750	\$8,517,000	30.5
60	Joe Stafford Street	Off of Florida Blvd	7	775	\$58,125	\$8,575,125	29.3
61	Brannon Street	B/t LA Hwy 447 and Stump Street	7	550	\$41,250	\$8,616,375	26.6
62	Brookcrest Drive	Located in Collins Place Subdivision	7	2,300	\$172,500	\$8,788,875	22.5
63	Concord Drive	Located in Collins Place Subdivision	7	800	\$60,000	\$8,848,875	22.2
64	Ridgeway Drive	Located in Collins Place Subdivision	7	830	\$62,250	\$8,911,125	18.6
65	Cambridge Drive	Located in Collins Place Subdivision	7	450	\$33,750	\$8,944,875	14.8
66	Hollydale Drive	Located in Collins Place Subdivision	7	400	\$30,000	\$8,974,875	14.5
67	OLIVER WHEAT ROAD	B/t LA 63 and LA 42	8	15,300	\$1,147,500	\$10,122,375	63.8
68	Country Lane	Off of LA 22 in Maurepas	8	3,800	\$285,000	\$10,407,375	41.2
69	Miller Road	B/t LA HWY 444 and Gum Swamp Road	8	15,950	\$1,196,250	\$11,603,625	54.9
70	Pierson Road	Located Off of Hwy 190	9	4,750	\$356,250	\$11,959,875	44.1
71	Thompson Street	Located off of Hwy 190	9	300	\$22,500	\$11,982,375	39.2
72	SIDNEY WOODS ROAD	B/t Charles Holden Rd and Florida Blvd (US 190)	9	5,270	\$395,250	\$12,377,625	38.8
73	Jro-Rey Street (AKA E School St)	Located off of LA Hwy 43	9	300	\$22,500	\$12,400,125	36.8
74	Dan Pierson Road	Located Off of Hwy 190	9	5,900	\$442,500	\$12,842,625	35.6
75	OLD CC/SLAUGHTER PEN ROAD	B/t Pea Ridge Road and LA 43	9	6,900	\$517,500	\$13,360,125	35

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 8b, "Approval to locate the proposed gas main along the slope of the existing ditch farthest from the edge of road within the Parish right-of-way along Aydell Lane in Council District 6 regarding upgrades facilitated by Livingston Gas and Utility – Gerald McMorris".

Councilman McMorris explained the plans to install a new line that would travel down Aydell Lane to feed existing customers.

The Council clerk advised that Mr. Sam Digirolamo had contacted the Council office and explained that he could not be in attendance at this meeting to address this item. He requested that that Council members include the wording that the Parish would not be responsible for any costs associated with repairs, relocation or any maintenance to these lines.

The chairman acknowledged that the Parish always requires that in writing. Councilman McMorris advised that this is done every year and he requested that he could review the agreement documentation, then it could be given to the gas company in French Settlement.

Councilman Keen asked if Councilman McMorris was making the motion based on the wording to which he concurred.

LPR NO. 23-033

MOTION was made Gerald McMorris and duly seconded by Randy Delatte to approve the location of the proposed gas main along the slope of the existing ditch farthest from the edge of road within the Parish right-of-way along Aydell Lane in Council District 6 regarding upgrades facilitated by Livingston Gas and Utility; and have an agreement that the Parish of Livingston will not be responsible for any costs incurred for repairs, relocation or any maintenance to these lines.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Gerald McMorris stated that he wished to see the agreement between the Parish of Livingston and Livingston Gas and Utilities whereby consenting that any costs incurred on these gas lines will be incumbent on Livingston Gas and Utilities and not the Parish of Livingston.

The chair addressed agenda item number 9a:

Presentations:

- a. Keep Livingston Beautiful: KLB Representatives Lynda Gardiner and Ryan Chavers – Randy Delatte

Councilman Randy Delatte called upon Ryan Chavers and invited him to deliver his presentation to the Council members.

Mr. Ryan Chavers introduced himself to the Council members and advised that he was a board member of Keep Livingston Beautiful. He explained what this organization does and projects that have been done in the past and the their plans for the future.

He introduced board members in the audience, Ms. Linda Gardiner, Board director, Eric Edwards with the Livingston Tourism board, Ms. Donna Jennings, Lance Landry with the Sheriff’s office, JT Taylor, the mayor of Livingston, Kathleen Abels, and the business owners which included himself, Adam Cutrer, Steve Bernard, Whitney Andrus, Shawn Brady and Donna Milano. He reported data from litter pickups that were held around the Parish. He explained their goals and asked for help from the Council members.

The chair stated that the Council will help in any way that they can. He encouraged him to please reach out to them individually or as a Council.

The chair wished to acknowledge a request for Public input on agenda item 8a which was passed earlier. He called upon Ms. Kim Woods who submitted the request and asked if she still wished to speak on this agenda item. Ms. Woods advised that she was good and no longer wished to speak and address this item.

The chair addressed agenda item number 10, “Adopt the Minutes of the January 12, 2023 regular meeting of the Livingston Parish Council”. The chair advised that this item would be deferred to the next Council meeting on February 9, 2023.

The chair addressed agenda item number 11, “Parish Presidents Report:”. Having no report, the chair moved to the next agenda item.

The chair addressed agenda item number 12a and b, “Livingston Parish Grants Department:” and called upon Mr. Mark Harrell.

- a. Resolution authorizing the parish president to execute the contract between the Livingston Parish Council and Wilco Marsh Buggies & Draglines, Inc., the responsible low bidder for the Amite and Blind River Dredging Project being funded by GOMESA.
- b. Approve recommendation to enter into contract with Meyer, Meyer, LaCroix & Hixson, Inc. to provide project delivery services regarding the Louisiana Community Development Block Grant (LCDBG) – Disaster Recovery and Mitigation/Resiliency Programs for the Waterway Debris Removal Project.

