

Minutes of the Livingston Parish Council
Livingston, Louisiana
February 9, 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, February 9, 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 in his absence
Brad Cascio, 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 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, "Adopt the Minutes of:
a. January 12, 2023 regular meeting of the Livingston Parish Council
b. January 26, 2023 regular meeting of the Livingston Parish Council"

LPR NO. 23-057

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice "Scooter" Keen to dispense with the reading of the minutes from the January 12, 2023 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. DELATTE, MR. KEEN, MR. MACK, MR. GIRLINGHOUSE, MR. WASCOM,
MR. TALBERT, MS. SANDEFUR, MR. MCMORRIS, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair declared that agenda item 8b, "January 26, 2023 regular meeting of the Livingston Parish Council", would be deferred until the next regular meeting of Livingston Parish Council on February 23, 2023.

The chair addressed agenda item number 9, "Parish President's Report" and agenda item number 10a, "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 Omega Foundation Services, Inc. the responsible low bidder for the NRCS Beaver Creek Bank Stabilization Project.

Mr. Harrell was assigned as the President's designee in his absence and he conveyed that Parish President Ricks did not have anything to report that evening.

The chair asked Mr. Harrell to address the Grants Department item. Mr. Harrell briefly explained the need for the resolution and approval for the Parish President to sign the contract with Omega Foundation Services, Inc.

LPR NO. 23-058

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to authorize the Parish President to execute the contract between the Livingston Parish Council and Omega Foundation Services, Inc., being the responsible low bidder in the amount of \$2,540,929.00, for the NRCS Beaver Creek Bank Stabilization Project that is located on Marion Drive in the Denham Springs area and will consist of bank stabilization, including site access, clearing, grading, fill, riprap replacement, steel sheet pile installation and site cleanup.

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

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

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, “Department of Public Works:

- a. Approval to remove and replace water lines located in the Parish R/W at Pine Heavens Estates Subdivision in Council District 7 for Town of Livingston”

Mr. Eddie Aydell of Alvin Fairburn and Associates came to the podium from the audience and stated that he wished to speak on behalf of the Town of Livingston on this agenda item.

Mr. Aydell explained that the Town of Livingston was acquiring the old water system in Pine Heaven, just south of Waste Management, on Black Mud Road. The Town received a significant water sector grant and wished to replace the old water system in Pine Heavens by removing and replacing old lines with new lines in that subdivision. He further explained that many of the lines are in existing Parish Road rights-of-way. He advised that their goal was going to be to take as much of it out of the right-of-way and put it in a little ten (10’) foot servitude, so that when they finish, there will be less water line in the Parish road right-of-way. He advised that they were requesting permission from the Parish to work in the Parish’s right-of-way.

Councilman Gerald McMorris wished to comment and advised that when he had done this last time for the gas company in French Settlement, he was asked by some of the Councilmembers to make sure that we had an agreement with the town to do this for all liabilities that they may cause the Parish.

Councilman Randy Delatte advised that Councilman McMorris was speaking of an Intergovernmental Agreement, and Councilman Delatte confirmed that the Parish of Livingston did have an agreement in place with the Town of Livingston. He stated that in most towns the Parish has such an agreement. Councilman McMorris stated that this was not in the Town, but outside in the Parish.

LPR NO. 23-059

MOTION was made by Tracy Girlinghouse and duly seconded by Randy Delatte to approve for the Town of Livingston to work within Parish rights-of-way located off of Black Mud Road in Pine Heaven Estates Subdivision to remove and replace water lines in Council District 7.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 12, “Discussion and consideration regarding drainage of any and all new developments on LA Highway 447 that are located in the vicinity of Buddy Ellis Road, Joe May, John L Lane, Hammack Road and Brown Road – Gerald McMorris”.

The chair called upon Councilman McMorris who advised that he had invited the Department of Public Works, Forte and Tablada, Quality, McLin and *Inaudible?*

He wished to confront these entities about areas that are in dire need of drainage work that are located off of LA Highway 447, specifically in the vicinity of Buddy Ellis Road, Joe May Road, John L Lane, Hammack Road and Brown Road.

Councilman McMorris explained that these areas are filled with creeks and streams and the lateral drainage is not being addressed. He reported on the recent rain event that had produced six (6) to seven (7) inches of rain.

Councilman McMorris stated that it was his understanding that once a development is accepted into the Parish, it would be the responsibility of the Gravity Drainage District and/or the Department of Public Works, depending on the area and the drainage to be maintained in or outside of the boundaries of the subdivisions.

He proposed making a motion for a resolution to the funded Gravity Drainage District Boards, being Districts 1 and 5, to have a plan going forward with the Department of Public Works to determine who is responsible for cleaning the creeks all the way to a main channel. He continued and stated that this will need to be a joint venture due to all water that must travel through Gravity Drainage District No. 8, which is non-funded, to get the water out of these areas.

Councilman McMorris wished to remind everyone of the rain event that happened last week and how bad it was. He stated that subdivisions have been built all over this district and there is no other place for this water to go. He acknowledged that they could do all of the drainage studies that they wanted to, but it was imperative to clean the creeks where the old streams used to take the water out. He indicated that these areas had not been cleaned out since before the Parish went to a Home Rule Charter government.

He pleaded with the Council members that they needed to help people, that was what they were there for, to help their citizens. He continued and stated that someone has to pick it up from where the Gravity Drainage District stops, and go on to the main channels, the Department of Public Works, or whoever is responsible for it.

Councilman Randy Delatte wished to second Councilman Gerald McMorris’s motion to adopt a resolution.

