

Minutes of the Livingston Parish Council
Livingston, Louisiana
November 30, 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, located on 20355 Government Boulevard, Livingston, Louisiana, on Thursday, November 30, 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: Brad Cascio, Parish Legal Advisor
Jennifer Brady, Livingston Parish Finance Director,
representing for 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 advised that there were none that evening.

The chair addressed agenda item number 8, "Notice of Consideration of Action regarding the calling of an election on April 27, 2024 for the renewal of the levy of an existing ad valorem tax for Fire Protection District No. 5 of the Parish of Livingston, State of Louisiana - Jim Ryan, Government Consultants".

The chair advised that no action was needed on this item, it was for informational purposes only and there should be no discussion on this matter.

The chair addressed agenda item number 9, "Notice of Consideration of Action regarding the calling of an election on April 27, 2024 for the renewal of the levy of an existing ad valorem tax for Recreation District No. 2 of Livingston Parish, Louisiana – Jim Ryan, Government Consultants".

This agenda item is for informational purposes only and no action is needed.

Councilman Garry Talbert had many questions about this item.

The chair addressed agenda item number 10, "Adopt a resolution to amend LPR NO. 23-383 to merge Precincts 28A and 238B into Precinct 28 upon the annual canvass of the voter registration – Jared Andrews, Livingston Parish Registrar of Voters" and explained that this was to correct a clerical error.

STATE OF LOUISIANA
PARISH OF LIVINGSTON

LPR NO. 23-478

MOTION was made by Maurice "Scooter" Keen and duly seconded by Jeff Ard to amend LPR NO. 23-383 adopted at the September 14, 2023 regular meeting of the Livingston Parish Council, whereby merging Precincts 5C to 40A and Precincts 28A to 28B, whereupon creating and re-numbering Precincts 28A and 28B to Precinct 28; upon the annual

canvass of the voter registration rolls to verify residential addresses of all voters as required by state law and pursuant to recommendation of the Livingston Parish Registrar of Voters being located as follows:

Precinct 5C:
Levi Milton School
31450 Walker North Road
Walker, LA 70785

Precincts 28A:
Southside Elementary School
26535 LA Highway 16, Suite A
Denham Springs, LA 70726

MERGED TO

MERGED TO

Precinct 40A:
Freshwater Elementary School
1025 Cockerham Road
Denham Springs, LA 70726

Precinct 28B:
Southside Elementary School
26535 LA Highway 16, Suite A
Denham Springs, LA 70726

BE IT THEREFORE ORDAINED that Precinct 28A and Precinct 28B will hereby be merged to be known as Precinct 28 located at Southside Elementary School, 26535 LA Highway 16, Suite A, Denham Springs, LA 70726.

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

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

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November, 2023.

The chair addressed agenda item number 11, Adopt the Minutes:

- a. October 26, 2023, regular meeting of the Livingston Parish Council
- b. November 9, 2023, regular meeting of the Livingston Parish Council

The chair confirmed that these minutes had been completed and had been emailed to the Councilmembers.

The chair asked if the Councilmembers wished to move forward and adopt these minutes or was there anyone who wished to look over these minutes any further? He asked if the Councilmembers felt good with the minutes as presented to be adopted.

Having no objections, Councilman Tracy Girlinghouse wished to make to the motion to adopt and approve the minutes from the October 26, 2023 and November 9, 2023 regular meetings of the Livingston Parish Council. Councilman Maurice “Scooter” Keen stated that he wished to make the second on his motion.

LPR NO. 23-479

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to dispense with the reading of the minutes from the October 26, 2023 and November 9, 2023, regular meetings of the Livingston Parish Council and adopt as written.

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

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

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed agenda item number 13, “ Adopt a resolution to approve Tax Exemption Application #20220424-ITE for Delta Treatment Systems – John Wascom”.

The chair called upon Mr. David Bennett, President of the Livingston Parish Economic Development District.

Mr. Bennett explained that he was there to present a resolution for approval of Delta Treatment to participate in the Industrial Tax Exemption Program. He advised that it is through a state program but is up to an eighty percent (80%) property tax abatement for manufacturer's new investments only, that would be for a five (5) year period, with a five (5) year renewal.

Mr. Bennett stated that the Council has done these in the past, and their role is based on the Governor's Executive order established in 2016 requiring local approval from the local governing entities.

Mr. Bennett explained that the project scope of Delta is \$4.7 million dollar investment in a thirty thousand (30,000) square foot facility located in Walker. They will maintain thirteen (130 existing jobs and add three new jobs, which is a twenty five percent (25%) increase to their existing employment.

He further advised that this company had followed the steps required of them, they filed an advanced notification with the State Department of Economic Development on March 2, 2023. They further followed and filed a timely application for the Industrial Tax Exemption participation with the Board of Commerce and Industry which oversees this incentive on October 25, 2023 and pursuant to the executive order of 2016 it requires approval or denial from this governing body.

Mr. Bennett advised that he was happy to answer any questions that the Councilmembers may have on this project. He stated that the company, as well as their representatives were in the audience as well.

Councilman Randy Delatte asked how much was the tax break? Mr. Bennett asked for clarification if he was referring to the percentage or the total amounts?

Councilman Delatte clarified that he wished for the total.

Mr. Bennett advised that the total amounts for the ten (10) year tax abatement is four hundred fifty seven thousand dollars (\$457,000) being over ten (10) years total.

Councilman Delatte clarified that this would create three (3) additional jobs and wished to know if this had been presented to the Sheriff's Department and the School board yet?

Mr. Bennet advised that it had not been presented to the School board at that present date.

The chair wished to state that the Sheriff's office has signed off on this project. Mr. Bennett concurred and advised that was his understanding.

The chair also wished to indicate that the City of Walker was in agreement with the approval of this project. Mr. Bennett clarified that would be upcoming.

Councilman Randy Delatte wished to make the motion to accept it, because it is right here, it is a local homegrown business and sometimes it doesn't seem like we are getting a lot for our tax dollars, but this is a local businessman that started a long time ago in our community and he deserves our community to help and he wished to make the motion that the Council give him the tax break. Councilman Shane Mack wished to second Councilman Delatte's motion.

Councilman Garry Delatte wanted to see the analysis of the project. Mr. Bennett provided that to him.

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

Motion was made by Randy Delatte and seconded by Shane Mack:

L.P RESOLUTION NO. 23-480

**A RESOLUTION OF THE LIVINGSTON PARISH COUNCIL
APPROVING DELTA TREATMENT SYSTEMS FOR**

**PARTICIPATION IN THE LOUISIANA INDUSTRIAL TAX
EXEMPTION PROGRAM.**

WHEREAS, Delta Treatment Systems plans to make a multimillion-dollar investment in a new Walker facility in Livingston Parish (“Project”); and

WHEREAS, Delta Treatment Systems will provide significant economic benefits to the Walker area and the Parish of Livingston through the spending and job retention related to this project; and

WHEREAS, Delta Treatment Systems filed Advance Notification Form #20220424-ITE for said Project with the Louisiana Department of Economic Development for participation in the Louisiana Industrial Tax Exemption Program; and

WHEREAS, Delta Treatment Systems is seeking property tax abatements available through participation in the Louisiana Industrial Property Tax Exemption Program to support Delta Treatment Systems’ decision to a new manufacturing facility in the Walker, LA area; and

WHEREAS, Delta Treatment Systems Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry (“BCI”), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS, Delta Treatment Systems filed a timely Application for Industrial Tax Exemption (“ITE”) participation with the Louisiana Department of Economic Development; and

WHEREAS, Delta Treatment Systems Application for participation in the ITE Program was reviewed and approved by the Louisiana Board of Commerce and Industry on October 25, 2023; and

WHEREAS, Administrative Code, Title 13, Chapter 5, §503 provides for the Livingston Parish Council to approve or deny this Application for participation in the ITE Program.

THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day, that this Livingston Parish Council approves the ITE Application for Delta Treatment Systems’ proposed Project.

THEREFORE, BE IT FURTHER RESOLVED by this Livingston Parish Council, that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

THE FOREGOING RESOLUTION WAS READ, AND, AFTER PUBLIC DISCUSSION, THE ROLL WAS CALLED ON THE ADOPTION THEREOF AND RESULTED AS FOLLOWS:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

AND the resolution was declared adopted on this 30th day of November, 2023.

The chair wished to commend Mr. David Bennett for taking time out of his evening to appear at the Council meeting to address this item. He also wished to thank him for his work for the Livingston Parish Economic Development. The chair shared his deep appreciation for Mr. Bennett and his support for the Parish of Livingston.

The chair addressed agenda item number 14a, “Livingston Parish Planning and Zoning Commission:

The Woodlands (La Highway 444) Waiver Requests and Preliminary Plat Approval:

- i. Authorization to approve the Preliminary Plat for The Woodlands (La Highway 444) to move forward
- ii. Authorization necessitating a waiver of Section 125-1 division of a lot, tract or parcel of land into ten (10) or more lots with a minimum lot size of eighty-seven thousand one hundred twenty (87,120) square feet (2 acres) and a maximum density of one (1) lot per three (3) acres – Council District 8

- iii. Authorization necessitating a waiver of Section 125-106 (2-D) Large Lot Subdivisions having ninety (90) lots or less may have effluent from an approved individual mechanical system and absorption bed drainage to open effluent ditches. Should the total number of lots total more than ninety (90) lots the subdivision shall have an approved community sewage treatment system – Council District 8”

The chair asked if there were anyone in attendance from the Planning and Zoning Commission to address this item. None being the chair continued.

Councilman Randy Delatte asked to open this item up for discussion. He felt that there would be discussion on both sides of this issue. He advised that before any action would be taken, he would like to hear that discussion.

The chair addressed agenda item 14aiii:

Authorization necessitating a waiver of Section 125-106 (2-D) Large Lot Subdivisions having ninety (90) lots or less may have effluent from an approved individual mechanical system and absorption bed drainage to open effluent ditches. Should the total number of lots total more than ninety (90) lots the subdivision shall have an approved community sewage treatment system – Council District 8

The chair stated that this had been placed on a previous agenda and had been deferred. Councilman Delatte concurred and advised that he had wished to do more research on this matter. He stated that there were conflicting opinions on both sides. He reiterated that he wished to hear both sides on this matter.

The chair stated that if there were no one who wished to discuss this, then it would be Councilman Delatte’s wishes to push it back to the next meeting.

The chair called upon Mr. Tom Easterly, attorney and partner with Taylor Porter, who represents Ascension Properties which is the applicant for this request on the agenda to request for a variance.

Mr. Easterly advised that the first thing that he would like to note is that this goes back to the settlement agreement that was dated July 27th of this year and this is consistent with language in that settlement agreement. He echoed that this was part of the deal, and that has not changed at all since July 27, 2023. He stated that they had good discussion with Mr. Delatte. At one point Mr. Delatte was ready to consider recommendation to the Council to approve one (1) and two (2), and at Mr. Easterly’s request, he said no, let’s hold off, because Mr. Easterly wished for all three (3) of them to be approved and he thought that all three (3) of them belonged together.

Mr. Easterly stated that he did not wish for there to be any confusion, and advised that if the Council approved the preliminary plat, there was language on the preliminary plat that included the language for the variances.

Mr. Easterly stated that he had an engineer in the audience and also someone from the surveying company to provide detailed information, but suffice to say, it was their understanding that the requirements from DHH relative to what he would call a “Mo-Dad”, will be satisfied by what is requested in agenda item number 14aiii.

Mr. Easterly advised that he had some folks that were present at the meeting who have some subject matter expertise that would be in a good position to answer any questions that the Council may have, and he requested that they come forward to be ready to answer any of their questions.

Mr. Easterly continued to state that he believed that this was ready and it was appropriate and he believed that it was highly desired in the local community. He further stated that the reason that he stated that was because he had been approached by quite a few people at these Council meetings who have all advised him that they really want this. He had also had several different individuals outside of the Council meeting forum, tell him the same thing. He advised that in terms of what this represented, high level, the original plat that was approved contemplated six hundred eighty-nine (689) lots for the same property.

Mr. Easterly explained that this proposal takes that down to one hundred nineteen (119) lots.

He stated that he believed that was the type of density that this Council desired in large part, and as part of the settlement there was an effort to work this into the overall settlement package and for those reasons and for some of the other reasons that Mr. Burnham will offer to the Council members, he would ask that this be approved.

Councilman Delatte advised that Mr. Easterly's comments were correct, all three (3) agenda items needed to be approved at one (1) time. He wished for others in the audience to be given the opportunity to speak on this matter.

Public input: Sarah Phares; wished to give all due respect to Mr. Easterly, but it was not desirable in her community. She questioned the total acreage of this development and had several other questions about this development formerly known as Valere. She also wished to point out the differences between state and parish laws concerning this development.

Public input: Bobbette Larkey; wished to question the judgement made by Judge Erica Sledge who advised that they did not obey the Open Meeting Laws, and how does that affect the settlement?

The chair advised that was a great question, but it was not a question for this specific item.

Mr. Larkey argued that it certainly was.

Councilwoman Erin Sandefur wished to address these questions. She called upon Mr. Easterly to feel free to come and give his input on her statements to these questions.

Councilwoman Sandefur advised that the settlement silences one hundred fifty thousand (150,000) people times five (5). She further stated that our population of Livingston Parish is roughly between one hundred fifty (150), one hundred sixty thousand (160,000) people. She stated that we represent this whole parish, they do not represent just their own district, they are a Parish Council, so it has silenced them from her understanding, and they are not allowed to vote against it as per the stipulation.

Councilwoman Erin Sandefur explained that the settlement agreement came in at 4:44 p.m., the Council meeting began at 6:00 p.m., this was not told to them, so the five (5) that did sign the agreement can be sued personally if they vote against it. She stated that this was silencing our people and constituency.

Ms. Larkey again questioned this matter.

The chair referred to the Parish Legal Advisor, Mr. Brad Cascio.

Mr. Cascio stated that the question is, how the settlement and what Judge Sledge ruled on, and how it would affect that evening's meeting. He indicated that was his understanding about this matter.

He explained that he took no part in that suit or that settlement, so he had been hands off on that whole situation.

He continued to advise that it was his understanding that this settlement was still in place, and asked if that was correct?

Councilwoman Sandefur stated that it was her understanding that it was being challenged.

Councilman Garry Talbert had several statements and questions that he wished to be considered.

The chair allowed an open discussion.

Public input: Trey Calle, questioned the settlement

Councilwoman Sandefur questioned Mr. Calle, since he was from that area, if he had heard anyone say that they were for this project? He stated no. He wished to state that he was very involved in his community.

The chair called upon Mr. Steve Burnham, the President of Engineering and Associates Incorporated, being addressed at 1538 Dell Plaza Drive in Baton Rouge, 70815.

Mr. Burnham explained that the large percentage of the work that his office does is associated with the design and installation, operation and maintenance of sewer treatment plants. In conjunction with that, they prepare many permit applications for submittal to the Department of Health for permitting of sewer treatment plants and to the Department of Environmental Quality for permitting of their discharges.

Mr. Burnham advised that they were requested by the developer of Woodland Subdivision to view the number of lots that are in this subdivision and make recommendations as to the best way to put sewer in place that, from the standpoint of being protective of the environment, as well as other factors. He explained that they immediately eliminated the possibility of tying into any publicly operated treatment works. He further advised that there was not any type of sewer service available to the subdivision. He stated that they also looked into a community treatment plant, viewing all the way back to when the subdivision was known as Valere subdivision and had several hundred lots. He advised that they submitted what is called a preliminary determination to the Department of Environmental Quality. He explained that is done so that they can give an opinion as to whether they would allow something that had a discharge to be located on the site, such as a sewer treatment plant.