LPR NO. 23-034

MOTION was made Randy Delatte and duly seconded by Shane Mack to authorize the Parish President to execute the contract between the Livingston Parish Council and Wilco Marsh Buggies and Draglines, Inc., based on being the responsible low bidder in the amount of amount \$2,199,903.00 for the Amite and Blind River Dredging Project being located at the confluence of the Amite and Blind Rivers with Lake Maurepas in Livingston Parish, Louisiana, which

consists of installing pre-construction surveys, dredge discharge pipelines, hydraulic dredging and fill placement, and as-built surveys; federal funding provided by GOMESA.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 23-035

MOTION was made Shane Mack and duly seconded by Jeff Ard to authorize the Parish President to enter into contract with Meyer, Meyer, LaCroix & Hixson, Inc. to provide project delivery services regarding the Louisiana Community Development Block Grant (LCDBG) – Disaster Recovery and Mitigation/Resiliency Programs for the Waterway Debris Removal Project; the provision of these services by Meyer, Meyer, LaCroix & Hixson will be 2.25% of the total amount of the parish’s allocation for disaster recovery waterway debris removal (\$15,000,000), which is \$337,500.00.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 13, “Public Hearing and Adoption of L.P. Ordinance No. 23-01: Renewal of the levy and collection of ad valorem tax from the December 10, 2022 election for the Council on Aging (2 mills/10 years)” and asked the Council clerk to read the ordinance by title:

L.P. ORDINANCE NO. 23-01

AN ORDINANCE DIRECTING THE RENEWAL OF THE LEVY AND COLLECTION OF AN AD VALOREM TAX OF TWO (2) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF ALL PROPERTY SUBJECT TO TAXATION WITHIN THE GEOGRAPHIC BOUNDARIES OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, FOR A PERIOD OF TEN (10) YEARS, BEGINNING WITH THE YEAR 2024 AND ENDING WITH THE YEAR 2033, FOR THE PURPOSE OF PAYING COSTS OF PROGRAMS FOR THE ELDERLY CITIZENS OF LIVINGSTON PARISH TO BE ADMINISTERED BY THE PARISH THROUGH THE LIVINGSTON COUNCIL ON AGING, INCLUDING SERVICES, OPERATIONS, CAPITAL IMPROVEMENTS, EQUIPMENT AND OTHER LAWFUL EXPENSES RELATED THERETO.

The chair opened the Public Hearing and asked if there was anyone who wished to speak on this agenda item.

Having none, the chair closed the Public Hearing.

LPR NO. 23-036

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on January 12, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on January 26, 2023 on Motion of Jeff Ard and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 23-01

AN ORDINANCE DIRECTING THE RENEWAL OF THE LEVY AND COLLECTION OF AN AD VALOREM TAX OF TWO (2) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF ALL PROPERTY SUBJECT TO TAXATION WITHIN THE GEOGRAPHIC BOUNDARIES OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, FOR A PERIOD OF TEN (10) YEARS, BEGINNING WITH THE YEAR 2024 AND ENDING WITH THE YEAR 2033, FOR THE PURPOSE OF PAYING COSTS OF PROGRAMS FOR THE ELDERLY CITIZENS OF LIVINGSTON PARISH TO BE ADMINISTERED BY THE PARISH THROUGH THE LIVINGSTON COUNCIL ON

AGING, INCLUDING SERVICES, OPERATIONS, CAPITAL IMPROVEMENTS, EQUIPMENT AND OTHER LAWFUL EXPENSES RELATED THERETO.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of January 2023.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 5)

The chair addressed agenda item number 14, "Public Hearing and Adoption of L.P. Ordinance No. 23-02: Renewal of the levy and collection of ad valorem tax from the December 10, 2022 election for the Parish Roads and Bridges (5 mills/10 years)", and asked the Council clerk to read the ordinance by title:

L.P. ORDINANCE NO. 23-02

AN ORDINANCE DIRECTING THE RENEWAL OF THE LEVY AND COLLECTION OF AN AD VALOREM TAX OF FIVE (5) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF ALL PROPERTY SUBJECT TO TAXATION WITHIN THE GEOGRAPHIC BOUNDARIES OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, FOR A PERIOD OF TEN (10) YEARS, BEGINNING WITH THE YEAR 2023 AND ENDING WITH THE YEAR 2032, FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING ROADS AND BRIDGES WITHIN THE PARISH.

The chair opened the Public Hearing and asked if there were anyone who wished to speak for or against this proposed ordinance.

Having none, the chair closed the Public Hearing.

LPR NO. 23-037

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on January 12, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on January 26, 2023 on Motion of Maurice "Scooter" Keen and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 23-02

AN ORDINANCE DIRECTING THE RENEWAL OF THE LEVY AND COLLECTION OF AN AD VALOREM TAX OF FIVE (5) MILLS ON THE DOLLAR OF ASSESSED VALUATION OF ALL PROPERTY SUBJECT TO TAXATION WITHIN THE GEOGRAPHIC BOUNDARIES OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, FOR A PERIOD OF TEN (10) YEARS, BEGINNING WITH THE YEAR 2023 AND ENDING WITH THE YEAR 2032, FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING ROADS AND BRIDGES WITHIN THE PARISH.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of January 2023.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 5)

The chair addressed agenda item 15, “Public Hearing and Adoption of L.P. Ordinance No. 23-03: Amend Chapter 127, by creating Section 127-8, “Multifamily-Width Requirements” and invited the Council clerk to read the proposed ordinance by title:

L.P. ORDINANCE 23-03

AN ORDINANCE TO AMEND CHAPTER 127, “MULTIFAMILY DEVELOPMENT.”

The chair opened the Public Hearing and asked if there were anyone who wished to speak for or against this proposed ordinance.

Having none, the chair closed the Public Hearing.

Councilman Garry Talbert stated that he wished to make a motion to approve this ordinance, seconded by Councilman Shane Mack.

