

Minutes of the Livingston Parish Council
Livingston, Louisiana
June 8, 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, June 8, 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	John Wascom

Absent: Shane Mack
Parish President Layton Ricks

Also Present: Brad Cascio, Parish Legal Counsel
Mark Harrell, representing on behalf of the Parish President in his absence

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 9, "Presentations", having none, the chair moved to the next agenda item.

The chair addressed agenda item number 10, "Councilmembers' Comments", and called upon Councilman Gerald McMorris.

Councilman McMorris invited everyone to participate in the upcoming Springfield Fire Department Poker Run that would be held at Tin Lizzy's on Saturday from ten-thirty (10:30) a.m. to seven o'clock (7:00) p.m. He advised that the funds raised would be used for their fire trucks and things. People could travel by boats, cars, jeeps or motorcycles. There would be seven (7) to fourteen (14) stops that would be located in lower Livingston Parish. And unidentified audience member suggested that the event had been moved. Councilman McMorris stated that he had been given this information by the fire chief and would double check on that information. He asked if the chairman would allow him to address this later in the meeting when he could verify the location. The chair obliged.

The next item that Councilman McMorris wished to address was Old Mill Settlement Road. He advised that the Livingston Parish Council requested a study to be done by Mr. Mark Harrell to raise the road for the safety and welfare of the homeowners to be allowed to flee during flooding or rescue attempts from LA 16 to the river.

Councilman McMorris stated that he, as well as Councilman Randy Delatte, have been working with Senator Eddie Lambert, who has requested from the State to designate five hundred thousand dollars (\$500,000.00), and another two hundred and fifty thousand dollars (\$250,000.00) to dedicated to Old Mill Settlement Road during the Regular Session of 2023, House Bill 560. Councilman McMorris wished to thank Mr. Eddie Lambert for his help, which meant there would be engineering for this road, and thereafter, money would need to be sought for the construction of it.

The chair also wished to comment on the help received from Mr. Mark Harrell on a project that began approximately four (4) years ago in his Council district. He advised that the contract had just been let for Pine Bluff Road to be built up and praised Mr. Harrell for his tenaciousness making sure to see the project was followed through to the end.

The chair called upon Councilman Jeff Ard. Councilman Ard wished to invite Mr. Jim Gilbert from the Denham Springs City Council to share about events that had happened earlier that day concerning Corporal Shawn Kelly's funeral service.

Mr. Gilbert advised that the City conducted the funeral service for Corporal Shawn Kelly earlier that day for which many attended, including law enforcement officers from all over the country as far as New York City. The procession was from Healing Place Church on Highland Road to Denham Springs. There were thousands of people lining the road with flags and hands over hearts, as well as ladder trucks from the fire departments, and Demco and Entergy. GM Varnado and other big equipment companies had flags hanging from their equipment. He stated that the show of respect was astounding and that the ceremony was beautiful and was a fitting tribute to say goodbye to a hero. He asked for prayers Corporal Kelly's family as well as Denham Springs Police Department family, as he would be missed. He thanked the Councilmembers for all of their thoughts and prayers.

The chair addressed agenda item(s) number 11:

Adopt the Minutes:

- a. May 11, 2023 regular meeting of the Livingston Parish Council
- b. May 25, 2023 regular meeting of the Livingston Parish Council

LPR NO. 23-249

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice "Scooter" Keen to adopt the May 11, 2023 regular meeting of the Livingston Parish Council and May 25, 2023 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on the 8th day of June, 2023.

The chair addressed agenda item number 12, "Parish President's Report". He advised that he had spoken with the Parish President earlier that day and that he would be sending a representative on his behalf, but that he did not have a report at that time.

**Mr. Mark Harrell appeared on behalf of the Parish President in his absence.*

The chair addressed agenda items number 13a and b:

10. Acadian Ambulance – Dwain Meche, Community and Government Relations

- a. Annual Permit Renewal for period of July 2023 to June 2024
- b. Authorization of Annual Membership Drive for period of August 2023 to July 2024

The chair called upon Mr. Dwain Meche from Acadian Ambulance. Mr. Meche advised that they were seeking their annual permit renewal. All documentation had been submitted and received by the Livingston Parish Council clerk and Homeland Security had inspected each ambulance unit.