Correspondence was submitted by them confirming that the eventual receiving stream for that area isn't considered to be an impaired water body, meaning that it does not meet all of the water quality standards that the EPA would like to see a water body meet.

He further advised that DEQ restricts development in areas and puts special criteria on it, in the event that it flows to an impaired waterway.

Mr. Burnham explained that in this case, the impaired waterway is two (2) miles downstream, and in his opinion, the reality of a drop of water would make it to the impaired waterway. He stated that regardless, they looked at that and then looked at other options for their recommendations to the developer. He stated that as a result of this low density proposal with a hundred and nineteen (119) lots, the lots are two (2) to three (3) acres in size. Their opinion is land application of the treated sanitary sewer is by far the favorable option.

Mr. Burnham offered that those options could include discharge to the front ditch, which they did not recommend. They found that the use of spray irrigation being which were located on large lots, dispersed the treated sanitary sewer on the ground and that is also allowed by the Department of Health, as long as it is a certain distance from the property.

Mr. Burnham stated that it was their opinion that with these large lots and what history tells them, the most successful thing to do in this situation would be a no discharge option. He stated that it was the most far protective of the environment. He explained that it is discharged by spray irrigation to the ground and the DHH has standards for how many nozzles that you use. He stated that a typical residential plant has three (3) nozzles that spray a twenty (20') foot radius and it is applied to the ground. He stated that it soaks into the ground and mother nature takes care of it and there is theoretically no discharge scenario. He explained that was what they recommended to the owner as the recommended manner of sewerage the subdivision.

Mr. Burnham answered questions from the Councilmembers.

The chair allowed an open discussion.

The chair called upon Councilwoman Erin Sandefur who wished to comment and read a statement concerning the settlement agreement:

She stated that she did not appreciate, "Well if you don't do this, we're going to come back with this" statement that had been made previously.

She advised that the settlement agreement had been released to the public and was posted on the Council's website, but she wished to read a portion of Section 59:

In accordance with its Home Rule Charter, the Livingston Parish Government including but not limited to the Livingston Parish Council, the Planning and Zoning Commission and the Department of Public Works shall not attempt to revoke, modify or invalidate any prior approvals, adopt any new ordinances, procedures, administrative regulations or zoning maps that are inconsistent with the provisions of this agreement, amend any existing ordinances or zoning maps in a manner that is inconsistent with the provisions of this agreement, allege any approvals expire unless the twenty-four (24) month time period stated in the preceding paragraph applies or take any action inconsistent with terms in spirit of this agreement that will apply to any property shown on the preliminary plat submitted by Ascension Properties that was previously approved as is reflected and noted here and above.

She advised that basically what that was saying was that this settlement strong-arms public officials to vote your way or they are subject to being sued personally.

She asked Mr. Easterly if she was correct?

Mr. Easterly answered that he believed that protected against this Council obstructing the spirit and purpose of the settlement agreement. He stated that they may read that differently and he thought that there was a very substantial chance that a court will decide the issue that Councilwoman Sandefur has raised.

He further stated that he knew that it had been raised before, and that was part of the lawsuit that was dismissed because Judge Erica Sledge found that the court did not have subject matter jurisdiction over that suit.

Councilwoman Sandefur stated that she did not appreciate as what she interpreted as intimidation, and that is what she felt like Mr. Easterly was stating previously.

Mr. Easterly responded and asked if it was a factually true statement that there was a preliminary plat that was approved that shows six hundred eighty nine (689) lots for that property, and it is not true that they were there talking about reducing the density for that proposed development from that number to one hundred twenty-seven (127)?

Councilwoman Sandefur stated that the point that she was trying to make was that the words that Mr. Easterly had made a few moments before, she interpreted Mr. Easterly's statements to mean that if you do not do this, we are going to do this, we're just going to come back with more. She stated, okay, come back with more.

Mr. Easterly stated that he did not need to come back with more, in the sense that's already been approved. That was his understanding.

Councilwoman Sandefur accused Mr. Easterly of stripping five (5) public officials of the right to represent the people of this Parish by this settlement.

Councilman Garry Talbert had several questions.

He wished to make a motion to approve 14a, one, two and three as set forth, right here.

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

Councilman Maurice "Scooter" Keen questioned if this was for all three? Councilman Talbert concurred. Councilman Keen then stated he wished to second that motion.

The chair wished to acknowledge that there were several people in the audience who wished to have public input on this matter.

Public input: John Magnus, questioned the terms "recommended" as opposed to "required"

Public input: Bridgette Gilbert, questioned Mr. Cascio about the five (5) Council members that are bound to a special interest group and cannot actually vote, and raised the question can you actually have a vote on this?

Mr. Cascio questioned what she meant by a special interest group? She referred to the settlement.

Mr. Cascio stated that you can have the vote, the Councilmembers who voted or who agreed to sign the settlement, that was kind of like their action in their representation.

He stated that if that was right or wrong, that was their decision. He was not indicating that they were right to settle, he was not saying that they were wrong to settle.

Ms. Gilbert stated that she thought that basically you needed to wait until you can have nine (9) people that represent Livingston Parish residents in its entirety and are not bound by an agreement. She suggested that it should be deferred until you have nine (9) individuals that can vote. She was not stating that it was right, wrong or indifferent to sign it, she just wished to state that you cannot represent the people that you are supposed to represent, if there is a five (5) four (4) vote going into this already.

Public input: Steve Larkey, discussed his concerns of sewer sprinklers and the problems to be considered

The chair allowed an open discussion.

Public input: Raymond Wallace

The chair allowed the Councilmembers to ask many questions of Tom Easterly and Steve Burnham.

Councilman Garry Talbert wished to amend his motion to say that individual mechanical systems with surface discharge overland flow, so that we take off the absorption bed and we take the ditch out of consideration and the only way that they can put mechanical in is surface discharge and overland flow. That way we are never discharging into a ditch as part of the waiver granted.

He stated that he amended his motion and asked if Councilman Keen would second that amendment. Councilman Keen agreed.

Councilman Shane Mack had questions. Councilman Garry Talbert gave a very, very lengthy answer.

Councilman Mack wished to pose another question about Councilman Talbert's amended motion.

He asked now that you are modifying your motion, deviating from what's printed on this piece of paper, does that not differentiate from the language in the settlement agreement? He felt that this needed to be postponed because in his opinion, that deviates from the settlement, however, it could be what is possibly the best, he was not sure.

Councilman Mack wished to make a substitute motion.

Councilman Talbert argued that his amended motion was valid.

Councilman Mack wished to make a substitute motion that this be deferred until the Council could gather more information. Councilman Mack felt that Councilman Talbert's motion was deviating from the settlement agreement. Councilman Randy Delatte wished to second that motion.

Mr. Brad Cascio, Parish Legal Advisor, halted the Councilmembers from this action. He advised them that they could do what they wanted to do, but this topic would come up later when you make motion to defer, you have to clarify that you are making a motion to postpone or are you making a motion to table it? He stated that there is difference.

Councilman Mack requested that Mr. Cascio explain the difference.

Mr. Cascio advised that a motion to table takes it off of the agenda indefinitely until another member makes a motion to take it off the table and back on the agenda. Furthermore, a motion to postpone will allow you to postpone until the next meeting.

The chair clarified that Councilman Shane Mack’s motion and intent was to table. The chair asked if anyone wished to second this motion. Councilman Randy Delatte wished to second his motion.

Mr. Tom Easterly requested that this motion be denied.

Public input: Sarah Phares, asked when the state law of sixty (60) days would come into play.

Councilman Mack stated that this had previously come before the Planning Commission and it was denied. It was not deferred by Planning. He stated that the sixty (60) days would start that night.