The Council clerk wished to call upon Parish legal counsel, Mr. Christopher Moody, as there were corrections needed to the proposed ordinance.

The ordinance amendment needed is as follows:

WHEREAS, the Livingston Parish Council wishes to amend the Code of Ordinances of Livingston Parish ~~but creation~~ **by creating** and enacting Chapter 127, titled “Multifamily Development”, to ensure the safety, health, and wellbeing of all citizens in the Parish of Livingston;

LPR NO. 23-038

MOTION was made by Garry Talbert and duly seconded by Shane Mack to amend L.P. Ordinance No. 23-03:

WHEREAS, the Livingston Parish Council wishes to amend the Code of Ordinances of Livingston Parish ~~but creation~~ **by creating** and enacting Chapter 127, titled “Multifamily Development”, to ensure the safety, health, and wellbeing of all citizens in the Parish of Livingston;

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 23-039

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on January 12, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on January 26, 2023 on Motion of Garry Talbert and seconded by Shane Mack:

L.P. ORDINANCE 23-03

AN ORDINANCE TO AMEND CHAPTER 127, “MULTIFAMILY DEVELOPMENT.”

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared **adopted as amended** on the 26th day of January 2023.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 5)

The chair addressed agenda item number 16, “Public Hearing and Adoption of L.P. Ordinance No. 23-04: Amend Chapter 125, by creating Section 125-140, “Subdivision Regulations-Notification Sign Requirement” and called upon the Council clerk to read the ordinance by title:

L.P. ORDINANCE 23-04

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE XI, "VARIANCES" BY CREATING SECTION 125-140 "NOTIFICATION SIGN REQUIRMENT" AS FOLLOWS.

The chair opened the Public Hearing and asked if there were anyone who wished to speak for or against this proposed ordinance.

Having none, the chair closed the Public Hearing.

Councilman Garry Talbert had a question on clarification. He stated that the ordinance they created a while back that if you add a filing, a subdivision or whatever, instead of putting it at the dead end, where the thing was you had to put at the front. This refers to a dead end road and he is concerned somewhat that if we go back to allowing signed places at a dead end, that nobody sees it that would be affected by those traveling. He stated for example, if he has a dead end road and there are fifty (50) houses on the dead end road, and he puts the sign at the dead end, probably nobody's going to see that sign, but all fifty (50) of those homes will be affected by whatever is developed on the back side. He further stated that he understood that they were talking about the "V" versus a flat placement sign, and he understood that there was no need for a "V" on a dead end road, but was concerned that if we don't address what's in front of the dead end by notifying those people what are coming that we're doing them a disservice. So he was wondering is there some wording or should they maybe defer this, he didn't know. But if there should be the sign to be put everywhere a road enters in addition. He asked them if they knew what he was talking about? Because ultimately...

Councilman Tracy Girlinghouse stated that he thought that the problem there was if it's a road that dead ends and the furthest intersection would be on people's property.

There was an open discussion.

Councilmembers' input: Councilman Maurice "Scooter" Keen
Councilman Jeff Ard

Councilman Garry Talbert stated that he was just making a comment, that we protected a subdivision against filings, however, we could end up with a development at the back side of a dead end road that everybody that lived on that road might not know what's coming behind them, but their road and their way of life would be impacted. He stated that he was not trying to argue about this ordinance, he was just thinking that the Ordinance committee probably ought to take up how they could address those people who live in front of a dead end development, how they could be better notified.

Councilman Randy Delatte agreed and questioned if the ordinance would need to be amended to include Councilman Talbert's suggestions or should the Council table the ordinance.

Councilman Tracy Girlinghouse stated that the Council could adjust that, but that has nothing to do with this ordinance as it is. He advised that it was his opinion that the Council should adopt this ordinance, and then make the change in a separate ordinance.

There was an open discussion in regard to the placement of the sign when there is not public property available.

LPR NO. 23-040

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on January 12, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on January 26, 2023 on Motion of Jeff Ard and seconded by Shane Mack:

L.P. ORDINANCE 23-04

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE XI, "VARIANCES" BY CREATING SECTION 125-140 "NOTIFICATION SIGN REQUIRMENT" AS FOLLOWS.

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

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

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of January 2023.

(The above and foregoing ordinance, upon final approval by the President, or the Council in case of veto by the President, shall be published in full in the Official Journal by the Clerk of the Council within fifteen (15) days of its adoption and shall be recorded in full in the Livingston Parish Council Ordinance Book No. 5)

The chair addressed agenda item 17, "Introduction of ordinance: Council District 5 Zoning Map – Erin Sandefur" and called upon the Council clerk to read the ordinance by title.

L. P. ORDINANCE NO. 23-05

AN ORDINANCE TO CERTIFY THE OFFICIAL ZONING MAP OF THE UNINCORPORATED AREAS OF COUNCIL DISTRICT FIVE IN THE PARISH OF LIVINGSTON ENTITLED "LIVINGSTON PARISH ZONING MAP COUNCIL DISTRICT NO. FIVE" REFERRED TO IN CHAPTER 117 OF THE LIVINGSTON PARISH CODE OF ORDINANCES.

The chair called upon Councilwoman Erin Sandefur who explained of her efforts for public input from her constituency. She advised that she had walked the streets of Council District 5, she had also called upon as many constituents that she could get interested, and she felt that she represented what the people want in regard to zoning in Council District 5. She clarified that the map is fluid, and is ever changing, and may be different in a month, and will definitely be different in six (6) months and it will keep changing. She stated that she was pleased to introduce this map and wished to make a motion to introduce.

Councilman Shane Mack wished to second that motion.

The chair asked if there were any discussion. Councilman Garry Talbert stated that he wanted to make a substitute motion that they introduce the map that Ms. Sandefur has, and the map that AFA spent one hundred (100) hundred hours on after they went back to the Planning Commission and gathered all approved developments, commercial and residential, after their initial deal, so that there would be less non-conforming properties.