LPR NO. 23-250

MOTION was made by Tracy Girlinghouse and duly seconded by Gerald McMorris to issue Acadian Ambulance Service an annual permit of operation for the Parish of Livingston for the period beginning June 27, 2023 and ending June 27, 2024.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed agenda item number 13b, “Authorization of Annual Membership Drive for period of August 2023 to July 2024”, and advised that the Parish attorney had reviewed the surety bond submitted for the membership drive and deemed it acceptable.

Councilman Tracy Girlinghouse wished to comment. He explained that his family had used Acadian Ambulance’s services several times in the last six (6) months for his elderly parents. He praised them for their punctuality and professionalism and he encouraged everyone to become a member.

Mr. Dwain Meche thanked Councilman Girlinghouse for his kind words. He explained the billing process and how it relates to those with Medicare. Mr. Meche stated Acadian Ambulance took great pride in their employees.

Mr. Meche described their shortage of staffing, just as hospitals and other health care professions have been going through. He reported that Acadian Ambulance Services had partnered with Springfield Fire Department, who have allowed Acadian to place some housing that would provide a classroom environment.

He advised of upcoming EMT classes and asked the Council members to encourage anyone that they knew who may be interested into entering this field of work, to participate in the classes that he mentioned.

Mr. Mark Harrell, who was located in the audience, advised that Acadian had come to his daughter’s aid the day before and helped air lift her to receive medical attention. His praised their efforts.

LPR NO. 23-251

MOTION was made by Tracy Girlinghouse and duly seconded by Jeff Ard to authorize Acadian Ambulance Service to conduct its annual membership drive for period of August 2023 to July 2024 in the Parish of Livingston.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed agenda item number 14, “Introduction of Steve Irving and also discuss zoning issues and plan of action” and called upon Councilman Randy Delatte. Councilman Delatte informed the Councilmembers that Mr. Irving was not present and he would like to place this on the next meeting agenda.

The chair addressed agenda item number 15, “Update on Planning and Zoning Investigation”, and called upon Councilman Jeff Ard.

Councilman Jeff Ard advised that after he had placed this on the agenda, the Councilmembers had received a letter from District Attorney Scott Perrilloux. Councilman Maurice “Scooter” Keen asked if the letter could be read publicly.

Councilman Ard asked for the Council clerk to read aloud the letter as follows:

To the Livingston Parish Council Members:

I understand that you, the members of the Livingston Parish Council, are attempting to suspend the activity of the Parish's Planning & Zoning Commission and have instituted an "investigation" of the Commission. If you have any information which you feel indicates any

illegal action, impropriety, or malfeasance, we ask that you immediately provide that to our office so that we can institute appropriate action.

In the meantime, we point out to you that, as per Section 125-2 of the Livingston Parish Code of Ordinances, the Planning & Zoning Commission under the direction of the Parish President is in charge of administration of Chapter 125 of the Livingston Parish Code of Ordinances ("Subdivision Regulations"). The Louisiana courts have discussed the authority a Parish Council has over a Planning Commission:

"It must be understood that the PLANNING COMMISSION is a separate legal entity, created by the governing body of this Parish, the Terrebonne Parish Council, and historically, by joint creation with the Houma City Council. The only control the Terrebonne Parish Council has over the PLANNING COMMISSION is the appointment of its members and in the various Parish Ordinances regulating subdivisions that are passed by the Terrebonne Parish Council. The only defense, other than the removal of members at the expiration of their terms, that the Terrebonne Parish Council has to a rogue PLANNING COMMISSION that does not want to follow ordinances and codes passed by the Terrebonne Parish Council, is to deny acceptance for perpetual maintenance of subdivisions that do not meet the requirements of the Terrebonne Parish Code. By this device the Terrebonne Parish Council keeps control of the PLANNING COMMISSION to insure the adequate safeguard of the public and to insure that the Parish Ordinances are complied with by the PLANNING COMMISSION".

McCleary v. Terrebonne Parish Consolidated Government, 1996 WL 34492135 (1994), at Page 9.