Mr. Cascio agreed and stated that the Planning Commission took an action, so the sixty (60) days applies to whether or not a planning commission takes no action, it would then be approved after sixty (60) days.

The chair stated that they would take up Councilman Mack’s substitute motion to table this until a later date.

Councilman McMorris paused before making his vote on the substitute motion asked Mr. Cascio for his opinion.

Mr. Cascio advised Councilman McMorris that he did not take part in this settlement agreement or the suit, but he wished to state that by voting to table it, you are not voting to deny it, you are not going against the settlement, as long as there is not a date. He further advised that he did not know if there was a date, because he was not a part of it, that states this settlement has to be executed and action must be taken on the settlement by a certain date. He stated that if that is not in there then you are okay.

Councilman Mack stated that it was his opinion that there was still time and this could be addressed at the December 14th meeting if it needed to be.

LPR NO. 23-481

MOTION was made by Shane Mack and duly seconded by Randy Delatte to table agenda item number 14a, i, ii, and iii The Woodlands (La Highway 444) Waiver Requests and Preliminary Plat Approval until the Council could gather more information to ensure that they were not deviating from the settlement agreement.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed agenda item number 15, “Public Hearing and adoption of L.P. Ordinance No. 23-41: Dissolution of Recreation District No. 7”, and called upon Councilman Jeff Ard.

Councilman Ard wished to explain what this was about since he missed the last meeting when this had been introduced.

The chair opened the Public Hearing and called for the proposed ordinance to be read by title:

L.P. ORDINANCE NO. 23-41

AN ORDINANCE PROVIDING FOR THE DISSOLUTION OF
RECREATION DISTRICT NO. 7 OF THE PARISH OF

LIVINGSTON, STATE OF LOUISIANA, AND TO PROVIDE
FOR OTHER MATTERS IN CONNECTION THEREWITH.

Councilman Ard wished to give a quick re-cap on where they were with this issue. He explained that in his first term that he was elected they tried to pass a tax for a recreation district in the Colyell/Livingston area. He and Councilman Gerald McMorris were both involved with this.

Councilman Ard explained that the two (2) communities just could not get along. They were fighting about who was receiving funds, so a decision was made to split it into two (2) districts. Each district tried to pass their own tax and they both failed.

A decision was made to contact Mr. Jim Ryan, Parish Financial Advisor, and request his advice about funds that were left over, and how they should be divided. Mr. Ryan advised that money had to stay where it was collected. The tax Assessor became involved and was asked to help to determine and tell them how each portion of the north and south of the interstate was divided for each district.

He advised that the minutes indicate that it was 38.5 south of the interstate and 61.5 was north of the interstate. It was therefore split that way between the two (2) districts. The district that was south of the interstate received their funding and used it in their ballpark and did some upgrades.

Councilman Ard advised that the board that was on the northern side of the interstate had been approached by three different seated (3) mayors for a period of five (5) years, asking for this recreation district's help with projects and they had received none.

Councilman Ard stated that each mayor had been advised by the recreation district that their board members were thinking about it, as they had other plans, and would get back with them. He stated that this has been going on for five (5) years.

Councilman Ard explained that this was the taxpayers' money on the north side of the interstate. He further advised that the Mayor of Livingston had some good projects that he wished to do. They have not been allowed and instead have been told what they are going to do with the money.

He illustrated some of the plans that would benefit seniors, children, teenagers and the like. He stated that he was favor of giving recreation to everyone.

Councilman Ard advised that since this proposed ordinance had been placed on the agenda, Recreation District No. 7 decided to have a meeting and wished to give ninety thousand dollars (\$90,000.00) to a covered batting cage and five thousand dollars (\$5,000.00) for signs. He further advised that no bids had been taken and they had not met with the mayor.

The mayor came to the meeting that was held and advised of the ideas that he had to use the funds.

Councilman Ard stated that the mayor had good projects that he was presenting.

He explained that by adopting the ordinance to dissolve Recreation District No. 7, this Council will become in charge of the money held in Recreation District No. 7 and the mayor would be allowed to share his vision for the projects that he wished to bring to the park.

The chair declared that the Public Hearing was open and asked if there was anyone who wished to speak for or against this proposed ordinance to be adopted.

None being, the chair closed the Public Hearing.

Before the vote, Councilman Gerald McMorris wished to share the knowledge that he had on the history of the two (2) recreation districts.

Councilman Randy Delatte asked if Councilman Jeff Ard and Councilman Gerald McMorris were in agreement.

Councilman Delatte suggested that the ordinance adoption wait until the new Council takes office and makes that decision.

Councilman Talbert stated that Councilman Ard offered a compromise. Dissolve the board and let the new Council allocate the money.

Councilman Delatte stated that he wished to make a substitute motion to let the new Council work with the board and tell them what the law is, how they have to meet, and where the money has to go at and he felt that two (2) weeks was enough time to make that happen.

The chair asked if there was a second to Councilman Delatte's motion.

Councilwoman Erin Sandefur asked for clarification of what the motion being made was stating.

The chair stated that the motion is to table this until the new Council comes in. Councilwoman Erin Sandefur stated that she would second that motion.

Councilman Tracy Girlinghouse questioned when the last time was that this board met, prior to the meeting that was held that past Tuesday.

Councilman Ard advised that it had been four and a half (4 ½) years.

Councilman Talbert questioned if Councilman Delatte's motion to defer will include any action by the district. He advised that Councilman Delatte was basically saying that he was restricting Councilman Ard's ability to dissolve. He continued to advise that you're not restricting the district's ability to spend that money before the new Council gets in place. They could in theory have no money left when the new Council gets there. So his concern was, by dissolving the board, they can't spend the money and then the new Council decides how the money is spent. He further stated that by deferring this, that board can spend that money before that new Council ever sits here.

Councilman Ard stated that was what they were trying to do in their meeting on the past Tuesday.

Councilman Talbert stated that the deferral was the problem and proposed that the Council dissolve the board, no money will be spent by this Council, and let the mayor present his options to next Council for spending. He endorsed dissolving the board that evening.

Councilman Shane Mack wished to quantify his vote. He felt that the Council should receive a resolution from the board to be dissolved.

The chair allowed an open discussion.

Councilman Delatte stated that he wished to withdraw his motion.

LPR NO. 23-482

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on November 9, 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 November 30, 2023, on Motion of Jeff Ard and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 23-41

AN ORDINANCE PROVIDING FOR THE DISSOLUTION OF RECREATION DISTRICT NO. 7 OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

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

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

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 30th day of November 2023.

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

The chair addressed agenda item number 16, “**Public Hearing and adoption of L.P. Ordinance No. 23-42:** Amending Article IV, “Zoning Districts”, Division 4., “Residential – Single Family (R-2)”, Section 117-156, “Permitted Uses” to include mobile homes - Shane Mack.

The chair opened the Public Hearing and asked the Deputy clerk to read the proposed ordinance by title:

L. P. ORDINANCE NO. 23-42

AN ORDINANCE TO AMEND CHAPTER 117, “ZONING”, DIVISION 4 – “(R-2) RESIDENTIAL – SINGLE FAMILY”, BY AMENDING SECTION 117-156, “PERMITTED USES” TO INCLUDE MOBILE/MANUFACTURED HOMES IN PART A, “ALLOWED USES”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

The chair asked if there were anyone in attendance who wished to speak for or against this specific ordinance.

Public input: Jeremy Glascock, wanted the Council members to defer the adoption of the proposed ordinance

The chair asked if there were anyone else in the audience who wished to speak for or against the ordinance.

None being, the chair closed the Public Hearing.

Councilman Jeff Ard questioned Mr. Glascock’s statement in regard to placing four (4) mobile homes on an acre. He advised that because R-2 zoning allows four (4) divisions of an acre, shouldn’t the mobile homes still have to follow the rules of mobile home ordinances which only allows two (2) mobile homes per acre?