The chair asked for clarification. Councilman Talbert stated that he wanted to make a substitute motion that both maps are introduced, let people look at them, let people comment on them, and then the Council could vote at a later time on which map they prefer. He further stated that the purpose of that is in conversation with Mr. Moody, that the more non-conforming you create in a zoning map, the more title issues you could have in the future. He advised that they had that discussion with respect to if he had a subdivision that he was developing and it needed to be zoned R-3 and it's zoned R-1 or R-1.5 or R-2, it is not conforming what the Parish approved and what I start building as a developer in the future, that it doesn't conform with what the zoning says, that there could be an issue on a bulk sale of loss to a developer to a builder that the zoning might not conform and create title problems. He asked Mr. Moody to concur.

The chair asked if there were anyone who wished to second Mr. Talbert's motion. Councilman Maurice "Scooter" stated that he wished to second his motion.

The chair asked Mr. Moody if he wished to answer Mr. Talbert's question.

Mr. Christopher Moody, Parish legal counsel, advised that Mr. Talbert's question was one (1) concern. He stated that as much as possible, you try to make the zoning map match the general flavor of the area that you are imposing it on. He further stated that every zoning map has non-conforming uses, you just can't paint with a broad brush and in that little area there's going to be something that doesn't fit, either commercial, or residential or industrial, and they become grandfathered in. Mr. Moody stated that over the long run, it could create some additional problems, he questioned for instance, what are the rules going to be applied to subdivisions when they were adopted, and apply some of the other new zoning rules to match the correct zoning ordinance because even non-conforming uses might have to meet certain standards, such as setbacks. Mr. Moody would like to say then you could deal with that by either granting the property owner or the developer a variance, so that subdivision doesn't have to meet your setback rules. He further stated that in general, he thought that you need to try and match it as best as possible what is already there.

Councilman Shane Mack was called upon by the chair. Councilman Mack stated that Mr. Moody touched upon a lot of things that he wished to say, but one of his thoughts is that some of the subdivisions that he thought Mr. Talbert was referring to, has went through Planning and the preliminary site plan has been approved. He declared that just because your preliminary site plan was approved, doesn't mean that you're approved construction at that specific point. The site plan could change multiple times, the property could sell, a lot of things could happen. Councilman Mack stated that to him, to zone it the way that Ms. Sandefur has planned to zone her area, with the best intentions for the people she represents, considering infrastructure, drainage and sewer systems, it is what is best for her area. He further stated that he could

not really see after studying the map that she presented, that she has non-conforming land uses significantly. He described what few things that he had noticed and stated a few examples, but his opinion was that most of it fits and it's a well planned out match. Councilman Mack wished to go back to the comment made about how many hours Alvin Fairburn Engineering spent on this specific area of Council District 5. He stated that they have spent many, many, many hours over the last year making many, many modifications for the better. Councilman Mack discussed going to many meetings and talks with them, and changes that were made just for his specific area of Council District 9. He illustrated that at the end, when they sat down for the last time, he and Alvin Fairburn's office both agreed that what was presented would be the best for his constituency in Council District 9. He stated that he supported what Ms. Sandefur was doing. He further acknowledged that if there are developments, who are following the law, get approval for construction, and are built and constructed, then maybe then after it's construction, then maybe go back and modify it to meet the matching zoning classifications and uses within. Councilman Mack could not agree with the statement that it has to be with the preliminary site plan because there were other variables to consider, such as economics, and he wished to state that he supported what Ms. Sandefur was trying to do.

The chair called upon Councilman Randy Delatte who wished to comment. Councilman Delatte stated that he could not think of a better person than the person who was appointed by this board, and spent many, many hours in the field, talking with constituents, hosted many town hall meetings, and received input that it was the wishes of her constituency how the zoning map was presented. He offered that Ms. Sandefur was very candid, stating that it was a fluid map. Councilman Delatte submitted that his district's zoning map was adopted almost three (3) months ago and there were still amendments and changes that have been necessitated. He felt that it was not meant to be, that changes could not be allowed, it meant that sooner or later, this map needed to be adopted. He gave further detail that the Council member who represents this district, has spoken to the individuals that the presented zoning map would involve and affect, and in addition, there will be a public hearing where everyone will have another chance to look and make comment. He could not see what the problem was.

Councilwoman Sandefur stated that she thought that she represented her Council district very well. She had spoken with people in her district, developers in her district, engineers and contractors in her district, the whole gamut she explained. In addition to the homeowners, land owners, subdivision homeowners, large mass land owners, and she stated that they are pretty satisfied with the zoning map that she presented for Council District 5. She advocated that they had asked her to pass this map months ago. She strongly stated to the opposition that she thought that she represented Council District 5 very well here, and also what her constituency wanted.

Councilman Talbert wished to comment on something that Councilman Mack had said. He told Councilman Mack that what you got to understand is the whole process of the new process that they created. He stated that when a preliminary plat is approved, the first thing a developer starts doing is spending money. He advised that Palermo clearly lays out the fact that when you start spending money on a piece of property and start moving forward you can't go back and use zoning as a roadblock and basically what we are trying to do is say that their zoning is going to be a roadblock on this probably in the future. He questioned why are we trying, why are we expanding the number of non-conforming properties? He stated that if the people want Ms. Sandefur's map, he was not, he did not replace Ms. Sandefur's map. He asked that both maps be considered and let the public look at the map that Ms. Sandefur had amended, he asked that the public view the map that AFA looked at based on all the preliminary things that had gone through the Planning Commission that were on the deal, so that we'd have less non-conforming properties within the district, and he further stated that's all he said.

The chair called upon Council woman Erin Sandefur who stated that no one was trying to road block, she wasn't sure of what specific property that Councilman Talbert was referring to, and the way that the presented map was zoned with the people of her district, it absolutely is uniform with the land, what the land calls for, and it is matched to its area in order to grow and flourish in the future with vision and plans.

