

DATE: THURSDAY, JULY 27, 2023
TIME: 6:00 P.M.
PLACE OF MEETING: LIVINGSTON PARISH GOVERNMENTAL BUILDING
LIVINGSTON PARISH COUNCIL CHAMBERS
20355 GOVERNMENT BOULEVARD
LIVINGSTON, LOUISIANA 70754

**PUBLIC HEARING(S) OF THE LIVINGSTON PARISH COUNCIL ON
THURSDAY, JULY 27, 2023 AT 6:00 P.M. AT 20355 GOVERNMENT
BOULEVARD, LIVINGSTON, LOUISIANA 70754**

The chair called the Public Hearing to order and opened the Public Hearing. He explained the purpose of the Public Hearing and how Public Input would be accepted from the audience members who wished to speak.

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

L.P. ORDINANCE NO. 23-27

AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR THE TAX YEAR 2023.

TAX	MILLAGE
Parish/Local	1.16
Parish	2.32
Road Equipment & Maintenance	5.00
Health Unit	2.50
Library Bond	0.16

The chair asked if there was anyone who wished to speak for or against this proposed ordinance that sets the millage rates as adjusted for the tax year 2023?

Having no comment from the Public, the chair closed the Public Hearing.

The chair opened the Public Hearing for L.P. Ordinance No. 23-26, “Adoption of twelve (12) month moratorium on any residential development of more than fifty (50) lots or more than one hundred (100) acres”.

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

L.P. ORDINANCE NO. 23-26

AN ORDINANCE TO ADOPT A TWELVE (12) MONTHS MORATORIUM, PROHIBITING THE SUBMITTAL, REVIEW, AND APPROVAL OF ANY AND ALL SUBMITTED PRELIMINARY SITE PLANS, THE SUBMITTAL, REVIEW FOR SUBDIVISIONS WITH IMPROVEMENTS AND SUBDIVISIONS WITHOUT IMPROVEMENTS WHERE THE PROPERTY IS BEING SUBDIVIDED OR RESUBDIVIDED INTO MORE THAN FIFTY (50) LOTS OR MORE THAN ONE HUNDRED (100) ACRES.

The chair asked if there was anyone who wished to speak for or against this proposed ordinance to adopt a twelve (12) month moratorium?

Public input: Tommy Veenendaal, *against the moratorium*
Scott Kirkpatrick, *appearing on behalf of the Home Builders Association of Greater Baton Rouge*
Sarah Phares, *in favor of the moratorium*
John Mangus, *thanked the Council for their efforts*
Shane Marler, *builder and real estate agent, against the moratorium*

Having no other comment from the Public, the chair closed the Public Hearing.

Minutes of the Livingston Parish Council
Livingston, Louisiana
July 27, 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, July 27, 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: Chris Moody, 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 7, "Presentations", and called upon Mr. Tom "Moose" Pierce of South Central Planning and Development.

Mr. Pierce greeted the Councilmembers and explained that he was with South Central Planning and Development and their purpose was to help small businesses that have been impacted by Hurricane Ida and the flood of 2021.

Mr. Pierce introduced Mr. Cullen Curall, South Central Planning and Development attorney and Program Manager for the Restore Small Business Program. He explained that this program is for those small businesses that have been impacted by Hurricanes Laura, Delta and Ida. This is not to be confused with Restore Louisiana, the more prominent program being the housing program and they are not affiliated with one another. He also advised that May of 2021 flood was also considered as a secondary event that was included in this program.

Mr. Curall explained the program and who as a small business is eligible to apply. He referred to a handout of a power point presentation giving detail to their program and what can be funded.

The chair addressed agenda item number 7c, "Representative from SouthWest Water Company (formerly French Settlement Water Company) to address customers' concerns and the conditions of the company's provision of water - Randy Delatte".

The chair called upon the representative from SouthWest Water Company who was in attendance at the meeting to address these concerns.

The representative introduced himself to the Councilmembers as Tyler White and the superintendent of Louisiana for French Settlement Water Company. He wished to begin by explaining that French Settlement Water Company had been purchased by SouthWest Water Company in July a year ago in 2023 (sic).

This acquisition process began by allocating 2.5 million dollars (\$2,500,000.00) just to Livingston Parish's water systems. He stated that they provide water services to Maurepas, French Settlement and a few small locations in Walker, as well as Springfield as an "O and M contract". He advised that with these funds they have provided advancements to the overall brown and red water complaints. The large project is getting green sand filters to remove the iron and manganese. He explained that it was a large undertaking because of the approval process with water. They are

working with their engineers, outsource engineers and they were also working directly with the state to get the project approved. He further explained that they have allocated money towards things like improving pumps, replacing submersible pumps on their wells and many electrical panels for their submersible pumps, and replaced generators for some of their wells in the French Settlement area. He stated that the bigger projects are taking a lot of time because they have only been working on these projects for a year. Mr. White advised that green sand filtering would really help with the iron and manganese problems and is very efficient on their removal. They were also working on getting fences and overall security, as their whole goal with these projects are to create redundancy so that their water system is always working for their customers. They were also trying to add second booster pumps, that if one booster pump failed the other would kick on. He further explained that all of these projects must be approved by engineers, and written to engineers and approved by LDH. He wished to encourage customers to visit their website at www.swwc.com/louisiana and they also had a Facebook page called French Settlement Water Company where they put a lot of news about updates to facilities, capital projects that they are working on, if they have any major breaks or anything that might affect the customer they are put on that page. He wished to be able to put these notifications on other pages as well for notifications to customers.

Mr. White answered questions from Councilman Randy Delatte who read House Bill 892, Act 292 of the 2018 Legislative Session by Representative Schexnayder that has mandates for water companies servicing the public. He asked if these mandates were being followed?

Councilman Delatte asked Mr. White if their water company was following these state mandates which included having, maintaining and being able to provide detailed complaint logs. He described the complaints and reports that he and others had received from constituents describing the content of their water service. He inquired who and what number did they need to call to report these complaints.

Mr. White advised that complaints should be called into the French Settlement phone number. Councilman Delatte discussed the rude customer service that was being received when they call that number.

Councilman Delatte reported that SouthWest Water company was not abiding by the rules set forth in state law. He wished to know how the Council could know if their water company was keeping their employees up to date with training and certifications. Mr. White advised that all of that is kept track with the Louisiana Department of Health. He wished to know if he could contact the state to find out that the paperwork had been submitted as required. Mr. White concurred that the Department of Health was keeping those records.

Mr. White wished to request that everyone would keep in mind that French Settlement Water company was bought out by SouthWest Water company, and they had been keeping records since June of 2022. He stated that they did not have control of what happened before that date, but SouthWest Water had been keeping records of customer complaints and answering phone calls. Mr. White further advised that as far as the iron and manganese, their company purchased the system in June of 2022 and immediately started working on getting green sand filters and making all of these changes. What he wished to state was, that he was not making excuses, he was saying that they are working on it and they have accomplished a lot in one (1) year, but there are larger projects that take time.

Councilman Delatte asked if Mr. White could provide a schedule of when they were going to fix the problems? Mr. White advised that they had resolved a lot of the issues, and as far as the green sand filters, it was hard to say when the Louisiana Department of Health will give them approval to do that.

Councilman Delatte asked if Mr. White could tell them about their flushing program. Mr. White advised that they currently did not have a flushing program, which is a requirement of the state, and indicated that they have discussed this with the state, advising that they do not have adequate lines to do a flush program because of the sizing of the lines means that they are not able to get to the scouring velocity. He further advised that they had purchased this system with the intentions of putting 2.5 million dollars (\$2,500,000.00) into the system to get it running right. He stated that he could not emphasize enough with water, you can't just do, you must receive approval.

Councilman Delatte read a letter to Melissa, Mr. White's boss and the vice president of the company located in Texas. He had three (3) letters from business owners who lost money from the quality of their water as their businesses could not function with the water provided. There was no response to any of these complaints.