The Louisiana Attorney General's Office has indicated that a Parish Council's power over a created agency such as a Planning & Zoning Commission is limited to the passing of ordinances to abolish, trump or nullify an action of the commission. *La. Atty. Gen. Op. No. 06-0025 (2006)*.

In general, the Parish Council cannot otherwise dictate the actions of the Planning Commission. There is a good reason these boards are created with independence free of politics. If you have evidence of corruption or wrongdoing, we will be happy to investigate. Otherwise, I would suggest that you let the Planning and Zoning Commission make their own decisions, even though you may disagree with some of them. Please call if you have any questions.

Yours truly,

Scott M. Perrilloux

District Attorney

The chair asked Councilman Ard if there were any other updates that he wished to speak upon.

Councilman Ard stated that because of the letter received from the District Attorney, there is no reason for the investigation. He further stated that if the Council members had a problem, they would need to then send it to the District Attorney as it clearly states in his letter.

Councilman Randy Delatte asked Mr. Brad Cascio, Parish legal counsel, how does that relate to Section 2-08 of the Home Rule Charter.

Mr. Cascio stated that Section 2-08 of the Home Rule Charter does state that the Council does have the ability to perform an investigation, but he believed that Mr. Perrilloux's letter was saying that the Council does not have the ability to tell the Planning Commission what they can and cannot do, you cannot direct their actions. He also thought that if the Council was to perform an investigation, it would need to be the entirety of the Council based off of the letter, not a subcommittee or a *inaudible*...

Councilman Garry Talbert questioned how long ago did the Council vote to have this investigation?

Councilman Delatte answered that it was four (4) weeks ago and advised of the actions taken at that time.

The chair allowed a very lengthy open discussion.

MOTION was made by Garry Talbert and duly seconded by Jeff Ard to rescind whatever action this Council took with respect to the Planning and Zoning Commission investigation on May 11, 2023 and move forward at a later date.

The open discussion continued and there was no vote taken.

Public input: Derek Babcock, member of the Planning and Zoning Commission

MOTION was made by Garry Talbert and duly seconded by Jeff Ard to rescind Livingston Parish Resolution Number 23-200b.

Councilman Gerald McMorris requested a few minutes to look at and evaluate this before the vote. Councilwoman Erin Sandefur stated that she would need to look at it as well.

The chair allowed the lengthy open discussion to continue.

Councilwoman Sandefur stated that she did come with specifics and the attorney in attendance that night would not allow her to amend the resolution to make it so specific. She stated that she just wanted that on public record.

The chair called for the vote.

LPR NO. 23-252

MOTION was made by Garry Talbert and duly seconded by Jeff Ard to rescind Livingston Parish Resolution Number 23-200b that was adopted on May 11, 2023 at the Special Meeting.

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

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

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed agenda item number 16a, “Grants Department:

- a. Adopt a resolution authorizing the parish president to execute the servitude agreements and all other documents required in connection with the Hazard Mitigation Grant Program (HMGP) 1603-0283 West Colyell Creek Improvements and the 4277-0109 West Colyell Creek Drainage Improvements (Buddy Ellis Road to Middle Colyell Confluence.”

The chair called upon Mr. Mark Harrell who stated that this was probably the longest working project in the history of Livingston Parish. He briefly explained the project and asked for a resolution to allow the Parish President to sign.

LPR NO. 23-253

MOTION was made by Tracy Girlinghouse and duly seconded by Jeff Ard to authorizing the Livingston Parish President to execute the servitude agreements and all other documents required in connection with the Hazard Mitigation Grant Program (HMGP) 1603-0283 West Colyell Creek Improvements and the 4277-0109 West Colyell Creek Drainage Improvements (Buddy Ellis Road to Middle Colyell Confluence).

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

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

Thereupon the chair declared that the Motion had been carried and was adopted on the 8th day of June, 2023.

The chair addressed agenda item number 16b, “Grants Department:

- b. Adopt a resolution authorizing the parish president to execute the Entity/State Agreement between the Livingston Parish Council and the Louisiana Department

of Transportation and Development for the Livingston Parish West Colyell Bridge Replacement Project (State Project No. H.015355) funded by the Louisiana Department of Transportation and Development.”

Mr. Harrell gave a brief history of this project.