The chair called upon Councilman Gerald McMorris who had not had opportunity to comment yet. Councilman McMorris stated that after his town hall meeting that was held recently, there seems to be some great conflict of the Council District lines. Councilman Maurice "Scooter" Keen advised that they were the old districts before they changed. Councilman McMorris stated that they understood that, but he was speaking about the old ones that they were trying to introduce right now. He stated that there were several lines that crossed over into each other's districts that were not drawn on the maps. He questioned how they would go back and make amendments after three (3) of the Council District's zoning maps had been previously approved. He stated that this was something that they needed to look at as a Council. The chair asked for clarification if Councilman McMorris was referring to Council district lines. Councilman McMorris concurred and stated it was going to be the district lines of zoning, because half of District 6 had fallen into Council District 8's area and he also had areas that were showing in another Council district that still showed on the map that was discovered the other night at his town hall meeting.

Councilman McMorris finished his comments and the chair stated that they would be calling for a vote from Mr. Talbert's motion that had a second by Mr. Keen. He instructed the Council clerk to call for the

vote. Councilman Shane Mack requested clarification of the motion that Mr. Talbert and Mr. Keen had given.

The chair obliged and stated that the Council members were voting on the motion given by Mr. Talbert, who wanted to introduce two (2) maps that evening for Ms. Sandefur's Council district. Councilman Mack questioned what the vote for "YEA" and "NAY" would represent for the proposed resolution.

The chair and Councilman Tracy Girlinghouse concurred together that a vote "YEA" meant that they would be introducing two (2) maps in Council woman Erin Sandefur's Council District.

Public input: Abby Crosby, resident of Livingston: questioned if there was representation from AFA to talk about the additional map being proposed and also questioned when this proposed second map was presented beforehand to the people.

Councilman Talbert spoke up and advised that the second map was in the package and the first map wasn't. Ms. Crosby asked who was given the packet. Councilman Talbert stated that the second map was in the packet. Ms. Crosby questioned if it had been advertised to the public? Councilman Talbert stated that neither maps had been advertised to the public. Ms. Crosby questioned if AFA had come to the Parish Council chambers to state that this is what they've done, being one hundred (100) hours of work. Councilman Talbert stated that AFA had printed the map out for him that day. Ms. Crosby questioned again if anyone was present from AFA to say that this is what they suggest according to Mr. Talbert's statements? Councilman Talbert stated that he went and picked up their map today, so yeah, he would vouch for the fact that AFA, he asked them the map that they finished... Ms. Crosby again asked if there was anyone present to say that they do? Councilman Talbert asked if she was challenging that he was telling the truth?

Parish Legal counsel, Mr. Chris Moody advised that there will be a public hearing on the map. Councilman Girlinghouse stated that on the same thing, that they don't have the fact that her map was done that way. Councilwoman Sandefur contended that she represented her Council District. She questioned where was the map that Councilman Talbert was presenting?

The chair halted the open discussion and requested for the Council clerk to call for the vote. The council clerk stated that the vote would be for the substitute motion and would be to introduce both maps.

LPR NO. 23-041

MOTION was made by Garry Talbert and duly seconded by Maurice "Scooter" Keen to make a substitute motion and introduce two (2) maps for the proposed ordinance to establish zoning in Council District 5.

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

YEAS: MR. KEEN, MR. TALBERT

NAYS: MR. ARD, MR. GIRLINGHOUSE, MR. WASCOM, MR. MACK, MR. DELATTE, MR. MCMORRIS, MS. SANDEFUR

ABSENT: NONE

ABSTAIN: NONE

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

The chair stated that the Council members would go back to the original motion made by Ms. Sandefur and seconded by Mr. Mack to introduce the map that evening and set the Public Hearing at the next meeting for adoption. The chair called upon the Council clerk to call for the vote.

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

L.P. ORDINANCE 23-05

AN ORDINANCE TO CERTIFY THE OFFICIAL ZONING MAP OF THE UNINCORPORATED AREAS OF COUNCIL DISTRICT FIVE IN THE PARISH OF LIVINGSTON ENTITLED "LIVINGSTON PARISH ZONING MAP COUNCIL DISTRICT NO. FIVE" REFERRED TO IN CHAPTER 117 OF THE LIVINGSTON PARISH CODE OF ORDINANCES.

LPR NO. 23-042

MOTION was offered by Erin Sandefur seconded by Shane Mack to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, February 9, 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.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 18, "Request for a variance to the required twenty-five foot (25') building setback requirement for the Superior Millworks Building Addition located on Highway 16 in Council District 5" and called upon Councilwoman Erin Sandefur.

Councilwoman Sandefur explained that Superior Millworks wished to build a storage building and requested the variance of a seven (7') foot setback. She had spoken with her Planning Commission member and Mr. Brett Muntz of Superior Millworks, and she would like to make a motion. Councilman Randy Delatte wished to second that motion.

The chair asked if there were any discussion on this agenda item?

Councilman Tracy Girlinghouse wished to clarify that the request for the variance would be going from a twenty-five (25) setback to seven (7)? Councilwoman Sandefur answered in the affirmative.

Councilman Garry Talbert wanted to know how did Ms. Williams feel? Did anyone get a letter from Ms. Williams with no objection since the seven (7') foot setback butts her property?

Mr. Shawn Hima with Alvin Fairburn and Associates confirmed that they had the signed letter of no objection. He further advised Mr. Talbert that a letter of no objection is actually required for them to make that request.

The chair stated that there was a motion by Ms. Sandefur and a second by Mr. Delatte.

LPR NO. 23-043

MOTION was made by Erin Sandefur and duly seconded by Randy Delatte to authorize a variance that would allow a seven (7') foot building setback from the requirement of being twenty-five foot (25') for the Superior Millworks Building Addition located on Highway 16 in Council District 5.