Councilman Delatte stated that he had received many, many numerous calls complaining about these same issues. He stated that one (1) of his constituents had called and advised that it would cost him eighty thousand dollars (\$80,000.00) to be allowed to hook up to their water company. He felt that was unnecessary because there was water service on one (1) end of this road, and then the water service stopped about midway on this road, and then it started back on the end of the road, coming back and stopping again. Councilman Delatte noted that the road in question was two (2) miles in length and there was a quarter mile that his water company would not cover.

Mr. White could not provide a timeline of the improvement projects as they needed to go through an approval process with the Louisiana Department of Health.

Councilman John Wascom asked how many employees did French Settlement Water company employ currently. Mr. White advised that there were two (2) office ladies. He stated that they recently were located and working in the Baton Rouge office, but are now currently working remotely from their home. He further advised that there was himself and five (5) other employees who were operators. Councilman Wascom asked how many wells did French Settlement have in use? Mr. White advised that there were more than five (5) wells in place. Councilman Wascom asked if they had a Cooperative Endeavor Agreement with other water systems, where if yours goes down, you would be able to tie into them?

Mr. White advised that they have a system that is located on Ruth Drive called Pine Heaven and it is its own water system. It is connected to Ward 2 Water.

Councilman Wascom asked how many water towers did French Settlement Water have?

Mr. White advised that they have HPT Tanks and they have ground storage, they do not have towers.

Councilman Garry Talbert suggested that Mr. White get their engineer to compose an email and send it to all of the Council members, and advise where they were at with the Department of Health and Hospitals. He stated that it would solve a lot of issues. He advised that if Mr. White could send them a timeline of what has been done and what still has to be done and what you think that you might have in response, it would probably go a long way.

Secondly, Councilman Talbert questioned if improving pumps cause additional problems by scouring pipes and creating a situation that made the water worse? He stated that ultimately sometimes when you increase the pressure or increase the flow rate, sometimes you will make a situation worse before you make it better, and was wondering if that's part of the problem.

Mr. White responded and advised that they did not upsize pumps, they replaced them in kind and that would not affect the flow or the scouring of the pipes. He further advised that the event that happened back in July was when someone hit one of their water mains. It stirred up the pipes and oxidized the lines and caused the water to turn red. He stated that their goal was to get the other projects completed which included the green sand filters.

Councilman Talbert questioned if Ward 2 Water purchased part of French Settlement Water company and advised of the redundancy agreement between the water system and Carter Plantation and the City of Springfield. He questioned Mr. White if their company had an agreement or tied back into someone else, so if a problem should arise, they would be able to feed from somebody else.

Mr. White explained about public water systems and their locations. He advised how many wells were available at these locations and the backup system that they provided.

Councilman Talbert asked several questions about the accident that happened around the fourth of July that destroyed part of the system, their plans for upgrades and improving redundancy. Mr. White answered his questions.

Councilman Gerald McMorris questioned who provided engineering services to their water company and asked if they had ever considered using local engineering services from the Parish of Livingston. He wished to report on the person that was named Jasmine who he and several others had spoken with and recounted the terrible public service that she provided to them when addressing their phone calls. He asked Mr. White for his help with this and Mr. White advised that he would address these complaints. He described the history that he and other customers have had trying to contact someone about the water problems, to which there were no responses. He implored Mr. White seeking help for this community located in Maurepas and Head of Island.

Mr. White stated that he would provide his email and would be out in the hallway of the Council chambers.

Councilman Gerald McMorris advised of the voicemail that was left by “Melissa”, Mr. White’s boss. He questioned the grant funds that the water company had applied for, what rate increases would customers have to expect, and who the company would be passing the costs on to. Mr. White answered his questions and thanked him for bringing these concerns to his attention.

Councilman Tracy Girlinghouse wished for Mr. White to repeat the areas that French Settlement Water company serviced. Mr. White advised that those areas included Maurepas, French Settlement and Springfield which was an O and M contract, meaning that they do not own it, they operate and maintain it. He furthered advised that they also owned a small section in Walker located by the landfill being Ruth Drive. He answered Councilman Girlinghouse’s questions in regard to this area about purging the lines for the manganese, the previous pigging station that was used, back up wells, the use of backup secondary wells.

Councilman Randy Delatte asked about the service on George Settlement Road. He stated that they are servicing three-fourths (3/4ths) of the road and that they are servicing on both ends, but yet in the middle area, service has been refused.

Mr. White stated that was news to him and he knew of their company working with other territories, but he only knew of one other development in French Settlement that they were exploring about seventy (70) connections.

Councilman Delatte asked what their company’s policy was in regard to new connection. Mr. White advised that it was three hundred and fifty (350) for a service line and asked if he was referring to a new development. Councilman Delatte responded that he was not speaking about new developments, but about an individual who lived on a road.

Mr. White reported that an individual who wished to have water services provided, would need to come, and then they would need to pay three hundred and fifty (\$350.00) dollars for a bore or a tap fee, and then the water company would provide them with a service line. The price of this service was discussed briefly.

Councilman Girlinghouse had questions about the manganese buildup in the water system. He questioned how these lines were purged before SouthWest Water Company acquired French Settlement Water company approximately a year ago. Mr. White asked if he was stating that they did not have problems before. Councilman Delatte responded and advised that the water was not as superior as what Ward 2 Water provided, but the French Settlement Water Company customers had water services that they could use. The services that were being provided now, could not be used. Mr. White answered Councilman Girlinghouse’s questions and advised that a phosphate had been used for a while, since before June, to sequester the water. Before, they did not flush lines and pigged in certain areas.

An audience member came to the front and placed several water bottles on display with samples of the inadequate water that customers could not use in their homes.

Councilman Shane Mack asked what Mr. Tyler White’s job scope was and what he managed as the superintendent of this water company. Mr. White submitted that they have Hammond, some areas in Mount Herman, Tangi, Independence, Springfield, Maurepas and French Settlement.

Councilman Mack asked what their company’s policy and procedure was when a customer called to report a service issue, how the report was investigated and how they responded back to the

customer and what will be done to resolve the issue. Councilman Mack discussed his past experience many years ago as an employee of French Settlement Water Company and how they responded immediately when a service call was reported. He explained that once an assessment had been made, they would go straight to the customer's home to make them aware of their determination of what the specific problem was, and when their service would come back on line. He ascertained that the problem with Mr. White's company seemed that there was a gap in communication with their customers.

Mr. White explained that when a call is received about brown water or loss of pressure, they do dispatch someone immediately. He indicated that if it was a major break or something of that nature, they may not be able to receive all of the calls, and some may be missed. He planned on addressing that along with the customer service complaints received earlier. He acknowledged that he was now aware of the breakdown with customers not receiving phone calls back and believed that was when they have breaks and all of the calls cannot be answered. He advised that if the customer's report was low pressure, the company will respond immediately, and if it is after hours, it may take more time. He further advised that someone should be there within thirty (30) minutes to resolve the low pressure. He described what may have caused the problem and then how it is resolved down the line. Councilman Mack questioned if a customer called to get an update of their service call, would their company provide that update? Mr. White responded in the affirmative and stated that his company would have to do a better job fielding the phone calls. Councilman Mack further questioned if French Settlement Water Company was affiliated with anyone in Baton Rouge? Mr. White advised not to his knowledge.

Council member Erin Sandefur wished to state her observations of these complaints and reports of the water serviced by French Settlement Water Company. She wished to state that water was the most common basic human need and the photos that she had seen were horrifying. She asked for clarification of the timeline of when the pumps and filters would come and what was the elemental breakdown of the water.

Councilman Jeff Ard advised that Mr. White may be able to receive some help with the approval from LDH by contacting the Parish of Livingston's Office of Homeland Security.

The chair stated that they needed to address where they would be going from that point on, and questioned if French Settlement Water Company was under the Public Service Commission?

Parish Legal Counselor, Mr. Chris Moody, stated that many of the water systems are, if they are not otherwise community owned or publicly owned.