LPR NO. 23-254

MOTION was made by Tracy Girlinghouse and duly seconded by Jeff Ard to authorize the Livingston Parish President to execute the Entity/State Agreement between the Livingston Parish Council and the Louisiana Department of Transportation and Development for the Livingston Parish West Colyell Bridge Replacement Project (State Project No. H.015355) funded by the Louisiana Department of Transportation and Development.

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

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

Thereupon the chair declared that the Motion had been carried and was adopted on the 8th day of June, 2023.

The chair addressed agenda item number 16c, “Grants Department:

- c. **Introduction of Ordinance:** to acquire immovable property for the parish of Livingston pursuant to the hazard mitigation grant program project number FEMA-4277-DR- LA-0131- Livingston Parish located at 8995 Cedar Springs Ave. Denham Springs, LA 70726.”

The Council clerk read the proposed ordinance by title as follows:

L.P. ORDINANCE NO. 23-24

AN ORDINANCE TO ACQUIRE IMMOVABLE PROPERTY FOR THE PARISH OF LIVINGSTON PURSUANT TO THE HAZARD MITIGATION GRANT PROGRAM PROJECT NUMBER FEMA-4277-DR-LA-0131- LIVINGSTON PARISH.

LPR NO. 23-255

MOTION was offered by Erin Sandefur and duly seconded by Tracy Girlinghouse to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, June 22, 2023 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. KEEN, MR. TALBERT, MR. ARD, MR. GIRLINGHOUSE, MR. WASCOM, MS. SANDEFUR, MR. MCMORRIS, MR. DELATTE
- NAYS: NONE
- ABSENT: MR. MACK
- ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 8th day of June, 2023.

The chair addressed agenda item number 17, Adopt a resolution authorizing the Parish President to enter a contract agreement with Thompson Consulting Services, to perform Standby Disaster Debris Monitoring & Management Services for FY 2023. – LOHSEP”, and called upon Mr. Mark Harrell.

Mr. Harrell advised that the Parish had done this last year and it was approved by the Livingston Parish Council. However, they were ready to start soon on the FEMA Waterway debris and he had been reaching out to the company that had the contract, and they have not returned the Parish's phone calls. He cancelled the contract and it has been re-bid. Mr. Harrell advised that Thompson Consulting Services was the one (1) that the Selection Committee team chose for recommendation and he was requesting authorization to move forward.

Councilman Gerald McMorris questioned if this would include all of the lower part of Livingston Parish on the Amite River?

Mr. Harrell stated that it would be the Amite River, Blind River, Petit Amite, and Old Amite. He wished to advise the Councilmembers that they were ready to move forward up until Monday morning. Mr. Harrell advised that he had received an email from the Louisiana Wildlife and Fisheries agency explaining what all needed to be done and report back to them on how the Parish would protect the heel splitter mussel on the Amite River. He further advised that he was going to try to get people moving forward with the rest of the project while trying to satisfy the US Fish and Wildlife Service.

Councilman Randy Delatte questioned how long the contract was for? Just this year? Was it one (1) year total, or just the end of this year? Mr. Harrell replied, one (1) year.

Councilman Delatte questioned if the contract doesn't start this year, then it's only good for six (6) months the following year? Mr. Harrell advised that it was one (1) year from the date that it was signed by the Parish.

Councilman Delatte questioned if he would sign the contract when the Parish Council gave approval or when they are ready to start?

Mr. Harrell explained that no, when the Council gives that approval the contract will be signed and it is a stand-by contract. FEMA requires stand-by contracts so that you do not wait until the disaster hits, when going out for a bid, the prices go up.

Councilman Delatte stated that his question is, if it is a stand-by contract, how can he authorize this contract to be longer than six (6) months? Or eight (8) months, whatever the Councilmembers have left of their term? He further stated that they cannot sign a contract that inhabits or entails another new group, a new Council, with a new Parish President, we cannot sign a contract that binds them. He advised that if the contract went for six (6) months then he was good with it, if it goes into next year, how can we do that, they couldn't so it in the past.

Mr. Harrell stated that when this came up, Mr. Moody, Parish Legal Counsel, advised that you could do that.