Councilman Shane Mack wished to answer Councilman Ard’s question.

Councilman Mack stated that there are four (4) Council districts zoned in the Parish. He explained that if you are in a Council district that is zoned and it is zoned R-2, then there are lot sizes that you can have. He advised that the density ordinance is for the rest of the Parish that is not zoned.

Councilman Mack further advised that there could be four (4) lots per acre, with state law requirements having to be met, but depending on what type of sewer system is being used on twelve thousand (12,000) square foot lots, if done properly, someone could divide the property into eight (8) lots and place eight (8) mobile homes because R-2 allows for four (4) lots per acre.

Councilman Mack stated that if the property is located in a named subdivision, intended for stick built homes, that ordinance would still apply.

Councilman Garry Talbert stated that unzoned areas of the Parish’s density is 2.5, zoned areas of the Parish is how it’s set forth, R-2 allow four (4) lots an acre. He advised that if you make this amendment, Mr. Glascock was exactly right, two (2) acres could have eight (8) mobile homes put on it. He further stated that is why R-2 originally did not have mobile homes in it because you could have mini trailer parks all over the place. He advised that as long as you have R-2, and you put the trailer part in there, there’s nothing to stop mini trailer parks based on one (1), two (2), three (3), four (4) acres as long as you can provide the road frontage based on minor re-sub.

Councilman Tracy Girlinghouse responded to Councilman Talbert’s comments and advised that unless you change the definition of R-2, which they could not do that evening. He indicated that he was in favor of this proposed ordinance, but Mr. Glascock had brought up a good point, he was not okay with four (4) houses per acre or mobile homes per acre. He was in agreement that the Council should go case by case and that the definition should be changed.

Councilman Randy Delatte concurred with Councilman Girlinghouse and agreed that Mr. Glascock had brought up a good point which was something that he was against. He asked if there were some way to amend the existing ordinance to advise that R-2 zoning would only allow one (1) mobile home and not eight (8).

Councilman Girlinghouse stated that he thought that should be done through Mr. Villavaso, the Planning Professional hired to help with zoning.

The chair asked what Councilman Mack’s wishes were for the proposed adoption of this ordinance.

Councilman Shane Mack and Councilman Jeff Ard wished to clarify the reason that this ordinance was being proposed. Councilman Ard explained that there had been so many waiver requests at each Council meeting for this, it was intended to help alleviate that.

The chair asked if there was a motion to adopt this proposed ordinance.

This proposed ordinance died for lack of a motion and a second.

The chair addressed agenda item number 17, “Introduction of Ordinance: Carbon Capture Sequestration regulations of Class VI Wells – Shane Mack”. The chair advised that the Ordinance committee had went through this proposed ordinance in detail.

The chair requested that the Deputy clerk read the ordinance by title as follows:

L.P. ORDINANCE NO. 23-43

AN ORDINANCE TO CREATE ARTICLE XII, “PERMITTING AND REGULATIONS FOR CARBON SEQUESTRATION”, SECTION 42-536, “CLASS VI WELLS”, TO ESTABLISH DEFINITIONS, PERMITTING PROCEDURES AND REGULATIONS FOR CLASS VI CO2 WELLS, AS SET OUT WITHIN AND FOR THE PARISH OF LIVINGSTON, STATE OF LOUISIANA.

LPR NO. 23-484

MOTION was offered by Shane Mack 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, December 14, 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. GIRLINGHOUSE, MR. DELATTE, MR. WASCOM,
MR. MACK, MR. ARD, MR. MCMORRIS

NAYS: MR. TALBERT

ABSENT: NONE

ABSTAIN: MS. SANDEFUR

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed agenda item number 18, “Introduction of Ordinance: Suggested amendments by Alvin Fairburn and Associates to describe the metes and bounds (legal descriptions) in a more detailed depiction of the adopted Council District Reapportionment maps – Shane Mack”.

The deputy clerk requested that the Council return back to this agenda item later in the meeting. The chair obliged and moved to the next agenda item.

The chair addressed agenda item number 19, “Introduction of Ordinance: Amending Section 58-6, “Type C Roads”, Section 58-13, “Criteria for accepting existing roads into the Parish maintenance system”, Section 125-179, “Road width requirements”, and Section 127-8, “Width requirements”, by removing the wording “Section 125-17” to be replaced with Section 125-77, “Street Standards” – Shane Mack”.

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

L. P. ORDINANCE NO. 23-44

AN ORDINANCE TO AMEND SECTION 58-6, “TYPE C ROADS”, SECTION 58-13(3)(4), “CRITERIA FOR ACCEPTING EXISTING ROADS INTO THE PARISH MAINTENANCE SYSTEM” SECTION 125-179(c), “ROAD WIDTH REQUIREMENTS”, AND SECTION 127-8(c), WIDTH REQUIREMENTS”, TO CORRECT THE WORDING OF SECTION 125-17 TO REFLECT 125-77 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

LPR NO. 23-485

MOTION was offered by Shane Mack and duly seconded by Maurice “Scooter” Keen to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, December 14, 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.

Councilman Garry Talbert asked Councilman Shane Mack is this all housekeeping or is there some substantial change. Councilman concurred and stated that this was just housekeeping the verbiage and the wording in the ordinance, there were no changes. He stated that this was actually in Municode, but it is not referenced correctly, so when you go to look up or try to find the information, it was hard to find. Originally, it was believed that it was deleted, but it wasn’t referenced properly.

Councilman Talbert stated that on 58183, it says gravel roads must have twenty (20’) foot surface, right? Councilman Mack agreed. Councilman Talbert stated if you go down to 125-1 179c, it references a eighteen (18) and (20) foot requirement. He stated that in 1278 it references eighteen (18) and twenty (20) foot requirements.

Councilman Mack reminded Councilman Talbert and advised that 125-179 and the 18th width requirement and the twenty foot (20’) width requirement was made by this Council. They had wanted to set some minimum road width requirements whenever you were subdividing property on parish roads. He asked if Councilman Talbert remembered that? Councilman Talbert stated right. Councilman Mack stated that it just happened to be in this section, so it has nothing to do with the criteria. Councilman Talbert stated that was all he wanted to know.

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

L. P. ORDINANCE NO. 23-44

AN ORDINANCE TO AMEND SECTION 58-6, “TYPE C ROADS”, SECTION 58-13(3)(4), “CRITERIA FOR ACCEPTING EXISTING ROADS INTO THE PARISH MAINTENANCE SYSTEM” SECTION 125-179(c), “ROAD WIDTH REQUIREMENTS”, AND SECTION 127-8(c), WIDTH REQUIREMENTS”, TO CORRECT THE WORDING OF SECTION 125-17 TO REFLECT 125-77 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

LPR NO. 23-485

MOTION was offered by Shane Mack and duly seconded by Maurice “Scooter” Keen to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, December 14, 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. GIRLINGHOUSE, MR. DELATTE,
MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed agenda item number 20, “Introduction of Ordinance: Amending Section 125-1, “Definitions”, for “Large Lot Subdivision” requirements – Shane Mack”, and asked the Deputy clerk to read the ordinance by title as follows:

L. P. ORDINANCE NO. 23-45

AN ORDINANCE TO AMEND CHAPTER 125, “SUBDIVISION REGULATIONS”, ARTICLE I – “IN GENERAL”, BY AMENDING SECTION 125-1, “DEFINITIONS” THAT DEFINES THE TERM “LARGE LOT SUBDIVISIONS”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

The chair requested for Councilman Shane Mack to give a brief description of the purpose of the ordinance introduction.

Councilman Mack explained that this will be placing a cap on how many lots that you can have when you are developing a large lot subdivision. When this ordinance was first created, he did not think that it was the Council’s intent to have ninety (90), a hundred (100), to a hundred and twenty-five (125) lots on a gravel road. He stated that the ordinance amendment being introduced would cap the amount of large lot subdivisions to require that the maximum amount of lots that are permissible if you are developing under the large lot subdivision ordinance will be forty (40).