The chair asked what could they, as the Parish Council do? Could they send a letter to the Public Service Commission to have them check on these complaints and serious problems?

The chair commented of his own personal experience and the problems that he had encountered. He advised of the lengths and the time that he had to undergo to reach the director of customer service in the state of Texas to correct his circumstances.

The chair turned to Mr. Moody and asked what could they do from here?

Mr. Moody advised that they have to answer to state authorities about their water quality to the environmental agencies.

The chair asked what could be done about the customer service? Could the Livingston Parish Council do anything in that regard?

Mr. Moody advised that the Council does not regulate these privately owned water companies in the Parish.

The chair asked if the Council could mandate how many people answered the customer service lines? Mr. Moody advised that he would look into that, however, he did not think that they had any type of authority to regulate them. The chair requested if Mr. Moody could put something together and give the Council some direction where they may be able to go from there, and if Mr. White could work on it from his end to try and get someone to report back to the Council at a later date about the action and plan that his company plans on taking.

Councilman Shane Mack offered that the Council could call their Public Service Commissioner as he spoke with his commissioner often. The chair requested if Councilman Mack would be able to do that, to which he agreed, and the chair requested that this be placed back on the agenda in approximately a month to give a report and update.

Mr. White advised that he had a meeting the following day with Owen and White, the engineers for French Settlement Water company, to discuss all of their projects and wished to provide an update to the Council members at the next Council meeting, which is scheduled on Thursday, August 10, 2023.

The chair asked for Public input from the audience members.

Public input: Jill Shoemaker, shared water complaint
Wade Holden, shared water complaint
Wendell White, wants water service to be installed on George Settlement Road
William Bruce, shared water complaint

The chair asked if there were anyone else who wished to speak under Public input. Having none, he called upon Councilman Garry Talbert.

Councilman Talbert questioned whose district included George Settlement Road? He addressed Councilman Randy Delatte and stated that every year there was a Community Development Block Grant that addresses replacing water lines on George Settlement Road. He asked if Forte and Tablada was doing the work and engineering on that thing?

Councilman Delatte responded and stated that he was not sure, but Mr. Wendell White who had just spoken under Public input, had made that point about money being received from a grant, and he could not understand why he had to pay to get tied in.

Councilman Talbert questioned if the Office of Emergency Preparedness and Homeland Security could get with Forte and Tablada, and asked if they were only replacing lines or were they expanding the system?

Mr. Mark Harrell, Director of Homeland Security and Emergency Preparedness advised that the work was being done by All South and discussed briefly what the Council had approved for this grant.

There was an open discussion about the grant for this project and Mr. Harrell advised that he would look into how this grant could be used to help the gap of water service on George White Road. He stated that he would obtain which segments that the Parish has done over the last five (5) years.

The chair addressed agenda item number 7a, "Presentations: 2022 Audit Report" and called upon Mr. John Murray, CPA, CGFM, Director of Audit and Assurance Services for LaPorte CPAs & Business Advisors.

Mr. Murray addressed the Council members and advised them that they had performed the audit for the year end of December 31st 2022 and he had prepared a summary of their report that he wished to read through. He asked if anyone had any questions or comments as he read through the summary to please let him know. He went over the audit result report and the Parish was given an unmodified opinion on the primary government financial statements for the year and it was a clean opinion on the financial statements. He wished to note that the audit performed was just for the Livingston Parish Council and did not include fire districts, recreation districts and so forth. He summarized the testing performed on the Parish government's controls and the Parish's compliance with state laws as well. The audit did not identify any compliance findings or any deficiencies in internal control related to the audit. He discussed the audit of federal funding received by the Livingston Parish government and reported that was also an unmodified, clean opinion and basically determined that the Parish had complied with the programs that were tested. Mr. Murray reported further and touched upon the highlights of the financials with the government wide perspective which included all of the Parish's Capital assets netted, depreciation, all the Parish's debt and long term liabilities. He discussed the balance sheet included in the summary

with the current assets total, the income statement, which resulted in a positive increase in net position.

Mr. Murray answered questions and provided where the documentation was located in the audit supporting his answers and responses.

Mr. Murray discussed the Statewide Agreed Upon Procedures which are prescribed by the Louisiana State Auditor that covers fourteen (14) different control and compliance areas best practices that he Louisiana Auditor had identified, and this was performed in addition to the audit.

He reported on three (3) exceptions that were found of the fourteen (14) tested.

The Councilmembers thanked Mr. Murray for his report.

The chair moved to the next agenda item number 8, “Adopt the Minutes of the July 13, 2023 regular meeting of the Livingston Parish Council” and deferred this item until the next meeting to be held on August 10, 2023.

The chair addressed agenda item number 9, “Parish President’s Report” and number 10, “Livingston Parish Grants Department” and called upon Mr. Mark Harrell who explained the need for the resolution presented for adoption.

LPR NO. 23-302

MOTION was made by Randy Delatte and duly seconded by Gerald McMorris to authorize the Parish President to approve Change Order No. 7 with Sharkey Mechanical Services, LLC. for the American Rescue Plan Act (ARPA)/HVAC Viral Mitigation Readiness Program.

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

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

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

Mr. Harrell requested to report on a meeting that he and Mr. Chris Moody had attended at the State Capitol where they had a verbal obligation of LWI funding for thirty million (30,000,000) and stated that they should have the written commitment within the next two (2) weeks. He advised that he would be going after an additional twenty million (20,000,000) that they had received in Region 9. He discussed that the funds could be used to dredge the Amite River from Port Vincent South, twelve (12) to fifteen (15) miles. He acknowledged the company Dewberry had already completed the study and it was determined that this would be where the biggest impact is.

Mr. Harrell answered questions from the Councilmembers.

Councilman Jeff Ard requested if Mr. Harrell could be permitted to give an update on the Lod Stafford Bridge.

Mr. Harrell advised that the bridge itself was in place, some of the concrete barriers have been placed down the side, limestone was being brought in at that time and they were packing it and they had hope that within two (2) weeks that it would be opened up. He further advised that it should support 96 or 97 tons so the school system can use the bridge this year.

Councilman Gerald McMorris wished to question the work being done on Blind River. Mr. Harrell advised that they were currently located on Dutch Bayou and would work their way into the mouth of it and then jump to the Amite River.

Councilman McMorris wished to make the public aware that there was a piece of 12-inch pipe that runs across between the two (2) buoys and it had lighting. Mr. Harrell concurred and advised that everything was above Coast Guard regulations.

Councilman McMorris reiterated that he wanted the public to be aware of everything that is happening on Blind River side.

Mr. Harrell indicated that the company is having problems with boaters, so he has requested that the Sheriff's Office and Wildlife and Fisheries begin to patrol that area.

The Council members thanked Mr. Harrell for the information that he reported.

Councilman Randy Delatte requested to make an announcement that the state was also doing a study on Highway 444 and Highway 42 on the front roundabout there.

The chair addressed agenda item number 11a, "Livingston Parish Planning and Zoning Commission:

- | | |
|---|---|
| a. Verizon Tower | Baker Donelson |
| Site Plan – Request for Waiver: Section 130-1(c), "Regulation of | |
| Telecommunication", Property Line Setbacks (tower height + 30') | |
| Duff Road | Section 11, T6S, R3E Council District 7" |

Ms. Laura Carlisle of Baker Donelson, representing on behalf of the applicant came to the podium to address the Council members.

The chair asked if this item had been before the Planning Commission. Ms. Carlisle advised that it had, and the Planning Commission recommended that the waiver be denied, and wished to explain why her applicant believes that the Planning Commission lacked a valid basis to deny this request.

She explained the proposed tower is going to be located off of Duff Road in Council District 7 and will be a one hundred twenty (120') foot monopole tower and would be intended to house equipment for Verizon with the ability to house equipment for one other carrier if it wanted to locate. She advised that the reason for the tower is to provide significant infill and improvement in coverage in both the capacity and the area. Ms. Carlisle referred to a map with color coded areas that displayed the current coverage and below that map showed the improved coverage with the installation of the monopole.