Councilman Garry Talbert stated that he thought the deal is that you have this contract, we can sign it for whatever and the next Council can replace it with another deal, but what you don't want to do is get caught without it.

Councilman Delatte stated that he agreed with that, but the next group that comes in and they want to replace it with someone else, then they are going to have to pay damages because this group in good faith signed a one (1) year contract. He was saying that the contract should be good for the end of this year only and not in the new year of government.

Mr. Harrell said that if you want that, then he would go back out for bid, the price will probably go up.

Councilman Delatte stated that it was not what they want, if they were following the laws, how could they pick and choose which law to follow?

After a brief pause, the chair called for the vote.

LPR NO. 23-256

MOTION was made by Gerald McMorris and duly seconded by Tracy Girlinghouse to authorize the Parish President to enter a contract agreement with Thompson Consulting Services, to perform Standby Disaster Debris Monitoring & Management Services for FY 2023.

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

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

NAYS: MR. DELATTE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 8th day of June, 2023.

The chair requested that the Council members return back to agenda item number 16c, "Grants Department:

- c. **Introduction of Ordinance:** to acquire immovable property for the parish of Livingston pursuant to the hazard mitigation grant program project number FEMA-4277-DR- LA-0131- Livingston Parish located at 8995 Cedar Springs Ave. Denham Springs, LA 70726."

The chair advised when this proposed ordinance was read by title, the time of the Public Hearing was missed.

The Council clerk announced that the Public Hearing would be on June 22, 2023 at six o'clock (6:00) p.m.

Councilman Jeff Ard requested that the chair consider going to agenda item number 19, "Update on Lod Stafford Road Bridge project" as Mr. Mark Harrell would be addressing this agenda item.

The chair complied and called upon Mr. Harrell to speak on agenda item number 19, "Update on Lod Stafford Road Bridge project – Jeff Ard", to which no one objected.

Mr. Harrell explained that it was not good news that he had to report that evening. He stated that FEMA swaps out their reservist, and unfortunately this week they started sending in requests for information that has already been submitted, this happens every time they swap this out, he stated that it has happened several times.

Mr. Harrell has asked Congressional leaders to schedule a meeting for him with the head of FEMA in D.C. and Mr. Harrell has requested a Congressional hearing on this project. He further advised that he would be meeting the next day with GOHSEP and FEMA seeking to move this project forward, but whether it moves forward or not, Mr. Harrell still wanted the Congressional hearing. He acknowledged how FEMA operated from D.C. and all the decisions are determined in D.C.

Councilman Jeff Ard asked if there was a possibility for a temporary crossing? Mr. Harrell advised that was one (1) thing that he was going to request at the meeting tomorrow. He further advised that it would be a low weight bridge if they allow it, but it would take care of an ambulance and things of that nature. The big trucks would not be allowed. He stated that it would be a blessing if they could get it, and he was going to request it, and he was going to fight for it.

Councilman Ard thanked Mr. Harrell and the chair stated that it was an honor to have him working for this Parish.

Mr. Harrell asked if there were any more questions. Having none, the chair addressed the next agenda item.

The chair addressed agenda item number 18, "Adopt a resolution asking all commissions, committees, and boards appointed by the Livingston Parish Council to say the pledge of allegiance and say a prayer before all official meetings. – Maurice "Scooter" Keen".

Councilman Keen stated that in light of some of the things that he had been seeing, mainly the Library Board. He advised that he saw the last meeting and it was ridiculous. They had to decide if they wanted to say a prayer without offending people. He stated that this was a Christian nation, if can't say a prayer, don't say a prayer, if you don't want to do it, sit down, it's okay. He stated

that we can't say the pledge, we have to take "under God" out of the thing. So Councilman Keen was asking the Council members to pass a resolution asking all commissions and boards to say a prayer and pledge to our flag, it was very simple.

LPR NO. 23-257

MOTION was made by Maurice "Scooter" Keen and duly seconded by Randy Delatte to send notification to request that all commissions, committees, and boards appointed by the Livingston Parish Council to say the pledge of allegiance and say a prayer before all official meetings.

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed agenda item number 20, "Introduction of Ordinance: Allocation of revenue to the Parish by DNR on monies generated on state CCS leases – Garry Talbert".