Councilman Delatte stated that it is the responsibility of Parish government to provide drainage, build roads. He continued and offered if they looked at the Charter, that is what they were there for. He advised that by adopting this resolution and requesting that Administration work more closely with the funded drainage districts to make sure that they get the water out. Councilman Delatte asserted that it was taxpayers money doing taxpayer services and that is what they needed. He declared that he proudly seconded that motion.

Councilman Jeff Ard requested that the Councilmembers add something to the proposed resolution. He suggested that possibly the Council could request that the two (2) drainage districts look into obtaining a grant together that would help to clean everything all the way down. There may be a grant that they could consider whereby putting up matching funds, and it could be used from top to bottom. He stated that way it would allow the ones who are not funded and they could come up with some extra money.

Councilman McMorris stated that once they were in Public comment, he wished for the entities that were present to tell them what to do now. He described how he had witnessed drainage was completed up to a certain point, then stopped. He explained that if you go up another two (2) miles, the drainage is blocked with huge, downed trees in the canals.

Councilman McMorris contended that the big subdivisions were being taken care of, but there were others who had been here all their lives and they needed help as well. He attested that there were some individuals that moved into these areas thinking that they had obtained high ground to inhabit, and they are flooding.

Councilman McMorris beseeched the other Councilmembers to please help the people in this area and eliminate the water that is damaging their properties. He concluded that he knew that it could be done.

In response to Councilman Ard's suggestion to add to the original resolution, Councilman Randy Delatte expressed that he felt that the Council should adopt two (2) separate resolutions. He advocated that adding to the original motion changed the intent. He believed that the original resolution should be directed to Administration because they would be the ones that would deliberate a plan with the Gravity Drainage Districts.

Councilman Ard clarified that they would be adopting an additional resolution that would be specifically directed to the Gravity Drainage Districts.

Councilman McMorris stated that once a plan could be initiated between the Parish of Livingston and Gravity Drainage Districts 1 and 5, he reasoned that the Council could come back and request for the two (2) districts to explore together grant options that may be available.

Public input: Jeanie Bosarge, resident of Denham Springs, LA
Chad Digirolamo
John Stephens, resident of Denham Springs, LA
Clint Harris, resident of Denham Springs, LA

Councilman Delatte stated that Livingston Parish is the only Coastal Parish without a Parishwide drainage plan and may be the only parish in the state of Louisiana. He verified that there were bottlenecks all over and discussed the problems that were being encountered.

Councilman Shane Mack spoke and touched on many problems concerning drainage.

Councilman Tracy Girlinghouse stated that clearly the Parish needed a comprehensive plan and discussed the need to address a fill limit.

There was a lengthy open discussion.

The chairman halted the open discussion and requested that the Councilmembers vote on the resolution having received a motion and a second earlier.

LPR NO. 23-060

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to submit a request to Gravity Drainage District Boards 1 and 5 (that are funded), soliciting that they work with Parish Administration and the Department of Public Works to develop a plan going forward to determine who is responsible for cleaning the creeks all the way to a main channel, specifically in any and all developments located on LA Highway 447, in the vicinity of Buddy Ellis Road, Joe May Road, John L Lane, Hammack Road and Brown Road.

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

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

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, "Update from Library Director Giovanni Tairov on the procedures Livingston Parish Libraries are following to protect children from sensitive materials – Garry Talbert".

Councilman Garry Talbert called upon Mr. Giovanni Tairov, Director of the Livingston Parish Libraries. He stated that he would like to start off thanking him for being there to answer a few questions and provide an update. He advised that Councilwoman Erin Sandefur brought this issue to the forefront many months ago. With her leadership and coming and visiting with this Council before she was appointed we passed a resolution asking your team to step up protections for our children from explicit content. Since then, there have been many more questions asked across the state and nation. Attorney General Landry also conducted his own investigation and published a report earlier this week, which led him to add this item to the agenda. He stated that we must ensure that we are protecting our children. So, he just had a series of questions, he wanted to get some stuff on the record. He thought that there was some protections out there that people aren't aware of and that's what this is about. It's just about informing the public about what's been going on, what's happening at the library.

Councilman Talbert wanted to start off by establishing an understanding that this is not about banning books. He was not in favor of banning books, he didn't think that the library's in favor about banning books or censoring content. He asked Mr. Tairov if he agreed. Mr. Tairov concurred. Mr. Talbert apprised that it's fair to assess that we're not trying to ban books, we're trying to protect our children.

Mr. Talbert stated let's just get some ground work, he asked Mr. Tairov if he believed that minors should have parental control before assessing explicit material.

Mr. Tairov answered and stated that they have always had this system in place within the library that every parent has responsibility and authority to set certain access controls for their child's account. He offered that it has always been in place, and it is exercised by some parents, but maybe not by many. Mr. Tairov stated that to address these concerns that were brought up by the Council and members of our community, the library has taken it a bit further and began working on access controls since November of last year. He announced it to the Library Board in January that they were putting something in place that will allow parents to have greater control of what materials their children can check out. He stated that it goes somewhat with what was proposed by the Attorney General. He explained that all of 27,000 for teenagers and children have been blocked from checking out materials from the library until their parents or legal guardian make a decision as to what kind of access their children can have in their library system. Since this was introduced last week, the library has had 234 individuals (parents or legal guardians) make the decision for their children by restricting their access to collection in some way shape or form. There were 60 that decided not to apply any kind of restrictions.