Ms. Carlisle explained that in terms of the location, Verizon, through its engineers, did make an effort to locate or site the tower on property that would not require the request for a waiver. They were not able to do that for all kinds of reasons, being wetlands, property owners that do not want to give a lease, and this is the property that Verizon must use for its location.

Ms. Carlisle requested the Councilmembers to approve the application with a waiver of your adjacent property setbacks, being the north and south.

She advised that the Planning Commission did recommend denial, and she had reached out to Mr. Moody in advance of the meeting about their concerns about why the Planning Commission did so.

Ms. Carlisle explained that the Planning Commission was under the impression in order to grant a waiver, adjacent property owners would have to give a written, signed approval that would then be recorded in the record and it would restrict building and impose a no build restriction on those adjacent property owners. She advised that respectfully, they have looked at the Parish's ordinance and there is no such requirement.

Ms. Carlisle addressed the concerns about the fall, this tower would be one hundred twenty (120') feet and is engineered with a fall radius that in the unlikely event of a collapse, it would collapse on itself and the design fall radius is less than one hundred fifteen (115') feet, so it would be entirely contained within the parent parcel posing no risk to any adjacent property owners.

Ms. Carlisle answered questions from the Councilmembers. She advised that denying the tower based on a requirement that is not actually in the Livingston Parish Code of Ordinances would subject the jurisdiction to a potential federal claim under the Telecommunications Act.

LPR NO. 23-303

MOTION was made by Tracy Girlinghouse and duly seconded by Garry Talbert to approve the application of the Verizon Tower located on Duff Road, Section 11, T6S, R3E, in Council District 7 and approve the waiver of Section 130-19c), “Regulation of Telecommunication” for the adjacent property line setbacks, being the north and south.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item L.P. Ordinance No. 23-27, “An Ordinance Setting The Millage Rates As Adjusted For The Tax Year 2023”.

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

L.P. ORDINANCE NO. 23-27

AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR THE TAX YEAR 2023.

TAX	MILLAGE
Parish/Local	1.16
Parish	2.32
Road Equipment & Maintenance	5.00
Health Unit	2.50
Library Bond	0.16

LPR NO. 23-304

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on July 13, 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 July 27, 2023, on Motion of Tracy Girlinghouse and seconded by Shane Mack:

L.P. ORDINANCE NO. 23-27

AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR THE TAX YEAR 2023.

TAX	MILLAGE
Parish/Local	1.16
Parish	2.32
Road Equipment & Maintenance	5.00
Health Unit	2.50
Library Bond	0.16

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 27th day of July 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 advised that he wished to skip agenda item number 13, “**Adoption of L.P. Ordinance 23-27**: Adoption of twelve (12) month moratorium on any residential development of more than fifty (50) lots or more than one hundred (100) acres – Shane Mack”, and address it later in the meeting.

The chair addressed agenda item number 14, “Adopt a resolution to authorize a waiver of Section 125-37 “Minor Subdivisions”, to allow seven (7) lots on a servitude located at 72112 Chandler Bluff Road, Denham Springs in Council District 2” and called upon Councilman Garry Talbert.

Councilman Talbert stated that the property owner was present in the audience and wished to come and speak to this matter before the Council. He asked if everyone had the map in front of them.

Public input: Raymond Mullins, representative from McLin Taylor on behalf of Mr. Messina

He explained that they were taking one (1) lot and making it into two (2), both lots being over an acre. Mr. Mullins further explained that there was a mobile home located on site and the homeowner wished to build a home on the property. He advised that they cannot get mortgaged with a mobile home on the site and wish to divide out the mobile home, so they can be allowed to build a home, which will be on the second lot. Councilman Talbert advised of the location of the property and wished to make the motion to allow the waiver.

LPR NO. 23-305

MOTION was made by Garry Talbert and duly seconded by Maurice “Scooter” Keen to approve the waiver of Section 125-37 “Minor Subdivisions”, to allow seven (7) lots on a servitude located at 72112 Chandler Bluff Road, Denham Springs in Council District 2.9

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 15, “Adopt a resolution to rezone the property located at 20458 LA Highway 22, from Unclassified (UC) to Residential (R2) in Council District 8 – Randy Delatte”.

Councilman Delatte advised that he wished to make a motion to change the zoning from Unclassified to R-2. Councilman Garry Talbert seconded his motion.

Councilwoman Erin Sandefur questioned if the Council was changing zoning? The chair and co-chair stated that was what the motion was.

Councilwoman Sandefur asked if they could change zoning? She thought that they had to go through the public and the Official Journal.

Parish Legal Advisor, Mr. Chris Moody advised that the Council has been doing it all along and that he did not agree and think that it was the right way. He stated that Mr. Villavaso stated that they should stop trying to do anything about zoning until they get the plan in place.

Councilwoman Sandefur asked Mr. Moody what did he advise? He stated that his advice was not to entertain any of these, but since they have done these for everyone else, he didn’t think it would hurt.

Councilwoman Sandefur stated that she did not understand Mr. Moody’s answer to her question.

Mr. Moody advised that they all knew a lot more about what it takes to change zoning now, but last year the Council put in a provision that would allow by resolution you could change the zoning until the end of this year. Mr. Villavaso tells us that is just not the way to do it, they cannot change it that way, it is an invalid change. He has also advised the Council that our zoning that has been in place is not valid, it is not enforceable and recommended that the Council replace it. Mr. Villavaso has also suggested that the Council suspend any efforts to adjust or change zoning. Mr. Moody stated that was his recommendation as well. He wished to reiterate that it does not hurt anything that the Council has done on all of these others. He further advised that ultimately they need to get it done correctly.

Councilwoman Sandefur stated that she would have to abstain from the vote.

Councilman Garry Talbert indicated that these property owners cannot do anything with this property because it has not been classified. He stated that the Council currently has a zoning ordinance in place, and if the Council wishes to repeal the zoning ordinance and kill all of the maps, then they would not have to do anything. He further stated that Planning does not have the manpower to follow state law as it is written, and that is why the Council originally agreed to do it the way we were going to do it. Councilman Talbert advised that until they give the budget to Planning to hire the people to handle the process. He stated that he was not saying that it was perfect, he was just saying that if they did want to keep doing these things, then repeal the zoning ordinance, otherwise, this is the only way we can get it done at this current point and time, and it is not fair for the person that is zoned unclassified.

The chair allowed an open discussion.

Councilman Delatte asked the chair to call for the vote.

LPR NO. 23-306

MOTION was made by Randy Delatte and duly seconded by Garry Talbert to rezone the property located at 20458 LA Highway 22, Maurepas, LA from Unclassified (UC) to Residential – Single Family (R-2) in Council District 8.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: MS. SANDEFUR, MR. MCMORRIS

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 16, “Approve request to re-classify Lots S-1-A-1 and S-1-A-2, located at LA Highway 22, Maurepas, LA 70449 from Unclassified (UC) to Residential (R-2), specifically Lots S-1-A & S-1-A-2, in Council District 8 – Randy Delatte” and declared that it was the same as agenda item number 15 and was added in duplication.

The chair addressed agenda item number 17, “Set speed limit and request the posting of “Children at Play” signs on Huntington Avenue in Council District 4 – John Wascom”.

LPR NO. 23-307

MOTION was made by Randy Delatte and duly seconded by Jeff Ard to set the speed limit at 20 mph, post speed limit signage and request that the Livingston Parish Department of Public Works place “Children at Play” signage on Huntington Avenue in Council District 4.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 7b, “Presentations: Presentation in regard to Sutton Lane by Roger Sutton – John Wascom”.

The chair called upon Mr. Roger Sutton who advised that he lived at 36181 Old River Road. Mr. Sutton wished to address the Council members to explain the history of Sutton Road dating back to the Police Jury. Mr. Sutton wished for the Parish to help alleviate the dust problem that has been created on this gravel road.