Councilman Garry Talbert stated that he wished to table it. He stated that it did not clear, it went to conference, it received a rule. He further advised that it passed committee about forty-five (45) minutes ago and until they look at what changes might have happened he wished to table it.

The chair addressed agenda item number 21, "Public Hearing and Adoption of LP Ordinance 23-21: Pink Tax Exemption for Livingston Parish – Garry Talbert" and asked the Council clerk to read it by title.

The Council clerk read the ordinance by title as follows:

L.P. ORDINANCE NO. 23-21

AN ORDINANCE TO AMEND ARTICLE I, "IN GENERAL", OF CHAPTER 2, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 2-27, "LIVINGSTON PARISH PINK TAX EXEMPTION", BY ESTABLISHING AN EXEMPTION FOR LIVINGSTON PARISH SALES AND USE TAX ON WOMEN'S FEMININE HYGIENE PRODUCTS AND DIAPERS.

The chair called upon Councilman Garry Talbert who advised that this proposed ordinance had been discussed a bunch and suggested that they ask the public if they wanted to talk about it, if not, he would like to make a motion to adopt.

The chair advised that there had been a motion by Mr. Talbert and it was seconded by Councilman Jeff Ard.

The chair then called upon Councilwoman Erin Sandefur.

Councilwoman Erin Sandefur stated that she just wanted to go on public record to say this, at the last meeting, when they talked about it, a lady in the audience came up and spoke and said roughly women would spend eighteen thousand dollars (\$18,000.00) in their lifetime buying feminine hygiene products. She further stated that when you take one percent (1%) from that, that would be one (1) female totaling one hundred and eighty dollars (\$180.00) for over forty (40) years. She wished to point out, as it was concerning to her, that the one (1) cent tax exemption was going to come from our roads and our jails. Councilwoman Sandefur advised that when you add those monies up it comes out to three hundred and fifteen thousand dollars (\$315,000.00) per year and you take the forty (40) year life span of the females that would be buying feminine hygiene products over forty (40) years in our Parish, that comes out to 12.6 million dollars. She stated that was a big blow and she just wanted to go on record to point that out. She advised that she would support the tax exemption, but that needed to be pointed out because they did have roads that needed to be overlaid. She further stated that one of the biggest concerns that they had in the Parish was the crime that was coming to the Parish.

The chair advised that he was opening the public hearing and invited anyone who wished to speak on this agenda item to please come forward.

Public input: Julie Dyason-Norris, resident of Denham Springs, LA

The chair asked if there were any one else who wished to speak under Public input. Having none, the chair closed the Public Hearing.

Councilman Randy Delatte stated that he understood the goodness of Councilman Garry Talbert's heart when he proposed this ordinance, but he agreed with Ms. Julie Dyason-Norris. He advised that it just seems like the people have already decided where they want the money at so he shouldn't come back and tell them no, we're going to give a tax break to somebody else after they voted to access this fee to everyone in the Parish. Everyone had the opportunity to vote, and the majority won.

Councilman Delatte requested that the Council members really look at this hard. He stated that they make a lot of decisions that it probably doesn't make a lot of difference and he thought that this is a decision that would make a difference. He discussed the differences in savings as opposed to what funding would not be collected. He felt that this decision had already been made by the people at the election poll and he would implore the Council members to take their responsibility seriously and vote no.

Councilman Garry Talbert stated that he thought the thing that they were forgetting was that there are a lot of people in this parish that do not have the same socioeconomic situations that some of others have. Some of us don't have the ability to pay and four dollars and fifty cents (\$4.50) might not mean a lot to some people, but it might mean the difference whether somebody's child eats on in a particular situation. He felt that the numbers that they were using were kind of skewed in the fact that you all determined how many women are in the Parish and every one of them need to use the exemption of this tax. He guaranteed that there is a period of time that some portion of those women use it and they're not using it the whole time. Councilman Talbert further stated that this is something that's been set forth for them that they have the option to do. He acknowledged that it probably won't impact certain people, it won't matter to them one way or another, but there is a group that will definitely be impacted and they will appreciate any costs savings that can be passed on to them, especially if you have young children that require diapers.