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

YEAS: MR. ARD, MR. WASCOM, MR. MACK, MR. KEEN, MR. DELATTE,
MR. MCMORRIS, MS. SANDEFUR

NAYS: MR. GIRLINGHOUSE, MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 19, "Adopt a resolution to authorize a waiver to subdivide in a named subdivision, "Spillers Ranch Subdivision", for the Heirs of Earl P. Parent, Sr. located at 24853 Spillers Ranch Road, Denham Springs, 70726 in Council District 5 and called upon Councilwoman Erin Sandefur.

Councilwoman Sandefur advised that she wished to pull this item from the agenda at that time.

Councilman Garry Talbert questioned it would be tabled or just deferred? She advised that she wished for it to be deferred.

The chair addressed agenda item number 20, "Zoning Reclassification(s) – Randy Delatte".

LPR NO. 23-044

MOTION was made by Tracy Girlinghouse and duly seconded by Randy Delatte to adopt zoning reclassifications for the following:

- a. Reclassify parcel# 0169284 for Big Gator Construction located on LA Highway 16, Maurepas, from Unclassified to Commercial (C1)
- b. Rezone Parcel #0156422, located on Highway 16 and Highway 22, SNB to C1 (Boat Storage)

- c. Rezone Parcel(s) #0320029 (American Legion) and #3000197 (Proposed Boat Storage) from R2 to C1 located on Highway 43

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 23-045

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to approve a waiver for number of lots on a servitude for Holly and James Rawls, Tract T-4, Palmer Road, Parcel #0116509W.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 21, “Grant waiver to Mack Industries to operate gravel mine with the contingency that the waiver is for H&H Study for one (1) year located in Council District 2 – Garry Talbert (*this item has been carried over from the January 12, 2023 regular meeting of the Council*)”.

The chair called upon Councilman Garry Talbert who advised that Mack Industries is not through with their H&H study because the river has been too high to take the two (2) remaining shots in the river.

Councilman Talbert stated that he wished to make a motion to grant them the ability to operate at the completion of their H&H study. He advised that he was not asking to grant a waiver in lieu of the H&H study, he was asking to grant a waiver for now to operate when the H&H study is complete.

The chair asked for clarification and for Mr. Talbert to state how he wished for his motion to be worded. Councilman Talbert stated that he would like to grant a waiver for them to operate after the H&H study is complete.

The chairman asked why is a waiver needed a waiver after the H&H study?

Councilman Talbert stated that the waiver is needed after the H&H study because the only way that they could get a permit then is to go back through Planning and the whole process. They have done everything. He asked an unidentified audience member to answer the question after the H&H study is complete, to tell him what the hold up is getting the permit versus granting the permit when it’s complete. He stated that he was the facilitator of trying to resolve this issue.

DeeDee Delatte, Building and Permit Director, came to the podium. Ms. Delatte stated that she had spoken with Morgan, Parish Review Engineer, and she advised that once the H&H study was done, then they were good.

Some of the Council members questioned why a waiver was then needed?

Councilman Talbert stated, here’s the deal, I don’t want to grant a waiver, I want to grant Mack Industries the ability to operate their gravel mine after the H&H study is complete.

Councilman Jeff Ard questioned that this does not really have to be a waiver, it will be granting them the ability to operate as soon as the H&H study is complete.

Ms. Delatte stated that the Building Department does not issue any type of permitting. Their office makes sure that the FEMA requirements have been met.

Councilman Talbert stated that after the H&H study is complete, they then they’d be willing to go and everybody would have been done, they’ve got the DOT permit, all that stuff is straight. Ms. Delatte stated that once she received the H&H she was fine.

Councilman Shane Mack wished for clarification. He stated that after listening to Councilman Talbert and Ms. Delatte, that it sounded like the Parish was following all of the rules as far as ordinances, and also following all of the FEMA guidelines. Councilman Mack asked for validation that the Parish was not committing any violations and was not in any type of jeopardy.

Councilman Talbert stated that they had a no rise. Planning does not require the H&H. Ms. DeeDee requires the H&H. They had done the no rise certificate, but they did the no rise certificate based on historical data of the river in lieu of the actual hydraulics of what's going on right now. They've done all of that except for the last two (2) shots in the river. So all Councilman Talbert wanted to do is when they get the last two (2) shots and bring the H&H study to Morgan that there is no hold up and those people can go to work. Councilman Mack added that they would not have to come back before the Council.

Ms. Delatte stated that she wanted to go on record, she could not speak for Sam and the Planning Department, but she wished to state that when the H&H was approved, Morgan said that was all that she needed. The Building and Permit office did not require anything else.

LPR NO. 23-046

MOTION was made by Garry Talbert and duly seconded by Randy Delatte to grant Mack Industries the ability to operate their gravel mine after the H&H study is complete.

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

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

NAYS: MS. SANDEFUR

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 21, "Louisiana Local Government Environment Facilities and Community Development Authority (LCDA) Livingston Parish Board of Director's appointment – Garry Talbert/John Wascom".

The chair gave a quick synopsis about Louisiana Local Government Environment Facilities and Community Development Authority (LCDA).

The following resolution was offered by Garry Talbert and seconded by Shane Mack:

LIVINGSTON PARISH RESOLUTION NO. 23-047

A RESOLUTION INDICATING THE INTENTION OF THE LIVINGSTON PARISH COUNCIL, STATE OF LOUISIANA, TO APPROVE THE TWO (2) YEAR APPOINTMENT OF AS A DIRECTOR TO THE BOARD OF THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY (THE "AUTHORITY") AS PROVIDED BY CHAPTER 10-D OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED.