LPR NO. 23-308

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to request the Livingston Parish Department of Public Works to investigate all dust control measures that are possible and the possibility of spraying chemicals to control the dust on Sutton Road, being located off of Old River Road in Council District 4 and, in addition, add Sutton Road to the Priority Road list for consideration.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 18, “Adopt resolution to subdivide property located at 25209 Live Oak Street, Denham Springs, LA, current lot is 1.84 acres (200x200), to be subdivided into two (2) lots (100x200) having one hundred (100’) feet of road frontage in Council District 5 – Erin Sandefur”.

Councilwoman Erin Sandefur stated that this agenda item and agenda item number 24, “Adopt a resolution to authorize a waiver to subdivide in a named subdivision, “Live Oak Acres”, located at Wesley Street and Live Oak Street, for the subdivision of Lot 35 into three (3) lots in Council District 5 – Erin Sandefur” were the same and added in duplication. She explained why the waiver was needed. The property owners wished to take a lot being 1.84 acres and take it down to one (1) acre and the other two (2) lots they wish to be subdivided into roughly a half of an acre each.

The Council clerk asked for clarification on the amount of lots in question. Councilwoman Sandefur advised that it would be divided into three (3) lots. The request for the waiver was to subdivide in a named subdivision and they met all other requirements.

LPR NO. 23-309

MOTION was made by Erin Sandefur and duly seconded by Garry Talbert to authorize a waiver to subdivide in a named subdivision, “Live Oak Acres”, being located at Wesley Street and Live Oak Street, Denham Springs, for the subdivision of Lot 35 into three (3) lots in Council District 5.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item 19, “Adopt a resolution to authorize a waiver to subdivide in a named subdivision, “Cloverleaf Acres”, from one (1) lot into two (2) located on Cloverleaf Drive in Council District 2 – Garry Talbert”.

Councilman Talbert explained that the property owners were requesting to divide approximately 1.8 acres into two (2) lots in a named subdivision.

LPR NO. 23-310

MOTION was made by Garry Talbert and duly seconded by Randy Delatte to authorize a waiver to subdivide in a named subdivision, “Cloverleaf Acres”, from one (1) lot into two (2) located on Cloverleaf Drive in Council District 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 20, “Adopt a resolution to authorize a waiver of Section 125-37 “Minor Subdivisions”, to allow six (6) lots on a servitude located on Ruby Moore Road (old Paintball site), in Council District 2 – Garry Talbert”.

Councilman Garry Talbert advised that this was an old paintball facility on Ruby Moore Road. He stated that he thought that all of these lots would be over two (2) acres a piece. It is an eleven (11) acre tract and they are putting four (4) more lots on it.

LPR NO. 23-311

MOTION was made by Garry Talbert and duly seconded by Tracy Girlinghouse to authorize a waiver of Section 125-37 “Minor Subdivisions”, to allow six (6) lots on a servitude located on Ruby Moore Road (old Paintball site), in Council District 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 21, “Adopt a resolution for a waiver to subdivide in a named subdivision, “Perkins Road Acres”, located at 33765 Perkins Road, Denham Springs, LA 70706 for Kacie Parlow in Council District 3 – Maurice “ Scooter” Keen”.

Councilman Keen advised that he was contacted by someone who just wants to split it in half. The property is located within a named subdivision, but it is not in a “true” subdivision.

LPR NO. 23-312

MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry Talbert to authorize a waiver to subdivide in a named subdivision, “Perkins Road Acres”, located at 33765 Perkins Road, Denham Springs, LA 70706 for Kacie Parlow in Council District 3.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 22, “Approve a third address variance for Parcel #0142406, consisting of twenty (20) acres, located on Payne Alley Road, for Buddy Payne in Council District 9 – Shane Mack”.

LPR NO. 23-313

MOTION was made by Shane Mack and duly seconded by Garry Talbert to approve a third address variance for Parcel #0142406, consisting of twenty (20) acres, located on Payne Alley Road, for Buddy Payne in Council District 9.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 23, “Adopt a resolution to authorize a waiver for the number of lots on a servitude and width of servitude located 17265 Murphy Lane, French Settlement, LA 70733 in Council District 6 – Gerald McMorris”.

The chair called upon Councilman Gerald McMorris who explained that this agenda item was for Mr. Willie and he wanted to ask for the waiver. He then called upon Mr. Seth Mosby who was the engineer for the property owner.

Public input: Seth Mosby, BEI Surveying; representing the property owner, Mr. William Matherne

Mr. Mosby advised that this property was located off of Murphy Lane in French Settlement and is an existing servitude gravel road and the road dead ends on Mr. Matherne’s property. He further advised that there are no lots past it that would be coming off of this gravel road. Mr. Matherne is trying to create these two (2) lots for his children.

LPR NO. 23-314

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to authorize a waiver for the number of lots on a servitude and width of servitude located 17265 Murphy Lane, French Settlement, LA 70733 in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 25, “Amend Council office Policy and Procedure for Agendas/Addendums – Shane Mack”.

The chair called upon Councilman Shane Mack who explained what was being proposed. He advised that they would be changing the policy and procedure manual to allow the Council to do addendums in the future. He stated that the Council has been doing them and never stopped and

they should really be practicing what the rulebook says. He further stated that the other modification would define the notice of regular and special and emergency meetings.

Councilman Garry Talbert questioned about section 9 in the policy setting criteria for placing ordinances on the agenda through any committee unless properly introduced.

Councilman Mack explained that the Council had amended the policy to state that an ordinance could not be placed on the agenda for introduction without going through the Ordinance committee. Councilman Mack felt that was a mistake to place that in the policy and procedure and it needed to be reversed. He further explained that not all of them needed to go through committee, and some did because they took a lot of discussion and work.

LPR NO. 23-315

MOTION was made by Shane Mack and duly seconded by Jeff Ard to amend Council office Policy and Procedure for Agendas/Addendums as follows:

AGENDAS relating to regular meetings of the Livingston Parish Council

1. All requests to be placed on the Livingston Parish Council's meeting agenda, from the public sector or Councilmembers, shall be submitted to the Council clerk.

Public sector is defined as:

The part of the economy that is composed of both public services and public enterprises.

(e.g. this means other branches of government like the Assessor, Clerk, DA or Sheriff etc.)

Public services include public goods and governmental services such as the military, police, infrastructure (public roads, bridges, tunnels, water supply, sewers, electrical grids, telecommunications, etc.), public transit, public education, along with health care and those working for the government itself, such as elected officials. Organizations that are not part of the public sector are either a part of the private sector or voluntary sector.

2. In the absence of the Council clerk, agenda items shall be submitted to the Deputy clerk(s) **or Executive Assistant.**
3. If a member from the constituency of Livingston Parish or a business owner wishes to be placed on the agenda, they must have a Councilmember sponsor their item.
4. Agenda requests submitted by the public sector shall be submitted in writing and are required to be received by the office of the Livingston Parish Council.
5. Required information to be placed on the agenda shall include a detailed explanation of the topic to be discussed, the wording of the item to be placed on the agenda, name, agency and contact that will be speaking on the item and supporting documentation for the agenda item. If satisfactory information has not been received, then that agenda item will be tabled or deferred, and no action will be taken.
6. Deadline for the submission of items for the agenda shall be on Wednesday, at noon (12:00) p.m., one week prior to the regular meeting of Council. Deadlines affected by holidays or office closures shall be determined at that time and adjusted accordingly. The Livingston Parish Council office will send email notification to those that may be affected of the new deadline caused by holiday or office closures.
7. The agenda will be published on the website of the Livingston Parish Council and posted outside of its regular meeting place one (1) week prior to the regular meeting of Council and at least forty-eight (48) hours prior to the regular meeting of the Council.

****Special meetings and committee meeting agendas differ, and are to be posted at least twenty-four (24) hours prior the meeting.**

*****Forty-eight hours and Twenty-four (24) hours are defined as Monday through Friday, excluding Saturday and Sunday and scheduled holidays.**

8. The office of the Livingston Parish Council will maintain an email distribution list of the media and anyone who wishes to be included in an email blast to have the completed agenda directed to them upon their request.