LPR NO. 23-258

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2023 on Motion of Garry Talbert and seconded by Jeff Ard:

L.P. ORDINANCE NO. 23-21

AN ORDINANCE TO AMEND ARTICLE I, "IN GENERAL", OF CHAPTER 2, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 2-27, "LIVINGSTON PARISH PINK TAX EXEMPTION", BY ESTABLISHING AN EXEMPTION FOR LIVINGSTON PARISH SALES AND USE TAX ON WOMEN'S FEMININE HYGIENE PRODUCTS AND DIAPERS.

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

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

NAYS: MR. WASCOM, MS. SANDEFUR, MR. DELATTE

ABSENT: MR. MACK

ABSTAIN: NONE

And the ordinance was declared adopted on the 8th day of June 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 22, "Public Hearing and Adoption of LP Ordinance 23-22: Prohibiting Biological Males from Competing in Female Sports in Livingston Parish – Garry Talbert".

The chair called upon the Council clerk to read the ordinance by title as follows:

L.P. ORDINANCE NO. 23-22

AN ORDINANCE TO AMEND ARTICLE I, “IN GENERAL”, OF CHAPTER 2, “ADMINISTRATION”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 2-28, “WOMENS SPORTS IN LIVINGSTON PARISH.”

The chair called upon Councilman Garry Talbert who explained that it’s pretty simple, it just says biological males cannot compete in women’s sports in the Parish. It doesn’t talk about co-ed sports, it doesn’t talk about girls playing in boys’ sports, it’s strictly biological males, it doesn’t matter how you identify, if you’re a biological man you cannot participate in female sports in the Parish.

Councilman Talbert made the motion to adopt and Councilman Maurice “Scooter” Keen made the second to that motion.

The chair opened the Public Hearing and asked if there was anyone in the audience who wished to speak for or against prohibiting biological males from competing in women’s sports in Livingston Parish.

Having none, the chair closed the Public Hearing and called for the vote.

LPR NO. 23-259

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2023 on Motion of Garry Talbert and seconded by Maurice “Scooter” Keen:

L.P. ORDINANCE NO. 23-22

AN ORDINANCE TO AMEND ARTICLE I, “IN GENERAL”, OF CHAPTER 2, “ADMINISTRATION”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 2-28, “WOMENS SPORTS IN LIVINGSTON PARISH.”

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

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

And the ordinance was declared adopted on the 8th day of June 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 23, “Public Hearing and Adoption of LP Ordinance 23-23: Amending LP Ordinance 15-18, Justice of the Peace and Constable Salary Provisions – Randy Delatte”.

The chair called upon the Council clerk to read the proposed ordinance by title as follows:

L.P. ORDINANCE NO. 23-23

AN ORDINANCE AMENDING L.P.O. 15-18, THE METHOD OF PAYMENT AND PROVIDING FOR THE LIVINGSTON PARISH JUSTICES OF THE PEACE AND CONSTABLES BY MAKING SALARY PROVISIONS AS SET FORTH MORE FULLY HEREIN.

The chair opened the Public Hearing and asked if anyone in the audience wished to speak for or against the proposed ordinance.

None being, the chair closed the Public Hearing.

Councilman Garry Talbert questioned Councilman Delatte and asked there was a period of time that we received this money that we didn't pass it on are we going to retroactively give them their money and then pay them timely and we have the money in the budget.

Councilman Delatte stated that the answer was yes. He also acknowledged that the Finance Director guided them in this ordinance.

LPR NO. 23-260

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 25, 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 June 8, 2023 on Motion of Randy Delatte and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 23-23

AN ORDINANCE AMENDING L.P.O. 15-18, THE METHOD OF PAYMENT AND PROVIDING FOR THE LIVINGSTON PARISH JUSTICES OF THE PEACE AND CONSTABLES BY MAKING SALARY PROVISIONS AS SET FORTH MORE FULLY HEREIN.

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

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

And the ordinance was declared adopted on the 8th day of June 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 24, “Adopt a resolution granting two waivers for Section 125-37(6) and Section 125-126(b) & (c) for Malcolm Ray and Holly Forbes located off of Bebe Lane in Council District 8 – Randy Delatte”. This agenda item was pulled.