WHEREAS, Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of R.S. 33:4548.1 through 4548.16 is known as the Louisiana Local Government Environmental Facilities and Community Development Authority Act (the "Act"); and

WHEREAS, the Act creates the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority") for the purpose of assisting political subdivisions, as defined in the Act, and other designated entities in acquiring, financing and constructing certain facilities, including environmental, public infrastructure, community and economic development purposes and to otherwise establish programs to aid in the financing of local government and economic development projects; and

WHEREAS, the Livingston Parish Council, State of Louisiana, previously passed a resolution to become a participating political subdivision of the Authority in accordance with the Act; and

NOW THEREFORE, BE IT RESOLVED by the governing authority of the Parish of Livingston, State of Louisiana, acting in such capacity:

- Section 1. Approve the appointment of Councilman John Wascom to serve as a Director of the Authority for a term of two (2) years from the date hereof.
- Section 2. This resolution shall take effect immediately and a certified copy hereof shall be forwarded to the offices of the Authority.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the resolution was declared adopted on this day of 26th, day of January, 2023.

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The chair addressed agenda item number 23, “Board (re)appointment(s)/resignation(s):”.

A. Livingston Parish Convention and Visitors’ Bureau (Tourism) – Gerald McMorris/Shane Mack

The chair called upon Councilman Gerald McMorris who advised that he wished to reappoint Ms. Kim Aydell and had received a letter of recommendation from the Speaker of the House, Mr. Clay Schexnayder. Councilman McMorris asked the Council clerk to read the letter of recommendation aloud.

LPR NO. 23-048

MOTION was by Gerald McMorris and duly seconded by Randy Delatte to reappoint Kim McCon Aydell (resident of Council District 6) to the Livingston Parish Convention and Visitors’ Bureau (Tourism Board), having met the requirements of Louisiana Revised Statute 33:4574, said three (3) year term will expire on February 11, 2026.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Shane Mack advised that he also had a member of the Tourism Board that he wished to reappoint.

Councilman Mack wished to reappoint Harold “Marcell” Parker to the board and praised the outstanding job that he had been doing as a member. He had a letter of recommendation from the National Rifle Association that was submitted to the Council office. Councilman Mack stated that with the Council members’ support, he would like to make a motion to reappoint Mr. Parker.

LPR NO. 23-049

MOTION was by Shane Mack and duly seconded by Randy Delatte to reappoint Harold “Marcell” Parker (resident of Council District 9) to the Livingston Parish Convention and Visitors’ Bureau (Tourism Board), having met the requirements of Louisiana Revised Statute 33:4574, said three (3) year term will expire on February 11, 2026.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed the addendum made to the agenda for the January 26, 2023 regular meeting of the Council:

A-1: Board appointment:
Ward 2 Water District

Councilman Tracy Girlinghouse acknowledged that he had a board member opening on Ward 2 Water and wished to appoint Mr. Thomas Lockhart to fill the vacancy left by Ms. Shyrl Westmoreland.

LPR NO. 23-050

MOTION was by Tracy Girlinghouse and duly seconded by Jeff Ard to appoint Thomas Lockhart (resident of Council District 7) as a board member and commissioner of Ward Two Water to the fill the vacancy left by Ms. Shyrl Westmoreland; all commissioners shall serve at the pleasure of the authority which appointed them (R.S. 33:3813) without a term of expiration.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 23b:

- a. Master Plan Review Committee – Erin Sandefur

Councilwoman Sandefur stated that she wished to move to accept the resignation of Jeb Sadler from the Master Plan Review Committee and did not have an appointment for the vacancy at this time.

LPR NO. 23-051

MOTION was by Erin Sandefur and duly seconded by Randy Delatte to accept the resignation of Jeb Sadler (resident of Council District 5) from the Master Plan Review Committee; committee members do not have terms of expiration and serve at the pleasure of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24, “Reschedule the March 9, 2023 regular meeting of the Livingston Parish Council for attendance of the 99th Annual Police Jury of Louisiana Convention located in Shreveport, Louisiana – John Wascom”.

LPR NO. 23-052

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to reschedule the March 9, 2023 regular meeting of the Livingston Parish Council to be held on Tuesday, March 7, 2023 at six o’clock (6:00) p.m. due to a scheduling conflict whereby the members of the Livingston Parish Council have committed to attend the Police Jury Association of Louisiana Convention.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 25, “Discussion on Council office Policy and Procedure – Garry Talbert”.

The chair asked if Councilman Talbert wished to discuss this openly or wait and do it in executive session.

Councilman Talbert advised that typically, and he knew that the Council would be going into executive session for 27. The chair stated that he could bring it up there if he wanted.

Councilman Talbert stated, here's the deal, we didn't advertise that we were going to have this in executive session, I requested it be put in executive session and for some reason the agenda was typed in such a manner that it was left out of executive session, so he wanted to make a formal request that in two (2) weeks, we go to executive session to discuss this.

The chair asked Mr. Chris Moody, Parish legal advisor, if they could just talk about it while they were in executive session?

Mr. Moody advised that you would need to have a motion to add that to the executive session.

Councilman Talbert stated that he requested that it be put on the agenda, he didn't know, he made the request.

Other Council members interjected and advised that their legal counsel just advised them that it could be added, upon a vote of the Council.

Councilman Talbert stated that he understood that, so you know, he had asked that it be put in there, and why his request was ignored, he did not understand. He continued, and stated that he clearly outlined the reasons in the text message and everybody read them, yet when the five o'clock (5:00) agenda came out, so he was just trying to figure out if the chairman decided that it didn't need to be in executive session.

The chairman stated no, he did not, but if Mr. Talbert wanted it, the chair also added that he had received a letter from Mr. Talbert the day before.

Councilman Talbert agreed and stated yes, he brought the chair his letter yesterday. He continued and stated that he was not asking to lift the agenda, he was not asking to change anything.

The chair asked if Councilman Talbert wanted to talk about it or not? Councilman Talbert stated that he wanted to talk about it in two (2) weeks when its in executive session the proper way.