~~9. No ordinances shall be placed on the agenda through any committee unless properly introduced.~~

~~10. There will be no addendums to the agenda once the agenda has been published.~~

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 26a, “Committee Reports: Finance Committee”. Councilman Randy Delatte advised that this committee did not have a report at that time.

The chair addressed agenda item number 26b, “Committee Reports: Ordinance committee” and called upon Councilman Shane Mack.

Councilman Mack addressed agenda item number 26bi, “**Introduction of ordinance:** Amendments to Section 130-1(1)(c) and Section 130-1(19) and Section 130-1(21), “Regulation of Telecommunication Towers”, in regard to setbacks from commercial and residential structures – Recommendation of Ordinance committee” and stated that this introduction of ordinance needed to be deferred until the next Council meeting so that he may go sit down and speak with Sam Digirolamo and Natalie Allen in the Planning Department.

Councilman Garry Talbert interjected and advised that if the Council chose to defer this, Ward 2 Water will be in a bind and he would have to come back to the Council with a whole list of waivers. Councilman Mack and Councilman Talbert agreed that the ordinance needed to be introduced that evening, and it would need to be amended.

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

L. P. ORDINANCE NO. 23-28

AN ORDINANCE TO AMEND CHAPTER 130, “TELECOMMUNICATIONS”, BY AMENDING SECTION 130-1(1)(C), SECTION 130-1(19) AND SECTION 130-1(21), “REGULATION OF TELECOMMUNICATION TOWERS” TO INCLUDE COMMERCIAL DEVELOPMENTS IN THE SETBACK REQUIREMENTS AND PROVISIONS FOR WAIVERS FROM ADJACENT PROPERTY OWNERS AND ADDING SECTION 130-1 (1)(J) FOR THE PROVISION OF SINGLE USE MONOPOLES OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

LPR NO. 23-316

MOTION was offered by Shane Mack and duly seconded by Garry Talbert to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, August 10, 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. MACK, MR. TALBERT, MR. KEEN, MR. GIRLINGHOUSE, MR. WASCOM,
MR. ARD, MS. SANDEFUR, MR. DELATTE, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 27, “Introduction of ordinance: Amending Chapter 117, “Zoning”, Section 117-50, “Amendments or changes to the development regulations or district map”, by deleting Part (D)” and called upon Councilman Tracy Girlinghouse.

Councilman Girlinghouse advised that essentially, Mr. Sam Digirolamo had reached out to the Council and said that they did not have the personnel to do this, but he felt that he wanted to introduce it anyway that evening and go from there.

Councilman Girlinghouse read Section 117-50, Part (D) as follows:

(d) Notwithstanding the above, during the initial 365-day transition period for the implementation of the Zoning Ordinance, the Council may change the Zoning of a particular property or properties at the request of the owner, Planning and Zoning Commission, or a Council person by a Resolution offered at any Council meeting. For changes recommended by those entities, the advertisements and public meetings are waived during the Transition period, which shall terminate on December 31, 2023. This section will become effective on the date following the signature of the Parish President.

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

L.P. ORDINANCE 23-29

AN ORDINANCE TO AMEND CHAPTER 117, “ZONING”, SECTION 117-50, “AMENDMENTS OR CHANGES TO THE DEVELOPMENT REGULATIONS OR DISTRICT MAP”, BY DELETING PART (D), IN AND FOR THE PARISH OF LIVINGSTON.

Councilwoman Erin Sandefur asked for clarity again on the zoning issues. She wished to ask Councilman Girlinghouse how can the Council change anything like that right now without going through the Public Hearing process, the three (3) weeks in the Official Journal...

Councilman Girlinghouse advised that they could do this because it was not affecting zoning, it was just removing something that should have never been placed in the ordinance.

Councilwoman Sandefur announced that she would need to abstain.

LPR NO. 23-317

MOTION was offered by Tracy Girlinghouse and duly seconded by Jeff Ard to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, August 10, 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. MACK, MR. TALBERT, MR. KEEN, MR. GIRLINGHOUSE, MR. WASCOM,
MR. ARD, MR. DELATTE, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: MS. SANDEFUR

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair addressed agenda item number 28, “Introduction of ordinance: Amend Section 125-137(3), “Prohibitions and Restrictions of use”, deleting Part (3) mandating permits for mobile

home applicants located in a named subdivision, must come to the Council to request a waiver to put a mobile home in any subdivision – Maurice “Scooter” Keen”.

Councilman Shane Mack stated that this proposed ordinance was discussed at the Ordinance committee meeting.

Councilman Maurice “Scooter” Keen advised that this would revert back to beginning that Councilman John Wascom had drawn. He stated that it would take care of the issue until the Council could come up with something better.

Councilman Mack stated that he felt that they needed to work on it a little bit more. Councilman Keen took no objection and this proposed ordinance would be sent back to the Ordinance committee for further review.

The chair advised that he would be taking up agenda item number 13, “Adoption of L.P. Ordinance 23-27: Adoption of twelve (12) month moratorium on any residential development of more than fifty (50) lots or more than one hundred (100) acres – Shane Mack”.

Councilman Randy Delatte asked the chair for a question of privilege and what that meant was that he was asking that the Council members take the moratorium item and put it underneath the executive session, they could come back in after the executive session and then deal with that item.

He stated that the reason for this was because it had something to do with the way that he needed to look at some things. He advised that what he needed for a question of privilege, he needed a second to lowering this down, to table it until after the executive session. Councilman Garry Talbert advised that he wished to second Councilman Delatte’s motion.

The chair stated that the motion was to move the moratorium discussion until after the executive session and Mr. Talbert seconded it. Councilman Delatte wished to stress that this vote takes a majority.

The chair called for the vote as follows:

LPR NO. 23-318

MOTION was made by Randy Delatte and duly seconded by Garry Talbert to recognize the Question of Privilege made by Councilman Randy Delatte and move agenda item number 13, “Adoption of L.P. Ordinance 23-27: Adoption of twelve (12) month moratorium on any residential development of more than fifty (50) lots or more than one hundred (100) acres”, down below agenda item number 29a, “District Attorney’s Report: Executive Session: United States District Court, Case 3:23-cv-00340-SDD-EWD, Middle District of Louisiana, 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”, and move the moratorium discussion until after the executive session.

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

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

NAYS: NONE

ABSENT: MR. MCMORRIS

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair advised that the next item of business would be to go into executive session. Councilwoman Erin Sandefur stated that she would like to ask a question.

She questioned why the Council would be going into executive session? The chair advised that Mr. Moody had placed this on the agenda and deferred to him to answer this question.

Mr. Moody advised that the executive session was to discuss a potential settlement of the Ascension Properties case.

Councilwoman Sandefur took issue that the Council members had just received the settlement late that afternoon with many pages attached to review.

Mr. Moody advised that a good many of those were the exact same as the previous settlement agreement and they had made one or two little pretty minor changes and he would be happy to explain those.

Councilwoman Sandefur countered that with each time they are told though, this is last time we are going to offer this to us and now they were going back in there.

Mr. Moody stated that it had gotten better and better and he had communicated what was communicated to him and he has asked them to be patient and give them more time to get this in place and so far they have done it. Mr. Moody wished to further state that he will not say that this is the last time because he thought that was the case last time.

Councilwoman Sandefur was upset and felt that it was unreasonable to have gotten this at four-forty four (4:44) p.m. and the Council started the meeting at six o'clock (6:00) p.m.

Mr. Moody countered that he got it to the Councilmembers within hours of the time of the minute that he received it.

The chair allowed Councilwoman Sandefur to ask Mr. Moody many, many questions and she asked to defer this until the next meeting.

Mr. Moody advised that he would not recommend that because they were up against depositions that would begin the next morning and then every day for the next week including many of the Councilmembers that have been deposed.

Councilwoman Sandefur questioned if that was okay? She asked if there was something wrong with that.