The chair addressed agenda item number 25, “Adopt Resolution to name an unnamed road, “Lambert Lane,” located off Country Lane in District 8- Randy Delatte”.

Councilman Randy Delatte advised that it was his understanding that everything had been received to approve this agenda item. Upon that acknowledgement, he made the motion.

LPR NO. 23-261

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to name an unnamed road, “Lambert Lane”, located off of Country Lane in Council District 8; approval letter received from the Building Department on May 24, 2023.

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

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

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed item 26, “Adopt resolution for the annual appointment of the Livingston Parish Official Journal (July 1, 2023 through June 30, 2024) – Louisiana Secretary of State”.

LPR NO. 23-262

MOTION was made by Garry Talbert and duly seconded by Gerald McMorris to appoint the Livingston Parish News as the Official Parish Journal for the governing authority of the Parish of Livingston as mandated by R.S. 43:150 and R.S. 43:174 for the term of one (1) year beginning on June 30, 2023 and ending upon June 30, 2024; and whereby submitting this selection to the Louisiana Secretary of State.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed agenda item number 27, "Zoning Re-classification(s):

- a. Rezone Parcel #0626952A from Agriculture (AG) to Industrial (I1) for David Bennet (LEDC) for Hornsby Industrial Park in Council District 1 – Jeff Ard"

The chair called upon Councilman Jeff Ard who explained that the property in question was located north of Shaw and Martin Brower. It had been requested that this area be changed and re-classified to light industrial, going from AG to Industrial. He advised that this had been brought up and requested by Mr. David Bennett, Director of the Livingston Economic Development Council (LEDC).

LPR NO. 23-263

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to rezone Parcel #0626952A from Agriculture (AG) to Industrial (I1) for Hornsby Industrial Park in Council District 1.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed agenda item number 27, "Zoning Re-classification(s):

- b. Rezone Parcel #0237644 from AG to C-2 for Bressler Enterprises LLC, located off of Florida Blvd. in Council District 1 – Jeff Ard"

Councilman Ard explained that this was a request to change the classification from AG to C-2 and was a large area of property located on Satsuma Road and 190 and he wished to make that motion.

Public input: Sarah Phares, resident of Denham Springs, LA

Councilman Ard clarified that the location of this property was from Satsuma Road to the Old Rayburn's Grocery store on Highway 190. He stated that right now it is all wooded and the request was made to make it commercial because it is on the side of 190. He advised that everything through there will be commercial.

LPR NO. 23-264

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to rezone Parcel #0237644 from AG to C-2 for Bressler Enterprises LLC, located off of Florida Boulevard in Council District 1.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: MS. SANDEFUR, MR. MCMORRIS

Thereupon the chair declared that the Motion had carried and was adopted on June 8, 2023.

The chair addressed item 28, "Committee Report(s):"

a. "Finance committee"

Mr. Delatte stated that the Finance Committee did not meet.

b. "Ordinance committee:"

The chair advised that the Ordinance committee did not meet.

The chair addressed agenda item number 29, "District Attorney's Report:

a. Executive Session:

United States District Court

Middle District of Louisiana

Case 3:23-cv-00340-SDD-EWD

Ascension Properties, Inc.

Versus

Livingston Parish Government, Randall Delatte, Erin Sandefur, Gerald McMorris, Jeff
Ard, Shane Mack and John Wascom

Complaint for Declaratory Relief, Injunctive Relief and Damages with Request for Jury
Trial"

Mr. Brad Cascio requested to have this item removed from the agenda.

Councilman Gerald McMorris wished to confirm that the Springfield Fire Department Poker Run
would be held at Boopalu's and not Tin Lizzy's on Saturday from ten-thirty (10:30) a.m. to seven
o'clock (7:00) p.m. He advised that the funds raised would be used for their fire trucks.

Having no further business, a motion to adjourn was requested until the next regular meeting being
scheduled on Thursday, June 22, 2023, at the hour of six o'clock (6:00) p.m. in Livingston,
Louisiana.

LPR NO. 23-265

MOTION was offered by Randy Delatte and duly seconded by Tracy Girlinghouse to adjourn the
June 8, 2023 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been 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=gnmpxhF6M4o&t=1249s>

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.**