Councilman Shane Mack questioned: were they sure that they wouldn't want to go ahead, instead of dragging this out two (2) weeks since they could legally get this over tonight?

Councilman Talbert declared that neither one (1) of the other people that were given letters are here because it wasn't listed as executive session. It wasn't listed as executive session, so he was just trying to figure out when the request was made and the request was legitimate, why was it not put on the agenda? Did somebody bump it or did somebody just ignore a councilman's request, he was just trying to figure it out.

Councilman Mack offered that he could not speak for anyone, but he felt sure that it was unintentional and they didn't really realize that he wanted it to be in executive session.

Councilman Talbert held up his cell phone and confronted Councilman Randy Delatte, advising that they had pretty good text message words about it and everybody was in the group.

The chair intervened and stated that this item had been pulled and the Council needed to move on to the next agenda item.

Councilman Talbert again stated that he was just trying to figure out how this happened, and he stated that he could tell you how, because not everybody works for everybody on this Council.

The chair moved to the next agenda item, number 26, "Committee reports". He wished to establish the Ordinance committee for this year with the following members:

Ordinance committee:

Councilman Shane Mack - chairman

Councilwoman Erin Sandefur

Councilman Randy Delatte

Councilman John Wascom

The chairman stated that they have committed to work with Councilman Mack and wished to persevere to do a good job for this Parish being seated as its committee members.

The chair advised that Councilman Randy Delatte has requested that he be appointed as chairman of the Finance committee.

The new Finance committee members are as follows:

Finance committee:

Councilman Randy Delatte – chairman
Councilman Jeff Ard
Councilman Tracy Girlinghouse
Councilwoman Erin Sandefur

Councilman Shane Mack requested to speak. He advised how excited that he was and his wishes to work really hard over the coming year of 2023 for the people of Livingston Parish and for the Council. He acknowledged that they would be getting started right away, and had scheduled a meeting for the upcoming week on Tuesday, January 31st at six o'clock (6:00) p.m. Councilman Mack stated that they were still trying to make sure that some of the guests they had invited would be available to come and help the committee sort through the Kratom ordinance. He stated that as soon as they finalized that, the agenda would be going out on Monday. He advised that they would be discussing banning Kratom in Livingston Parish as their first topic on the list, and the second will be nonconforming use with the zoning.

Having no reports, the chair moved to the next agenda item.

The chair addressed agenda item number 27a, "District Attorney's report"

a. Executive Session:

United States District Court for Middle District of Louisiana
Air Products Blue Energy, LLC versus Livingston Parish Government, et al.
Civil Action No. 22-809
Judge Shelly D. Dick
Magistrate Judge Richard L. Bourgeois, Jr.

LPR NO. 23-053

MOTION was made by Jeff Ard and duly seconded by Shane Mack to enter into Executive Session for:

United States District Court for Middle District of Louisiana
Air Products Blue Energy, LLC versus Livingston Parish Government, et al.
Civil Action No. 22-809
Judge Shelly D. Dick
Magistrate Judge Richard L. Bourgeois, Jr.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 23-054

MOTION was made by Maurice "Scooter" Keen and duly seconded by Jeff Ard to go back to the regular order of business after executive session.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 23-055

MOTION was made by Tracy Girlinghouse and duly seconded by Garry Talbert to accept legal counsel's recommendation and given authority to Mr. Chris Moody to handle the case as it refers to the Air Products Blue Energy.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 28, "Councilmember' comments" and asked if there was any input.

Councilmembers' input: Councilman Jeff Ard
Councilman Maurice "Scooter" Keen
Councilman Garry Talbert
Councilman Gerald McMorris
Councilman Tracy Girlinghouse
Councilwoman Erin Sandefur
Councilman Shane Mack

Councilman Garry Talbert wished to address the Council members. He advised that they have invested a ton of money in this new system, what we got to do to get it operational?

The chair requested for Mr. Talbert to clarify if he was referring to the sound in the Council chambers?

Councilman Talbert stated no, that he was talking about the iPads. He advised that one of his constituents just complained to him about the acoustics. The chair stated that was completely separate from the iPads. Councilman Talbert stated that he understands, to which several of the Council members agreed that they need to get it all working for the people.

Councilman Jeff Ard requested to speak to touch base on this to explain the issue that they have. This system is set up for television, so for them to get the sound right on the television, it will be bad in the chambers, if they get the sound right in the chambers, then it will be bad on the television.

He further explained that the grant received was for the television not for sound in the Council chambers. The first goal is for the people watching from home, so that they can watch the meetings and not have to attend.

They are working, and have purchased fifty thousand dollars (\$50,000) of equipment, which includes televisions, and other things to help the sound, and the last thing that he was told was that it was on backorder.

Councilman Ard advised that he has not spoken to Mr. Glascock since before Christmas, but he will reach out to him and see where they are at coming next week.

Councilman Talbert questioned what about the iPad situation and OpenMeetings?

Councilman Ard suggested that Councilman Delatte and Councilman Wascom need to have the same training that he and Councilman Girlinghouse had received.

Councilman Girlinghouse stated that he would like to make a recommendation on that too. He proposed that there should be an announcement that they will be doing it, they'll take their time

and go slow and go through it. If a Council member does not bring their iPad, then they will have to verbally vote.

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, February 9, 2023, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 23-056

MOTION was offered by Randy Delatte was and duly seconded by *inaudible* to adjourn the January 26, 2023 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. MACK, MR. KEEN,
MR. TALBERT, MR. DELATTE, MR. MCMORRIS, MS. SANDEFUR

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\ John Wascom

John Wascom, Council chairman

The audio and video for this meeting may be found in its entirety on the Livingston Parish Council's YouTube page at:

<https://www.youtube.com/watch?v=CBE-NGprXeQ>

It may also be found on the Livingston Parish Council's website at:

<https://www.livingstonparishcouncil.com/>

If you have any questions please contact the Livingston Parish Council office at (225)686-3027.