Mr. Tairov wished to acknowledge that he has raised two (2) of his children in this parish, and now he was raising a grandchild in this parish, so the concerns of the Council members were of his concern as well.

Mr. Tairov answered many questions from the Council members.

Councilman Talbert quizzed Mr. Tairov with many, many questions about the streaming service that the library offers called "Kanopy".

Councilman Talbert stated that he didn't know if he was going to address the following that evening, but he adhered that he would address it since that they've talked about blockage.

Councilman Talbert declared that this is a report from Lucas Investigations:

"On Tuesday, January 21st 2023 Lucas Investigations visited the Livingston Parish Library in Denham Springs-Walker Branch located at 8101 U.S. Highway 190 in Denham Springs. They purchased a guest pass in order to access the computer system at the library. After logging into the computer, tested a few well-known pornography websites, those sites were blocked on the library computer network system. After seeing these sites were blocked, they tested other websites that are known to contain sexual or nude explicit images and videos and were successful in finding and viewing pornographic images and videos and those in the websites that they were viewing were listed below."

Councilman Talbert stated so there's a body cam video of them coming in the library, getting the card, going to the computer and accessing this information. So those they were able to back door pornographic material through Reddit, Twitter, DuckDuckGo and Tic Tock at the Denham

Springs-Walker branch in Livingston Parish, on Livingston Parish computer. He professed so we need to do a better job, we need to figure out what's going on, and we need to do a better job as a library board and as a library in general preventing children or anybody else from accessing pornographic material in our library. The library should be a place that you take your kid and that you feel safe that whatever they look for is not taking their innocence from them. Mr. Talbert recalled growing up in a little small town in Hearne Texas, we used to ride our bikes to the library and we'd hang out for hours, but guess what, we didn't have those books back in the day, you know what I'm talking about? So, his concern is that I understand the board's taking tremendous steps moving forward to try to solve and address some of these problems, his concern is that that you have books within your library and you can open the book and it's got an age specific recommendation for them and those books are not adult books those books are for age 14 to 17, there's some that are younger than that. Councilman Talbert stated, "Hell, this rainbow rating list has got a book for a zero to three year old called Bye, Bye Binary."

Councilman Talbert asserted that the shame of it was there are a bunch of books on that rainbow rating list 2023 that you have the titles in your library. So this Council asked you to do it and you made some steps in the right direction, however, children can still go to your library and access pornographic materials. He declared that we've got to figure that out. That board's got to figure that out. That board's got to stop it. The other thing that's got to happen is there needs to be a reckoning and he understands that there are a lot of that we're asking parents to go and tell us that a book is offensive. Councilman Talbert maintained that there was a quote from a long time ago back in the fifties when a Supreme Court Justice said he couldn't define pornography, but he knew it when he saw it and he guaranteed Mr. Tairov that you could have your librarians go look through that section and they might not be able to define pornography but if they looked at some of the stuff that Ms. Sandefur brought in for us, they can dang sure figure out that book probably needs to be behind the counter before a kid gets it, because basically what we're saying is that if a book is classified as an adult, the kid can't check it out, but if it's a book with explicit material and it's grouped by the American Library Association as a 12 to 17 year old, it's sitting on a shelf and anybody can walk up there and get it. That's the issue this Council had when they passed that resolution and that's what needs to be addressed at this point and time. He stated that if there was anybody else that had questions, feel free. Councilman Randy Delatte stated that he did.

Councilman Talbert stated that he was not denying that the library had taken some steps to solve some of the issues, there's still a lot that needs to be done. He wanted to ask the Library Board to endorse, there were two (2) bills at the legislature that the Attorney General's office has talked about, one of them is a tiered card system, you know that allows access based on age and he thought that there was some parental consent within that deal that needs to move forward. He told Mr. Tairov that you have some portion of that in place. He proceeded and stated that there was another deal that gives Parish government more authority with respect to what's happening in local libraries.

The chair asked if Mr. Talbert wished to put that in a resolution?

Councilman Talbert sustained that he thought that this Council needs to ask the Library Board to make a recommendation to support those two bills at the legislature and that they would take it upon themselves to go through those young adult sections, go through those kid sections, look at those books and evaluate those books based on community standards that exist with in our community. He advised that he can't define what pornography is but he can tell you, you know what he means.

The chair asked if there was a second to his motion.

Councilman Shane Mack stated that he would like to see that the folks hired by the library, the library director, take more responsibility to remove that material and to restrict that material.

The chair acknowledged that there had been a motion and a second. He called upon Councilman Randy Delatte who wished to ask a question.

Councilman Delatte stated that he agreed with what Councilman Talbert was saying, but was not clear on the last part in regard to the man who went in there with the body cam. He questioned if the investigator was able to get to the pornography.

Councilman Talbert stated that he hired the investigator and yes he went in with a body camera and had accessed pornographic material on library computers.

Councilman Delatte stated that was what he wanted to make sure about what Councilman Talbert had said. He also wished to question if a child would have the same ability and Councilman Talbert countered that a child would have that same ability because they back-doored what was blocked through the library's computers.

Mr. Tairov asked if Councilman Talbert would be willing to share that report with him and he agreed that he would.

Councilwoman Erin Sandefur questioned if the video app, Kanopy, restrict with the cards in place? Because she was pulling it up on her phone with a nine (9) year old's card.

Mr. Tairov explained that if she would restrict the nine (9) year old's account, they would not be able to access electronic resources and will be blocked, she would have to introduce restrictions that were recently rolled out.