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

L. P. ORDINANCE NO. 23-45

AN ORDINANCE TO AMEND CHAPTER 125, “SUBDIVISION REGULATIONS”, ARTICLE I – “IN GENERAL”, BY AMENDING SECTION 125-1, “DEFINITIONS” THAT DEFINES THE TERM “LARGE LOT SUBDIVISIONS”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

LPR NO. 23-486

MOTION was offered by Shane Mack 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, December 14, 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. GIRLINGHOUSE, MR. DELATTE, MR. WASCOM,
MR. MACK, MS. SANDEFUR, MR. ARD, MR. MCMORRIS

NAYS: MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed agenda item number 21, “Adopt a resolution to authorize a waiver of Section 125-37, “Requirements for Minor Subdivisions”, for the number of lots on a servitude located off Dawson Crossing for Sarah Jones in Council District 8”, and called upon Councilman Randy Delatte who explained the need for the waiver request.

The chair asked if there was anyone who wished to have public input on this agenda item.

Public input: Matthew Deshotel, resident of Livingston, had questions about the number of the division of lots

DeeDee Delatte, Director of the Livingston Parish Building and Permit office explained that the proposed tract was for the property owner and her two (2) children. She indicated that it was approximately a little over five (5) acres. This is a sensitive time matter because the son is wishing to purchase a house, originally he was going to place a mobile home there, but now he is going to build a house. Therefore, the property needed to be subdivided so that they may build their home. The lenders are requiring the subdivision of property for the loan.

LPR NO. 23-487

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to approve a waiver of Section 125-37, “Requirements for Minor Subdivisions”, for the number of lots on a servitude located off Dawson Crossing for Sarah Jones in Council District 8.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair returned back to agenda item number 18, “Introduction of Ordinance: Suggested amendments by Alvin Fairburn and Associates to describe the metes and bounds (legal descriptions) in a more detailed depiction of the adopted Council District Reapportionment maps – Shane Mack”, and called upon the Deputy clerk to read the proposed ordinance by title as follows:

L.P. ORDINANCE 23-46

AN ORDINANCE TO AMEND L.P. NO. 22-44, PERTAINING TO SECTION 2-1, “REAPPORTIONMENT OF PARISH; DISTRICT BOUNDARY CHANGES”, TO PROVIDE UPDATES AND ENHANCEMENTS TO THE LEGAL METES AND BOUNDS OF THE LIVINGSTON PARISH NINE (9) COUNCIL DISTRICTS AS TO THE EFFECT OF THE 2020 REAPPORTIONMENT FOLLOWING THE 2020 US CENSUS.

The chair called upon Mr. Eddie Ayde11 of Alvin Fairburn and Associates.

Councilman Garry Talbert asked if this affected Deer Run and if this was a zoning deal? He stated that by rule, this thing shouldn’t even be on the Council agenda.

Mr. Ayde11 wished to explain for those who did not know, the Parish of Livingston had requested that Alvin Fairburn and Associates prepare new zoning maps based on reapportionment. He further explained that when they received the maps and the legal descriptions from the Parish, there were a few discrepancies and there were some clarifications that needed to be made to the legal description to make them match the maps that the Council had adopted. He advised that their office had the maps that the Council had adopted, so they made the descriptions match them. He stated that some may call it housekeeping, there were some areas where the description did not match the maps, therefore, Alvin Fairburn and Associates were making these recommendations to the Council members, so that the legal descriptions one hundred percent (100%) match the maps that were adopted.

Councilman Shane Mack stated that he wished to make the motion and Councilman Randy Delatte wished to make the second.

Councilman Talbert called out and told them to wait, he was trying to figure out how did this get on the agenda.

Councilman Shane Mack advised that he had requested it to be placed on the agenda.

Councilman Talbert stated I understand, but ya'll passed a rule two (2) meetings ago that dealt with zoning and said no zoning items could be put on the agenda. Councilman Mack explained to Councilman Talbert that was not what this proposed ordinance was addressing.

There was an open cross-questioning between the Council members if this proposed ordinance dealt with zoning. Parish Legal advisor, Mr. Brad Cascio advised that this ordinance was not changing zoning.

Councilman Shane Mack requested that the chair call upon Mr. Eddie Aydell to give further explanation.

Mr. Aydell addressed the Council members and advised that this proposed ordinance did not have to do with zoning. He explained that this was the legal descriptions for the boundaries of the districts. He further stated that zoning was not in their job request and was not their intent.

Councilman Talbert stated that he thought that ya'll reapportioned it based on zoning and asked if he said zoning in the discussion.

Mr. Aydell stated that it did not include zoning and it was the legal descriptions for the district boundaries.

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

L.P. ORDINANCE 23-46

AN ORDINANCE TO AMEND L.P. NO. 22-44, PERTAINING TO SECTION 2-1, "REAPPORTIONMENT OF PARISH; DISTRICT BOUNDARY CHANGES", TO PROVIDE UPDATES AND ENHANCEMENTS TO THE LEGAL METES AND BOUNDS OF THE LIVINGSTON PARISH NINE (9) COUNCIL DISTRICTS AS TO THE EFFECT OF THE 2020 REAPPORTIONMENT FOLLOWING THE 2020 US CENSUS.

LPR NO. 23-488

MOTION was offered by Shane Mack and duly seconded by Randy Delatte to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, December 14, 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. GIRLINGHOUSE, MR. DELATTE,
MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD,

NAYS: NONE

ABSENT: NONE

ABSTAIN: MR. MCMORRIS

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair returned to the regular order of the agenda and addressed agenda item number 22, "Amend/Rescind LPR NO. 23-463 adopted on November 9, 2023 which authorized that the entirety of Section 125-37, "Requirements for Minor Subdivisions" will be waived for Ramona James on Bend Road in Council District 2 – Erin Sandefur".

The chair called upon Councilwoman Erin Sandefur who explained why she asked for this to be placed on the agenda. She felt that a mistake had been made when this resolution had been adopted at the previous meeting. She stated that the Council members had waived an entire ordinance and that was not the recommendation made by the Planning Department.

Councilwoman Sandefur explained that the Planning Department had called the Council office to

make the correction because that is not what they had recommended. She further explained that what the Planning Department had recommended was to waive the definition of the number of lots. She stated that they needed to amend that.

Councilman Talbert advised, look, the waiver has been granted, the maps have been signed, the maps have been filed, a house has been sold with three (3) acres. He stated that they can't rescind anything.

The chair allowed Councilwoman Sandefur and Councilman Garry Talbert to have an open discussion.

Councilwoman Sandefur stated that for ceremonial reasons so that the public knows, she felt that she voted wrong and felt like she was completely misinformed and misunderstood and she did not think that it was right to waive the entire ordinance.

Councilwoman Sandefur read an email that the Council office received from the Livingston Parish Planning Department on what the waiver was needed for:

“The intent of this waiver is not to waive the entirety of Section 125-37, but to waive the number of lots allowed to be a minor re-sub, to authorize a waiver of Section 125-37 requirements for minor subdivisions of the Livingston Parish Code of Ordinances to allow thirteen (13) lots to be done as a minor re-sub for Ramona James being located at Section 46 TSSRE East of St. Helena Meridian Greensburg Land District Parish of Livingston on Bend Road in Council District 2”.

Councilman Talbert stated, yeah, that's how the motion was offered, the motion was offered to waive the entire ordinance, that's what we voted on.

Councilman Maurice “Scooter” Keen asked Mr. Brad Cascio, Parish Legal Advisor if Councilwoman Sandefur could just change her vote?

Mr. Cascio advised you can't change your vote, to which Councilman Randy Delatte stated that she could reconsider her vote.