Mr. Moody advised that if the Council would settle this matter they could save all of that expense. He countered that if the Council did not wish to settle, they did not have to settle. He counseled that they should hear what the proposal is.

Councilman Garry Talbert stated that he called the question.

The chair stated that they had a motion and a second and Councilman Talbert was calling the question.

The chair called for the vote as follows:

LPR NO. 23-319

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to go into Executive Session for "United States District Court, Case 3:23-cv-00340-SDD-EWD, Middle District of Louisiana, 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" to discuss legal matters in connection with this lawsuit.

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

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

NAYS: MS. SANDEFUR

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The Councilmembers exited the Council chambers and all recording devices were turned off.

The Councilmembers came back into the Council chambers and Councilman Jeff Ard stated that he wished to make a motion to go back into regular session.

LPR NO. 23-320

MOTION was made by Jeff Ard and duly seconded by Maurice “Scooter” Keen to go back into regular session of the July 27, 2023 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair called upon Councilwoman Erin Sandefur and stated that the floor was hers.

Councilwoman Sandefur stated that it had been brought into question that her attorney is not allowed to come with her into executive session even though the Parish attorney Mr. Chris Moody advised her to seek personal counsel stating that she could be sued personally and it has been on public record in past executive sessions that her attorney came with her as he was invited by Mr. Moody and now she is being told he cannot come into an executive session with her and that she would need a vote from the Council. She also wished to state that she was also accused of suing the Parish and that is not true. She wished to make a motion and asked for help for the wording from Mr. Moody.

Mr. Moody stated that she wanted to have your Counsel attend their executive session.

Councilwoman Sandefur stated that she would like to have her counsel to attend the executive session. Councilman Randy Delatte wished to second that motion.

Councilman Gerald McMorris wished to acknowledge that he had been subpoenaed by the lawyer that they were discussing and was scheduled to appear the following week. He felt that what he discussed that evening will turn him against him next week. He stated that he did not know this lawyer, and was just asking a question.

Councilman Talbert and Councilman Jeff Ard stated that they were also subpoenaed by Councilwoman Erin Sandefur’s attorney.

Mr. Moody stated that his concern was this, and he wished to clarify his statement that had been made, and advised that he did not say that Erin was suing the Parish, he stated that Mr. Loeb has sued the Parish in a very related matter over the same subdivision. He further stated that they did allow him to attend the last executive session under the condition that he not say anything, and he ended up talking to each of the Councilmembers and giving his advice and they argued. He acknowledged that during that time, that case was still pending and that case is still relevant and that order will still have to be obeyed. He advised that information that Mr. Loeb could learn in the discussion that they were about to have could be used by his clients in that particular case.

Mr. Moody stated that this is a choice of the Council, they did not have to follow his advice, but the law basically says a person can attend executive session if the public body invites them back. He clarified that the motion was to invite somebody back and Councilwoman Sandefur has made her point and they needed a vote of the Council about it.

Councilman Talbert wished to call the question.

Councilman Tracy Girlinghouse wished to clarify that because several of the Councilmembers had been subpoenaed, they did not wish for the counsel that subpoenaed them into the meeting where the Councilmembers were supposed to be speaking about litigation.

Councilwoman Sandefur stated that the reason that this was happening is because she was threatened that she was going to be sued personally and she had to seek counsel, personal counsel,

as per Mr. Moody’s directive to her and so this is part of the litigation process. She advised that her attorney is not suing anyone representing her and he has never spoken when Mr. Moody corrected and said please do not address anyone in here except for Erin and she stated that he didn’t.

LPR NO. 23-321

MOTION was made by Erin Sandefur and duly seconded by Randy Delatte to invite Councilwoman Erin Sandefur’s attorney to attend the executive session that evening.

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

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

NAYS: MR. MACK, MR. TALBERT, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD,
MR. MCMORRIS

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted on the 27th day of July, 2023.

LPR NO. 23-322

MOTION was made by Jeff Ard and duly seconded by Maurice “Scooter” Keen to go back into executive session for “United States District Court, Case 3:23-cv-00340-SDD-EWD, Middle District of Louisiana, 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” to discuss legal matters in connection with this lawsuit.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The Councilmembers exited the Council chambers and all recording devices were turned off.

The Councilmembers came back into the Council chambers and Councilman Jeff Ard stated that he wished to make a motion to go back into regular session.

LPR NO. 23-323

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to go back into regular session of the July 27, 2023 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

The chair stated that the Councilmembers did not take any action in executive session.

The chair asked if Mr. Moody wished to give a report and it was up to the Council if they wished to take any action from what was said in executive session, and if not, they would pick up the moratorium.

Mr. Moody asked the chairman that the Councilmembers give him the authority that they discussed in executive session to the new proposal that the plaintiffs made to the Parish to resolve the lawsuit, being Ascension Properties versus Livingston Parish.

The chair stated that Councilman Garry Talbert made the motion and Councilman Maurice “Scooter” Keen made the second to give Mr. Moody the authority.

Councilwoman Erin Sandefur wished to make a substitute motion to defer until August 10th based on the fact the they did not get any word of what the settlement was until that evening.

Councilman Randy Delatte wished to second that motion to defer.

LPR NO. 23-324

SUBSTITUTE MOTION was made by Erin Sandefur and duly seconded by Randy Delatte to defer the proposed vote for the settlement offer from the plaintiffs, for the lawsuit matter of Ascension Properties versus the Parish of Livingston until the August 10, 2023 regular meeting of the Council.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted on the 27th day of July, 2023.

LPR NO. 23-325

MOTION was made by Garry Talbert and duly seconded by Maurice “Scooter” Keen to give Mr. Moody the authority that they discussed in executive session to the new proposal that the plaintiffs made to the Parish to resolve the lawsuit, being Ascension Properties versus Livingston Parish.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

Councilman Maurice “Scooter” Keen stated that does not mean that it is resolved.

Councilman Shane Mack wished to state that this is not over that evening and there are further actions that have to be carried out in order for them to drop the lawsuit and that they could still talk.

The chair closed discussion of this issue and moved to address agenda item number 13, “Adoption of L.P. Ordinance 23-27: Adoption of twelve (12) month moratorium on any residential development of more than fifty (50) lots or more than one hundred (100) acres – Shane Mack”.

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

L.P. ORDINANCE NO. 23-26

AN ORDINANCE TO ADOPT A TWELVE (12) MONTHS MORATORIUM, PROHIBITING THE SUBMITTAL, REVIEW, AND APPROVAL OF ANY AND ALL SUBMITTED PRELIMINARY SITE PLANS, THE SUBMITTAL, REVIEW FOR SUBDIVISIONS WITH IMPROVEMENTS AND SUBDIVISIONS WITHOUT IMPROVEMENTS WHERE THE PROPERTY IS BEING SUBDIVIDED OR RESUBDIVIDED INTO MORE THAN FIFTY (50) LOTS OR MORE THAN ONE HUNDRED (100) ACRES.

Councilman Garry Talbert asked since they had technically had the public hearing already, and they had advised that they were going to let people have public input again, would a motion be in order to table this item, send it back to the Ordinance committee and address some of the issues that they have with respect to, no multi-family in here, and the fact that those resubmittals should be part of this deal.

The chair advised that he would not mind entertaining that, had he been the one bringing this, but Councilman Shane Mack has been pushing for this and he wished to defer to Mr. Mack on this because he has been the one who has fought to bring this moratorium this far.

Councilman Mack stated that the would like to vote on this tonight, please.

The chair questioned if that was a motion to adopt the moratorium? Councilman Mack stated that was a motion to adopt. Councilman Gerald McMorris wished to make the second to that motion.

Councilman Mack advised that they would need to make amendments before the adoption. He discussed how the amendments were brought about.

Councilman Mack wished to further state that this moratorium was about future submittals of subdivisions over fifty (50) lots, it did not have anything to do with building permits, it does not deny any building permits, subdivisions that do not have to come back for submittal or new subdivisions would apply, but those that have already been approved and do not have to come back for submittal, they are not affected under this moratorium. He also advised that it does not include commercial developments.