Councilwoman Sandefur also wished to mention the American Library Association was displayed all over our Livingston Parish Library website. She further stated that they receive fifty thousand dollars (\$50,000.00) a year from them and she asked if Mr. Tairov could help her understand that.

Mr. Tairov responded that they do not receive any funding from the American Library Association.

Councilwoman Sandefur stated that she recalled that being in last year's budget. Mr. Tairov countered that it wasn't.

Councilman Talbert stated that there was an app, a Louisiana ID app, you know, a digital drivers license app, and so he would like that Mr. Tairov, the library board reach out to the people that run that app because it allows you, you should be able to, you should not be able to answer that question without a digital license and it will force people to get a digital license, which might costs them a couple of dollars, but there's got to be a way. He stated that he can scan in his convenience store the bar code or the whatever that little Q code you.

The chair asked if Councilman Talbert wanted to add that to his motion. He stated that yeah he was good with it if Shane was good with it, that the library research digital driver's license and/or Q code or barcode on drivers license within your verification system so that you can prove that you're 18 at that point and time.

The chair stated that there was a motion and a second.

Councilman Jeff Ard wished to ask a question before the vote.

He asked so when these cards are given to the kids they are basically unrestricted unless parent puts restrictions. Mr. Tairov replied not anymore with the recent policy change they are restricted, they are blocked. Councilman Ard wished to clarify that he was asking about the e-card. Mr. Tairov stated that he wished to make sure and work with his team and verified that, and to what degree that block is restricting them. Councilman Ard asked why can't they be given the restriction and then have the parents have to lift the restriction.

Councilman Talbert stated that Councilman Ard had a great idea, let's incorporate that in the motion.

LPR NO. 23-061

MOTION was made by Garry Talbert and duly seconded by Shane Mack to submit request(s) to the Livingston Parish Library Board:

- Endorse two (2) bills at the legislature that the Attorney General's office has talked about
 - A tiered card system that allows access based on age and parental consent
 - Parish government to be given more authority with respect to what's happening in local libraries

- Research digital driver’s license and/or Q code or barcode on driver’s license within their verification system so that you can prove that you’re 18 at that point and time
- Give restrictions and then have the parents have to lift the restriction

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

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

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

Councilman Garry Talbert wished to thank Mr. Giovanni Tairov for coming and educating them on the changes that they have made, he stated that hopefully with the Denham Springs News here and some other people that there will be more information put forth that parents will know that they have some rights and abilities at the library to restrict access and they can resolve some of these issues and Livingston Parish can be a leader with our library. He confessed that they’ve got a great library system, let’s just solve some of these problems that we feel are, don’t reflect our community standard and let’s resolve those issues.

The chair thanked Mr. Tairov and declared that they would be moving to the next agenda item.

The chair addressed agenda item number 14, “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 Erin Sandefur explained that this subdivision was established in 1973. She added that it has been subdivided in the past and it is not the smallest parcel. Mr. Parent needs a waiver to subdivide because it is located in a named subdivision. She asked if anyone had any questions.

LPR NO. 23-062

MOTION was made by Erin Sandefur and duly seconded by Randy Delatte 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.

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

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

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

The chair addressed agenda item number 15, “Amend Council Policy and Procedure for the introduction of ordinances”. He indicated that this item was being pulled from the agenda and it had been taken care of.

The chair addressed agenda item number 16, “Public Hearing and Adoption of L.P. Ordinance No. 23-05: Council District 5 Zoning Map” and directed the Council clerk to read the proposed ordinance by title before opening the Public Hearing.

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

Public input: Chad Digirolamo, resident of Vincent Trace: in favor of zoning

Public input: Deric Murphy, resident of Council District 6, a landowner in Council District 5, a business owner in Council District(s) 4 and 6 employing nearly one hundred (100) people; and also speaking as a representative of several property owners and developers who have properties in Council District 5: opposed to the adoption of Council District 5 Zoning Map

Mr. Murphy wished to formally request that parcel number 0204792, which is part of the Deer Run Project, be changed to R-3 along with multi-use tracks as shown on the preliminary plat, parcel 0081018B as part of Juban Gardens that is under construction be changed to R-3, the Retreat at Juban, 0099929 to be changed C-1 and R-3 as it was approved in the previous site plans and improved plats, parcel(s) 0211854, 0207451, 0516864 be changed to R-3, which is the preliminary plat of Sweet Water, and parcel(s) 0217836, 02041720, 0204172A which has approved preliminary plat for Belmont. He asked that those be changed to the respective zonings and thanked the Council members for their time.

Public input: Clint Harris, resident of Council District 5: in favor of the adoption of the proposed Council District 5 Map
Chris Ingram, developer of Deer Run and Valere subdivision, requesting R-3 Zoning

Council members' input: Councilman Gerald McMorris
Councilman Randy Delatte
Councilman Shane Mack
Councilman Garry Talbert
Councilman Tracy Girlinghouse

Mr. Brad Cascio, Parish legal advisor, responded to Councilman Talbert's comments and questioning. He advised that the Palermo case involved an individual, he believed it was a landfill of some type, and he wanted to expand it. So he purchased the property next to his property to expand, after he purchased that property, that property was rezoned where he couldn't do what he intended to do. Mr. Cascio further advised that there was a massive lawsuit and it went to the Supreme Court. The Supreme Court said that this particular landowner, in this instance was subject to the police power of the government at that point in time. He explained that if you bought a piece of property and then they changed the zoning on it, then so be it, that's just your problem. Mr. Cascio stated that what they talked about was vested property rights and they said that once you are granted a permit and you incur expenses and perform construction and begin work, then you have vested property rights.