Mr. Cascio stated that if a variance is granted, it's granted by ordinance, and we amend ordinances all of the time. Councilman Talbert advised that a waiver is not granted by ordinance, and explained that the Council did a resolution waiving the ordinance, the waiver of the ordinance was then sent Planning, Planning signed the map, the property owner then took the map and filed it which made the lots done and then one (1) of the lots was sold, you can't back up on what you've done.

The chair asked Councilwoman Sandefur is she would be willing to go on record as changing her vote and let that suffice? She agreed.

Councilwoman Erin Sandefur wished to state that she felt that it was not okay what happened and she wished for that to be noted on public record as well.

Councilman Talbert responded and said that it was pretty simple, there were three (3) separate tracks of land, so tract one (1) was cut into three (3) lots, tract two (2) was cut into four (4) into six (6) and tract three (3) was cut into four (4), all of them met the density requirements, the only issues were they weren't on the servitude. He further advised them to wait a second, Planning had said because all three (3) tracts were on the same map, they had to be considered together in the total number, which is crud, because we cut the ...

The chair stopped Councilman Talbert and advised that everyone was getting what he was saying and felt that it was enough.

The chair stated that the Council was not taking any action and Councilwoman Sandefur was happy with making it on record that her vote had been changed and challenged and that they needed to move on.

The chair addressed agenda item numbers 8 and 9,

8. Notice of Consideration of Action regarding the calling of an election on April 27, 2024 for the renewal of the levy of an existing ad valorem tax for Fire Protection District No. 5 of the Parish of Livingston, State of Louisiana - Jim Ryan, Government Consultants
9. Notice of Consideration of Action regarding the calling of an election on April 27, 2024 for the renewal of the levy of an existing ad valorem tax for Recreation District No. 2 of Livingston Parish, Louisiana – Jim Ryan, Government Consultants

The chair called upon Mr. Brad Cascio who explained that this is Jim Ryan’s area, but he said that 8 and 9 should not have been on this night’s agenda, so they just needed a motion to withdraw 8 and 9.

LPR NO. 23-489

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to withdraw agenda items 8 and 9 from the November 30, 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. GIRLINGHOUSE, MR. DELATTE,
MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair moved to address the addendum items and read addendum item number A-1, “Introduction of Ordinance: 2023 Budget Amendments and 2024 Budget – Parish President’s Office, Finance Director Jennifer Meyers-Brady”.

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

L.P. ORDINANCE NO. 23-47

AN ORDINANCE AMENDING THE 2023 BUDGET AND ADOPTING THE 2024 BUDGET OF THE LIVINGSTON PARISH PRESIDENT-COUNCIL RELATIVE TO THE GENERAL FUND, SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS AND CAPITAL IMPROVEMENT FUNDS.

The chair called upon Livingston Parish Finance Director, Jennifer Brady. Ms. Brady explained that the Councilmembers had in front of them the amendment of the 2023 and the introduction or proposition of the 2024 budget. She stated that she introduced this at the Finance committee meeting earlier that evening.

Ms. Brady stated that considering the difference in what was presented to them and approved last year, they would have amended the 22 and proposed the 23. The changes from the proposed 23 last year and the amended 23 this year are simply items that you have approved all year long. She further explained that when she, or the Parish President or Mark Harrell received approval from the Council to enter into an agreement. She stated that ten million dollars (\$10,000,000) of the change is all of the NRCS funding that has hit during the year. She further stated that during the year another six million dollars (\$6,000,000.00) of change is all of the FEMA funding that is hit during the year for acquisitions and elevations, so sometimes they will not know until during the year when those funds get obligated for the Parish to move forward on, that we are even getting those funds.

Ms. Brady asked the Council members to notice in the yearly summary, if you look from 2023 of 116 million, in 2024 that number is only 60 and a half million. She explained that was because there were some grants that they had not been obligated for yet, once the BCA’s are put forward and they decide that it is a good project to move forward with, and those funds are obligated to them, then they will be recognized. She stated that the 2024 number could double depending on the amount of grants that roll down to the Parish. She also wished to explain the huge disparity from 23 to 24 total numbers is ARPA funds. The ARPA funds that the Parish received were deferred and they were not recognized as revenue because they were federal funds that they received up front so they are not recognized as revenue until you spend them. Ms. Brady explained

that this year was the bulk of that \$27 million dollars is getting spent because those projects were approved and took a long time to get together and start that funding rolling down.

Councilman Randy Delatte commended Ms. Brady and stated that was a great explanation and that was what he was looking for when they had the committee meeting earlier.

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

L.P. ORDINANCE NO. 23-47

AN ORDINANCE AMENDING THE 2023 BUDGET AND ADOPTING THE 2024 BUDGET OF THE LIVINGSTON PARISH PRESIDENT-COUNCIL RELATIVE TO THE GENERAL FUND, SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS AND CAPITAL IMPROVEMENT FUNDS.

LPR NO. 23-490

MOTION was offered by Randy Delatte and duly seconded by Mr. Girlinghouse to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, December 14, 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. GIRLINGHOUSE, MR. DELATTE,
MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed addendum item A-2, "Adopt a resolution to Accept Low Bid for New Coroner Building - Finance Director, Jennifer Meyers-Brady".

The chair called upon Ms. Brady to address this item. Ms. Brady explained that this has been in the works for a while, they have discussed it, but not really got into the details of it.

She advised that the Parish is trying to facilitate a new coroner's building so that they can do their own autopsies in house instead of having to farm those out and travel to Broussard, making a transportation cost. Additionally, each autopsy costs twenty-six hundred dollars (\$2600.00), not including the separate lab fees, so it has become extremely expensive. She stated that this will be paid with ARPA funds.

LPR NO. 23-491

MOTION was made by Randy Delatte and duly seconded by Gerald McMorris to accept the low bid, using ARPA funds, for the new coroner building as presented by the Livingston Parish Finance Director, Jennifer Brady.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed addendum item number A-3, "Introduction of Ordinance: 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: David May, 14270 Clea

May Lane, Denham Springs, LA 70726”, and determined this project was located in Councilwoman Erin Sandefur’s Council district. She stated that she wished to make the motion. The chair called upon the Deputy clerk to read the ordinance by title.

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

L.P. ORDINANCE NO. 23-48

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.

Homeowner: David May
Address: 14270 Clea May Lane
Denham Springs, LA 70726
Appraised Value: \$73,000.00
Amount Offered: \$73,000.00
Legal Description: Tract Y-1, 0.275 acres, Sec. 62, T8S, R4E

LPR NO. 23-492

MOTION was offered by Erin Sandefur and duly seconded by Randy Delatte to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, December 14, 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. GIRLINGHOUSE, MR. DELATTE,
MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD, MR. MCMORRIS
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed addendum item number A-4, “Introduction of Ordinance: 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: David Earl May and Shelia Denise May Duncan, 20425 LA Highway 447, Denham Springs, LA 70726”.

The chair directed the Deputy clerk to read the proposed ordinance by title.

Ms. Jennifer Brady answered questions from the Council members.

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

L.P. ORDINANCE NO. 23-49

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.

Homeowner: David Earl May and Shelia Denise May Duncan
Address: 20425 LA Hwy 447
Denham Springs, LA 70726
Appraised Value: \$67,000.00
Amount Offered: \$67,000.00
Legal Description: Section 62, T8S, R4E

LPR NO. 23-493

MOTION was offered by Erin Sandefur and duly seconded by Shane Mack to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set

a Public Hearing for Thursday, December 14, 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. GIRLINGHOUSE, MR. DELATTE,
MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed addendum item number A-5, “Adopt a resolution authorizing the Parish President to enter a contract agreement with Forte & Tablada, Inc. to perform engineering services for the Old Mill Settlement Road Project being funded through the State of Louisiana Act 397 of 2023 State Aid to Local Government Entities – Grants Department”.

The chair called upon Ms. Brady who gave brief explanation about the funding of this agenda item.