Councilman Mack stated that to him, this moratorium places a pause on submittals for the large subdivisions while the Council works to enhance and strengthen the zoning ordinances and the development ordinances in Livingston Parish, which he felt was desperately needed.

He further advised that there were low lying areas south of the interstate where these big subdivisions may not be able to be built because of infrastructure and drainage needs. He felt that needed to be looked at over the next twelve (12) months as the Councilmembers worked together as a team with their planning professional to rewrite the subdivision ordinances and development ordinances and enhance and strengthen the Parish's zoning ordinances.

He summarized that to him, this moratorium gives the people of Livingston Parish protection while the Council develops the ordinances that is best for them.

Councilman Garry Talbert wanted to talk about the amendments before they were brought out and discussed what had been addressed at the Ordinance committee.

Councilman Mack wished to make a motion to amend the ordinance. Councilman Talbert suggested that he make the motion to amend it as this document is written that they have right in front of them.

Councilman Mack stated that the blue non-strike amendments is what is valid. He read through the amendments as indicated:

L.P. ORDINANCE NO. 23-26

AN ORDINANCE TO ADOPT A TWELVE (12) MONTHS MORATORIUM, PROHIBITING THE SUBMITTAL, ~~REVIEW, AND APPROVAL~~ OF ANY AND ALL SUBMITTED PRELIMINARY PLATS, ~~SITE PLANS, THE SUBMITTAL, REVIEW~~ AND/OR CONSTRUCTION DRAWINGS FOR SUBDIVISIONS WITH IMPROVEMENTS AND SUBDIVISIONS WITHOUT IMPROVEMENTS WHERE THE PROPERTY IS BEING SUBDIVIDED OR RESUBDIVIDED INTO MORE THAN FIFTY (50) LOTS OR MORE THAN ONE HUNDRED (100) ACRES.

WHEREAS, the population of the Parish of Livingston is increasing rapidly and the number of new developments are expanding density significantly impacting infrastructure, schools, drainage, and sewer systems in Livingston Parish; and

WHEREAS, the Livingston Parish Council as governing authority of the Parish, State of Louisiana, has contracted expert planning professionals and legal advisors to strengthen and enhance zoning and development regulations in the Parish of Livingston; and

WHEREAS, in order to maintain stability it is necessary to maintain ~~current~~ low densities while subdivision and zoning regulations are reviewed, improved and adopted; and

WHEREAS, this moratorium will not affect the issuance of building permits for constructing residential structures, buildings and/or sheds; and

WHEREAS, this moratorium will not affect subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved the construction plans.

WHEREAS, this moratorium shall not affect property being developed for nonresidential uses.

WHEREAS, this moratorium shall not affect the issuance of permits for nonresidential uses.

~~**WHEREAS,** this moratorium will not affect the development of property for which the issuance of permits have already been approved that are located in subdivisions of fifty (50) lots or more than one hundred (100) acres.~~

BE IT ORDAINED AS FOLLOWS THAT THERE IS HEREBY ENACTED A MORATORIUM to adopt a twelve (12) months moratorium, prohibiting the submittal, review, and approval of any and all submitted preliminary site ~~platsns,~~ site plans and/or construction drawings for Subdivisions with Improvements and Subdivisions without Improvements where the property is being subdivided or re-subdivided into more than fifty (50) lots or more than one hundred (100) acres.

BE IT FURTHER ORDAINED, this moratorium will not affect the issuance of building permits for constructing residential structures buildings and/or sheds.

BE IT FURTHER ORDAINED this moratorium will not affect the development of property for which the issuance of permits already approved prior to the adoption of this ordinance subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved the construction plans.

BE IT FURTHER ORDAINED that this moratorium shall not apply to property being developed for nonresidential uses.

BE IT FURTHER ORDAINED this moratorium shall not apply to residential divisions of property of fifty (50) lots or less or less than one hundred (100) acres.

BE IT FURTHER ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, that if any provision of this ordinance is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance, which can be given effect without the invalid provisions, or application, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED by the Livingston Parish Council that all ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

The effective date of this ordinance shall be as prescribed by law.

And the ordinance was declared adopted on the day of ~~June~~ July 27, 2023.

Councilman Talbert spoke at great length about his concerns with the proposed moratorium ordinance.

He wished to make a substitute motion to defer this, send it back to the Ordinance committee and fix the problems that he had issue with. Councilman Maurice “Scooter” Keen wished to second this motion.

LPR NO. 23-326

SUBSTITUTE MOTION was made by Garry Talbert and duly seconded by Maurice “Scooter” Keen to defer this, send it back to the Ordinance committee and fix the problems that Councilman Talbert had issue with.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted on the 27th day of July, 2023.

The Chair stated that they would go back to Mr. Mack’s original motion to amend the proposed ordinance with the changes that he read aloud.

Councilman Mack made the motion to amend L.P. Ordinance NO. 23-26 with the changes stated aloud. Councilwoman Erin Sandefur stated that she wished to second his motion.

Councilman Talbert interjected and stated that he wished to make a substitute motion to amend.

He stated that he wished to make a substitute motion to strike out subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved construction plans and wished to add multi-family developments are part of the moratorium.

The chair asked if Councilman Mack agreed with these amendments.

Councilwoman Erin Sandefur asked for clarification of the substitute motion.

Councilman Talbert stated that he wished to strike signed and approved construction plans, that’s not a requirement. He stated that as long as you had a preliminary site plan approved, this moratorium does not affect you.

Councilman Mack wished to maintain that if you have to resubmit, it does.

Councilman Talbert stated that secondly, Multi-family’s got to go in here. Councilman Mack agreed.

Councilman Mack advised that he would second Councilman Talbert’s motion.

Public input: Sarah Phares
Steven Loeb
Melissa Jones
Bobby Waters

The chair allowed a lengthy open discussion.

Councilman Talbert’s amendments are as follows:

~~**WHEREAS, this moratorium will not affect subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved the construction plans.**~~

~~**BE IT FURTHER ORDAINED** this moratorium will not affect the development of property for which the issuance of permits already approved prior to the adoption of this ordinance. subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved the construction plans.~~

And add multi-family developments.

LPR NO. 23-327

SUBSTITUTE MOTION was made by Garry Talbert and duly seconded by Shane Mack to accept the amendments as noted to L.P. Ordinance NO. 23-26:

Add Multi-family developments to the moratorium.

~~WHEREAS, this moratorium will not affect subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved the construction plans.~~

~~BE IT FURTHER ORDAINED this moratorium will not affect the development of property for which the issuance of permits already approved prior to the adoption of this ordinance. subdivisions with improvements and subdivisions without improvements in which public officials have signed and approved the construction plans.~~

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 27th day of July, 2023.

Public input: John Mangus

LPR NO. 23-328

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on July 13, 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 July 27, 2023, on Motion of Shane Mack and seconded by Erin Sandefur:

L.P. ORDINANCE NO. 23-26

AN ORDINANCE TO ADOPT A TWELVE (12) MONTHS MORATORIUM, PROHIBITING THE SUBMITTAL, REVIEW, AND APPROVAL OF ANY AND ALL SUBMITTED PRELIMINARY PLATS, ~~SITE PLANS, THE SUBMITTAL, REVIEW AND/OR CONTRUCTION DRAWINGS~~ FOR SUBDIVISIONS WITH IMPROVEMENTS AND SUBDIVISIONS WITHOUT IMPROVEMENTS WHERE THE PROPERTY IS BEING SUBDIVIDED OR RESUBDIVIDED INTO MORE THAN FIFTY (50) LOTS OR MORE THAN ONE HUNDRED (100) ACRES.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted **AS AMENDED** on the 27th day of July 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)

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, August 10, 2023, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 23-339

MOTION was offered by Jeff Ard and duly seconded by Garry Talbert to adjourn the July 27, 2023 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

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=zSjD8hK5rJw&t=7235s>

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.