Mr. Cascio advised that he had received several phone calls that day about this, and he wished to tell the Council members it would require some more digging because in that case they were talking about granting a permit and beginning work. In this case, they were talking about a preliminary plat, so it is not really a permit, but when somebody gets a preliminary plat, it is like giving them the green light to go and do their studies and spend money, so it was in the kind of in-between area of Palermo.

The chair closed the Public Hearing.

LPR NO. 23-063

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on January 26, 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 February 9, 2023 on Motion of Erin Sandefur and seconded by Shane Mack:

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.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 9th day of February 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: Nonconforming zoning definitions – Shane Mack".

The chair gave a brief synopsis regarding the intent of this proposed ordinance.

Councilman Shane Mack, chairman of the Ordinance committee, advised that the ordinance would not be introduced that evening because there needed to be modifications and it would be going back to committee to discuss more language to meet everyone's intent.

The chair addressed agenda item number 18, "Introduction of ordinance: Prohibition of the sale of Kratom in the unincorporated areas of Livingston Parish - Shane Mack".

The chair requested that the Council clerk read the proposed ordinance by title:

L. P. ORDINANCE NO. 23-06

AN ORDINANCE CREATING THE PROHIBITION OF THE SALE OF MITRAGYNA SPECIOSA KORTH (KRATOM) IN THE UNINCORPORATED AREAS OF THE PARISH OF LIVINGSTON BY ADDING SECTION 50-17, "PROHIBITION OF THE SALE OF MITRAGYNA SPECIOSA KORTH (KRATOM)", IN CHAPTER 50, "OFFENSES-MISCELLANEOUS", OF THE CODE OF ORDINANCES.

Councilman Mack advised that he had requested that this item be placed on the agenda and wished to explain why he wished to do so. He dictated that the Louisiana Department of Health recommends that Kratom be banned, in addition to the DEA fact sheet that states this can lead to psychotic symptoms, psychological and physiological dependence and that Kratom consumption can lead to addiction. Councilman Mack also spoke to individuals within the law enforcement agency for Livingston Parish, sworn to protect and to serve, and they feel that Kratom is an upcoming major problem. He reported on the Ordinance committee that was held that had both individuals present that were for and against the ban of Kratom.

A motion was made by Councilman Shane Mack to introduce the proposed ordinance and set a Public Hearing for Thursday, February 23, 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.

Councilman Mack's motion to introduce the proposed ordinance died for lack of a second.

Councilman Garry Talbert stated that he wanted to talk about the legislature addressing this issue in the current session, there have been some bills filed. He further stated that the Council needed to let the Legislature do what they do and the Kratom Protection Act would solve the deal with adulterated deal and the Alcohol Tobacco Control already has areas in place where they're monitoring CBD.

The chair stated that Councilman Talbert's point was well taken and moved to the address the next agenda item.

The chair addressed agenda item number 19, “Clarification of the dates that the new Council District lines will go into effect from reapportionment for the October 14, 2023 Gubernatorial Primary election and November 18, 2023 Gubernatorial General election”, and called upon Councilman Gerald McMorris to explain this item.

Councilman McMorris wished to clarify what the new district lines meant to the Livingston Parish constituency. He wished to identify when it will go into effect, when do you vote, who do you vote for, and clear up many questions that have been asked when the district lines will be changed and when the newly elected Councilmembers will be inaugurated beginning the new terms of office.

Councilman McMorris requested for the Council clerk to read a statement for clarification of the new reapportionment of the Council districts.

The Council clerk read the statement as follows:

Qualifying dates: **New districts will be used.

- **Tuesday, August 8, 2023**
- **Wednesday, August 9, 2023**
- **Thursday, August 10, 2023**

Fall Election Dates: **New districts will be used

- **Gubernatorial Primary election: Saturday, October 14, 2023**
- **Gubernatorial General election (if runoff is needed): Saturday, November 18, 2023**

Inauguration Day for the newly elected Council members:

- **Old (The Council members currently serving now) Council District lines will be observed until noon on Monday on January 8, 2024.**
- **New Council District lines will be observed at noon on January 8, 2024**

Councilman McMorris invited anyone who had any further questions or comments on this to contact their Council member or contact the Council office who could provide this information.

The chair addressed agenda item number 20, “Authorization to grant a waiver for property currently owned by Kelvin Averett, Parcel #0460287, which has an existing servitude with established homes; said property to be subdivided for Austin C. Sibley whereby allowing a waiver of Section 117-157, “Site and Structure Provisions”, waiving the minimum width of sixty feet (60’) to thirty feet (30’); and zoned as “(R-2) – Residential – Single Family”, for final drawings approval” and called upon Councilman Gerald McMorris.

Councilman McMorris advised that he had requested to place this on this agenda, and it is actually in Councilman Randy Delatte’s district. Councilman Delatte had no opposition.

LPR NO. 23-064

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to grant a waiver for property currently owned by Kelvin Averett, Parcel #0460287, which has an existing servitude with established homes; said property to be subdivided for Austin C. Sibley whereby allowing a waiver of Section 117-157, “Site and Structure Provisions”, waiving the minimum width of sixty feet (60’) to thirty feet (30’); and zoned as “(R-2) – Residential – Single Family”, for final drawings approval.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item number 21, “Authorization of property exchange between Tract Q-3-2-A and Lot 12-A into Tract Q-3-2-A-1 and Tract 12-A-1, being located on LA Highway 447

(North Walker Road); necessitating waiver(s) of Section 117-145, “Purpose” and Section 117-147, “Site and Structure Provisions”, that will allow .8 acreage and waive minimum lot width for property that is zoned “(R-1) Residential – Rural Single Family” for Daisy Chidester in Council District 1 – Jeff Ard”.

LPR NO. 23-065

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to authorize the property exchange between Tract Q-3-2-A and Lot 12-A into Tract Q-3-2-A-1 and Tract 12-A-1, being located on LA Highway 447 (North Walker Road); necessitating waiver(s) of Section 117-145, “Purpose” and Section 117-147, “Site and Structure Provisions”, that will allow .8 acreage and waive minimum lot width for property that is zoned “(R-1) Residential – Rural Single Family” for Daisy Chidester in Council District 1.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item 22a, “Board (re)appointment(s)/resignation(s): Ward 2 Water District – Tracy Girlinghouse”.

Councilman Girlinghouse advised that one of his Ward 2 Water District members passed away a few months ago and he now wished to appoint Steve McDaniel in that vacancy.

LPR NO. 23-066

MOTION was by Tracy Girlinghouse and duly seconded by Randy Delatte to appoint Steve McDaniel (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.

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

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

NAYS: NONE

ABSENT: MR. TALBERT, MR. MACK

ABSTAIN: NONE

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

The chair addressed agenda item(s) number(s) 22b and c, Board (re)appointment(s)/resignation(s):
b. Recreation District No. 2 – Maurice “Scooter” Keen
c. Gravity Drainage District No. 5 – Maurice “Scooter” Keen

Councilman Keen requested that both board (re)appointments be addressed together.

LPR NO. 23-067

MOTION was by Maurice “Scooter” Keen and duly seconded by Gerald McMorris to reappoint:

- Bobbie Jo Guerin (Cox) (resident of Council District 3) to Recreation District No. 2, this board reappointment will be for a five (5) year term that will expire on February 13, 2028
- Mike McNaughton (resident of Council District 3) to Gravity Drainage District No. 5, this board reappointment will be for a four (4) year term and will expire on February 26, 2027

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

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

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

The chair addressed agenda item number 23, “Waiver request for Commercial property located on Lockhart Road in Council District 4- John Wascom”.

Councilman John Wascom explained that this item was located on LA Highway 16, just north of Magnolia Beach Road, there is a piece of property that is between Lagniappe Restaurant and the shopping center area that is approximately five (5) acres. The owner inherited this property and he has interested buyers. The prospective buyers for the front of the property wish for it to be commercial, and he also has residential and he cannot sell it together, so he is requesting that the property be cut in half.

LPR NO. 23-068

MOTION was by Gerald McMorris and duly seconded by Tracy Girlinghouse to authorize a waiver for commercial property located on LA Highway 16, just north of Magnolia Beach Road, to allow the property to be subdivided in two (2).

*****See attached plat map***

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

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

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

The chair addressed agenda item number 24a through k: “Adopt a resolution for Zoning Reclassification as follows:” and gave a brief explanation of these items.

24a. Adopt a resolution for Zoning Reclassification as follows:

a. Owner/Parcel # 1 ACRE TRACTS:

Properties listed are currently zoned in Council District 8 as:

(AG)Agriculture – Residential, Commercial, Industrial – Randy Delatte/Gerald McMorris
Requested action is to amend the listed properties to (R-2) Residential - Single Family

- 1) Gerald McMorris 0595017
- 2) Silvie McMorris 0119825
- 3) Kelvin Averett 0460287
- 4) Kelvin Averett 011617
- 5) Bernice Averett 0113498
- 6) Gordon Averett 0113472E
- 7) Debbie Mccoy 0113372D
- 8) Brandi Martin 0113472C
- 9) Keith Milton 119206
- 10) Theresa Watson 0123075
- 11) DBA Investments 0111633
- 12) Chris Delhommer 0120725

LPR NO. 23-069

MOTION was by Randy Delatte and duly seconded by Jeff Ard to approve the request(s) for Zoning Reclassification, whereby amending the classification from (AG) Agriculture to (R-2) Residential – Single Family for the following properties listed by name and parcel number located in Council District 8:

Owner/Parcel # 1 ACRE TRACTS:

- 1) Gerald McMorris 0595017
- 2) Silvie McMorris 0119825
- 3) Kelvin Averett 0460287
- 4) Kelvin Averett 011617
- 5) Bernice Averett 0113498
- 6) Gordon Averett 0113472E
- 7) Debbie McCoy 0113372D
- 8) Brandi Martin 0113472C
- 9) Keith Milton 119206
- 10) Theresa Watson 0123075
- 11) DBA Investments 0111633
- 12) Chris Delhommer 0120725

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

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

NAYS: NONE

ABSENT: MR. TALBERT

ABSTAIN: NONE

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

The chair addressed agenda item number 24b: Adopt a resolution for Zoning Reclassification as follows:

- b. Owner/Parcel # AG 3 ACRE TRACTS Farm Land located in Council District 8 –
Randy Delatte/Gerald McMorris
 - 1) Sheila Hughes 0121251
 - 2) VK SMITH 0121293

LPR NO. 23-070

MOTION was by Randy Delatte and duly seconded by Jeff Ard to approve the request(s) for Zoning Reclassification, whereby amending the classification from (AG) Agriculture to (R-2) Residential – Single Family for the following properties listed by name and parcel number located in Council District 8:

- 1) Sheila Hughes 0121251
- 2) VK SMITH 0121293

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

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

NAYS: NONE

ABSENT: MR. TALBERT

ABSTAIN: NONE

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

The chair addressed agenda item number 24c: Adopt a resolution for Zoning Reclassification as follows:

LPR NO. 23-071

MOTION was by Tracy Girlinghouse and duly seconded by Randy Delatte to approve the request for Zoning Reclassification, whereby amending the classification from (R-1) Residential Single Family to (R-1.5) Residential – Rural Single Family for the following property located in Council District 7:

- Lana West, Parcel #0504522 located at 31927 Seminole Road, Walker, LA 70785 in Council District 7

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24d: "Adopt a resolution for Zoning Reclassification as follows:

- d. Requested action is to amend zoning classification from (SNB) Small Neighborhood Business - Small Business to (R-2) Residential - Single Family in Council District 1 – Jeff Ard

LPR NO. 23-072

MOTION was by Jeff Ard and duly seconded by Tracy Girlinghouse to approve the request for Zoning Reclassification, whereby amending the classification from (SNB) Small Neighborhood Business - Small Business to (R-2) Residential - Single Family for the following property located in Council District 1:

- Dawn Roshto, Parcel #0221804 located on the corner of LA Highway 63 and LA Highway 442

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24e: "Adopt a resolution for Zoning Reclassification as follows: Requested action to approve the Revised District 6 and District 7 Zoning Maps completed by Alvin Fairburn and Associates - Tracy Girlinghouse" and stated that this item was being pulled from the agenda as it was added in error.

The chair addressed agenda item number 24f: "Adopt a resolution for Zoning Reclassification as follows:

- f. Requested action for rezoning of Livingston Parish Assessor Parcel 0536854, located in Foxglove Subdivision; whereby Quality Engineering is formally requesting a zoning change to reflect the previously approved Preliminary Plat to R-3 which allows a minimum of forty (40') feet which incorporates the forty-seven (47') minimum width previously required located in Council District 7 – Tracy Girlinghouse"

LPR NO. 23-073

MOTION was by Tracy Girlinghouse and duly seconded by Randy Delatte to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel #0536854, located in Foxglove Subdivision; whereby the zoning change will reflect the previously approved Preliminary Plat to R-3 which allows a minimum of forty (40') feet which incorporates the forty-seven (47') minimum width previously required located in Council District 7.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24g: “Adopt a resolution for Zoning Reclassification as follows:

- g. Requested action to approve a request for re-zoning of Livingston Parish Parcel 0300340, located in Indigo Trails Subdivision; whereby Quality Engineering is formally requesting a zoning change to reflect the previously approved Preliminary Plat to R-3 which allows a minimum lot width of forty (40’) feet which incorporates the fifty (50’) feet minimum width previously approved located in Council District 7 – Tracy Girlinghouse

LPR NO. 23-074

MOTION was by Tracy Girlinghouse and duly seconded by Randy Delatte to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel #0300340, located in Indigo Trails Subdivision; whereby the zoning change will reflect the previously approved Preliminary Plat to R-3 which allows a minimum lot width of forty (40’) feet which incorporates the fifty (50’) feet minimum width previously approved located in Council District 7.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair advised that Councilman Tracy Girlinghouse had another request for Isabella Lakes that needed to be addressed that was the same exact thing as previously voted upon. No one objected to this.

LPR NO. 23-075

MOTION was by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel # 0594770, located in Isabella Lakes Subdivision; whereby the zoning change will reflect the previously approved Preliminary Plat to R-3 which allows a minimum lot width of forty (40’) feet which incorporates the forty-seven (47’) feet minimum width previously approved located in Council District 7.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24h: “Adopt a resolution for Zoning Reclassification as follows:

- h. Requested action to approve re-zoning of Livingston Parish Assessor Parcel number 0121806 located in Valere Subdivision; whereby Quality Engineering is

formally requesting a zoning change to reflect the previously approved Preliminary Plat to R-3 which allows a minimum lot width of forty (40') feet which incorporated the fifty-two (52') feet minimum width previously approved in Council District 8
– Garry Talbert

The chair called upon Councilman Garry Talbert who explained that there was an email sent to the Council with a list of, and they have gone through a lot of the things on the list, and there were two (2) items that the Councilman whose district they were in chose not to put them on the list. He stated that it was the same situation that these items are not zoned properly compared to what has already been approved, so he put the request on there since the Councilman whose district they are in chose not to. Councilman Talbert advised that this is Valere subdivision, it was originally zoned nothing, and he wished to make a motion to zone it R-3.

Public input: Sarah Phares, resident of Plantation Trace
Deric Murphy, Quality Engineering who represents the owner

Councilman Talbert stated that Valere is approved and it doesn't meet the current zoning that exists. The landowner asked that the zoning be R-3, which is what it needs for the lots size of the deal.

Councilman Randy Delatte stated that he wished to correct the misinformation that Councilman Talbert had indicated that was already approved. He explained that there was a court date and that hasn't been approved, nothing has happened, and whatever the Council does at that time is still maintained that nothing can happen because it is now in court. Councilman Delatte advised that he has zoned that property correctly, he has stood up and listened to everyone's comments, and that property will be a test case. He further advised that it was understood that they can't get water, there's no places for students, and DOTD has indicated that they will not be able to come out on the exit that they're trying to plan and come out. He questioned why would they try to find ways for someone to maximize a profit when the constituency is begging for their leaders to stand up and help them with their concerns.

Public input: Chris Ingram, owner of Valere subdivision

There was a discussion on the statement made about water not being available and lot sizes and infrastructure that is needed.

Councilman Gerald McMorris suggested that the Council table this agenda item. Councilman Delatte stated that he did not wish to table this, but for the Council to vote at that time for the outcome of the Council's decision to approve this request.

Councilman Shane Mack advised the conditions of the preliminary plat.

Councilman Talbert called for the question.

LPR NO. 23-076

MOTION was by Garry Talbert and duly seconded by Maurice "Scooter" Keen to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel #0121806, located in Valere Subdivision; whereby the zoning change will reflect the previously approved Preliminary Plat to R-3 which allows a minimum lot width of forty (40') feet which incorporated the fifty-two (52') feet minimum width previously approved in Council District 8.

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

YEAS: MR. KEEN, MR. TALBERT

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

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24i: “Adopt a resolution for Zoning Reclassification as follows:

- i. Requested action to approve re-zoning of Livingston Parish Assessor Parcel 0165217 located in Point of Isle Subdivision; whereby Quality Engineering is formally requesting a zoning change to reflect the previously approved Preliminary Plat to Multi-Use which incorporates all the uses as originally approved located in Council District 8 – Garry Talbert

Public input: Joe Moore, owner of a building on the property

LPR NO. 23-077

MOTION was by Garry Talbert and duly seconded by Maurice “Scooter” Keen to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel #0165217, located in Point of Isle Subdivision; whereby the zoning change will reflect the previously approved Preliminary Plat to Multi-Use which incorporates all the uses as originally approved located in Council District 8.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24j: “Adopt a resolution for Zoning Reclassification as follows:

- j. Requested action to approve re-zoning of Livingston Parish Assessor Parcel 0390005 located in Whispering Springs Subdivision; whereby Quality Engineering is formally requesting a zoning change to reflect this previously approved Preliminary Plat to R-3 which allows for a minimum width previously approved in Council District 1 – Jeff Ard

LPR NO. 23-078

MOTION was by Jeff Ard and duly seconded by Randy Delatte to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel #0390005, located in Whispering Springs; whereby the zoning change will reflect the previously approved Preliminary Plat to R-3 which allows for a minimum width in Council District 1.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 24k: “Adopt a resolution for Zoning Reclassification as follows:

- k. Requested action for re-zoning of Livingston Parish Assessor Parcel 0274571H and 0253138 located in Juban Trails Subdivision; whereby Quality Engineering is formally requesting a zoning change to reflect this previously approve Preliminary Plat to R-3 which allows for a minimum lot width of forty (40') feet which incorporates the fifty (50') minimum width previously approved in Council District 7 – Tracy Girlinghouse

LPR NO. 23-079

MOTION was by Tracy Girlinghouse and duly seconded by Jeff Ard to approve the formal request of Quality Engineering for Zoning Reclassification of Livingston Parish Assessor Parcel #0274571H, located in Juban Trails Subdivision; whereby the zoning change will reflect the previously approved Preliminary Plat to R-3 which allows for a minimum lot width of forty (40') feet which incorporates the fifty (50') minimum width previously approved in Council District 7.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 26, "Committee Reports" and called upon Councilman Shane Mack, chairman of the Ordinance committee.

Councilman Mack advised that there would be an Ordinance committee scheduled for the upcoming Tuesday, whereupon the committee would be discussing the proposed Non-conforming ordinance as well as the modification of the Zoning Classification ordinance that lists the uses within those classifications.

The chair called upon Councilman Randy Delatte, chairman of the Finance committee. Councilman Delatte advised that the committee had not met.

The chair addressed agenda item number 27, "District Attorney's Report:" and called upon Mr. Brad Cascio.

Mr. Cascio wished to make a suggestion to the Council. He advised that when someone submits a preliminary plat and they wish to change anything at all, they must come right back to the beginning. He suggested that if a developer wishes to change something that increases the size of the lots and decreases the density, maybe they should not have to come back if they are decreasing the number of homes.

The chair addressed agenda item number 28, "Councilmembers' Comments:".

Councilman Maurice "Scooter" Keen wished to advise of the upcoming Denham Springs Mardi Gras parade that would be held on Saturday at three o'clock (3:00) p.m. and there would be a free after concert located at Train Station Park.

Councilman Gerald McMorris wished to announce that there would also be a Mardi Gras parade held in Springfield on the Tickfaw River on Saturday, as well as one on the Diversion.

Council McMorris also wished to thank Councilman Garry Talbert for what he did for the Parish's children that evening.

Councilman Talbert stated, make no mistake, Ms. Sandefur brought it to the Council's attention.

Councilman Shane Mack wished to acknowledge that it was wonderful when the Councilmembers worked together as a team and they could really be successful when they worked together.

Councilman Garry Talbert stated that he would like to make a motion to go into executive session and addressed agenda item number 25: **“Executive Session: Discussion on Council office Policy and Procedure – Garry Talbert”**.

The chair called for the vote to go into executive session.

LPR NO. 23-080

MOTION was made by Garry Talbert and duly seconded by Jeff Ard to enter into Executive Session for agenda item number 25, “Discussion on Council office Policy and Procedure”.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chairman called the meeting back into order.

A motion was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to go back to the regular order of business after executive session. A vote was not taken.

The chair stated that the Council had met under executive session and no action was taken.

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, February 23, 2023, at the hour of six o’clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 23-081

MOTION was offered by Tracy Girlinghouse was and duly seconded by Maurice “Scooter” Keen to adjourn the February 9, 2023 regular meeting of the Livingston Parish Council.

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

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

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=z_wS_FPeSRQ

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.