LPR NO. 23-494

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to authorize the Parish President to enter a contract agreement with Forte & Tablada, Inc. to perform engineering services for the Old Mill Settlement Road Project being funded through the State of Louisiana Act 397 of 2023 State Aid to Local Government Entities.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed addendum item number A-6, “Adopt a resolution authorizing the parish president to execute the contract between the Livingston Parish Council and McLin Construction, LLC., the responsible low bidder for the HMGP 4277-0115 funded Fire District 5 Safe Rooms Project – Highway 16 location”.

The chair called upon Jennifer Brady who advised that this is our second go around with this project and it is one hundred percent (100%) funded.

LPR NO. 23-495

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to authorize the Parish President to enter execute the contract between the Livingston Parish Council and McLin Construction, LLC., the responsible low bidder for the HMGP 4277-0115 funded Fire District 5 Safe Rooms Project – Highway 16 location.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed addendum item number A-7: “Adopt a resolution authorizing the parish to use American Rescue Plan Act (ARPA) funding to cover the Livingston Parish Airport District sewer system project – Grants Department/Randy Delatte” and called upon Ms. Jennifer Brady.

Ms. Brady advised that the mitigation that was required on this project and the funds are earmarked for the Sewer District. All that was needed was approval.

LPR NO. 23-496

MOTION was made by Tracy Girlinghouse and duly seconded by Randy Delatte to authorize the Parish to use American Rescue Plan Act (ARPA) funding to cover the Livingston Parish Airport District sewer system project.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed addendum item number A-8, “Adopt a resolution clarifying that the Livingston Executive Airport Project has been in its planning and design phase since 2017. The project has now obtained its required wetlands mitigation credits and permits, allowing construction to begin Phase 1 – Randy Delatte”.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 23-497

Presented by Councilman Randy Delatte

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to clarify that the Livingston Executive Airport project has been in its planning and design phase since 2017, following the creation of its governing board, the Livingston Parish Airport District, in 2016; and

Whereas, the district has followed all rules and ordinances that have been in effect since that time as the basis for all design efforts, as well as funding and permit requests; and

Whereas, delayed action on the project has been due to a lengthy permit application and approval process with the U.S. Corps; and

Whereas, the project has now obtained its required wetlands mitigation credits and permit, allowing construction to begin on its Phase 1 design.

Therefore be it ordained, the project will continue to follow the rules and ordinances that were in effect at the time of the first submittal of the drainage impact study on May 17, 2021.

Therefore be it further ordained, those rules, ordinances and regulations are set as being defined as pertaining to drainage impact studies, construction standards and permitting.

Be it further ordained, that the Livingston Parish Council as the governing body of the Parish of Livingston, State of Louisiana wishes to recognize and send their congratulations to the Livingston Parish Airport District for this monumental achievement and our best wishes for a speedy and successful construction process in completing Phase 1 of the Livingston Executive Airport.

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

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

NAYS: MR. MCMORRIS

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed addendum item number A-9, “Adopt a resolution for approval for Forensic Audit” and called on Councilman Randy Delatte.

Councilman Delatte stated that his wishes were to adopt a resolution to request for bids, not to hire anyone.

LPR NO. 23-498

MOTION was made by Randy Delatte and duly seconded by Maurice “Scooter” Keen to approve Councilman Delatte’s request for bids for a forensic audit and did not wish to hire anyone at that time.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed agenda addendum item number A-10, “Adopt a resolution to approve a waiver to divide in an named subdivision located at 16355 Blackmud Road, for Jonathan Boyle, for the division of Lot E, Pine Heaven Estates, 2nd Filing, E-1 thru E-6 in Council District 7” and called upon Councilman Tracy Girlinghouse.

Councilman Girlinghouse referred to the map in everyone’s meeting packets and advised that this property was already divided in 2019. The property already had two (2) mobile homes on it and he wished to have the ability to put the other on the pieces of property. The problem being, it was zoned Light Industrial. He stated that it is located on Black Mud Road, and it probably would have made sense if it was one giant piece of property, but it had already been chopped up with residents on it. He was asking the Council to authorize a waiver to allow this gentleman to continue on.

LPR NO. 23-499

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to approve a waiver located in a Light Industrial zoned property to divide in an named subdivision located at 16355 Blackmud Road, for Jonathan Boyle, for the division of Lot E, Pine Heaven Estates, 2nd Filing, E-1 thru E-6 in Council District 7.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed agenda addendum item number A-11, “Isabella Lakes Phase 3-5 Water Services Capacity and Fire Protection Plan located in Council District 7” and called upon Councilman Tracy Girlinghouse.

Councilman Tracy Girlinghouse gave a brief history of this development and the water issues. Those issues have since been worked out and letters of proof from the City of Waker and Fire Protection District No. 4 were provided indicating that the water issues had been worked out for Isabella Lakes, Phases III through V.

LPR NO. 23-500

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to provide a waiver to Isabella Lakes to return to their original, preliminary plat or development requirements, contingent upon the agreements with the City of Walker and Fire Protection District No. 4 being met.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on November 30, 2023.

The chair addressed agenda item number 23, “Change the rule that restricts the council from rezoning properties in any council district of the parish – Garry Talbert.”

The chair called upon Councilman Garry Talbert who stated that they voted last meeting to restrict it and so I’m asking that now that we have nine (9) members here, let’s vote again to un-restrict it. He stated that was his motion. The chair asked if there was a second to his motion. Councilman Maurice “Scooter” Keen wished to second his motion.

The chair wished to clarify Mr. Talbert’s motion and stated the motion was to undo zoning in the Parish. Councilman Talbert told him no, just the rule that restricts it from being on the agenda.

The chair advised that he understood. Councilman Talbert stated that ya’ll passed a rule with nine (9) people here, so he was putting an item on the agenda to remove the rule now that we had nine (9).

The chair advised that they passed two (2) things last meeting. One, they authorized the Council chairman and the clerk to keep Deer Run off of the agenda. Mr. Talbert stated that was the one they were working on. The chair advised that “Deer Run” was not mentioned, but you want to change that. Councilman Talbert stated that’s the rule.

The chair stated that there was a motion by Mr. Talbert, which will, if it passes, then they can change the rule. Councilman Delatte added then they can change the rule. Councilman Talbert stated, right, the item on the agenda is to rescind the rule, to change the rule that restricts the Council from rezoning properties in any Council district of the Parish. The chair advised that there were two (2) motions, he made one (1) that said no zoning in the Parish until after the new Council. Mr. Talbert stated no changing of zoning ordinances. The chair stated that was the one he made. And Mr. Talbert was talking about districts. He stated that there was a rule made that said they couldn’t put it on the agenda. Randy’s rule didn’t stop us from putting on the agenda, Erin’s rule stops it from being put on the agenda, so he wanted to rescind Erin’s rule.

The chair clarified that Councilman Talbert was stating was to undo where they could talk about Deer Run again. Councilman Talbert stated in the future. Mr. Talbert stated that if a councilman requested, it can be put back on the agenda.

Councilwoman Erin Sandefur demanded that they take a moment and clarify that motion because he was not even supposed to be discussing that on this Council right now.

Councilman Talbert asked what she was referring to, the rule was that you put forth that we could not put it on the agenda to change the zoning of Deer Run. He stated that he was not talking about the Deer Run zoning. He said that he had an item on the agenda to remove that rule.

Councilwoman Sandefur addressed the chairman and stated that she wanted to make an objection. She stated that she objected, this was confusing and vague and not specified on this agenda, it’s not clear to the public, it’s not clear to the Council and no one really understood where he was coming from.

Councilman Talbert told Parish Legal Counsel Mr. Brad Cascio by the agenda the item said change

the rule that restricts the Council from rezoning properties in any Council district of the parish and the motion is to change the rule that was adopted at the last meeting that restricts the zoning, discussion of zoning, on Deer Run from being put on the agenda. He stated that it clearly meets what was put forth on 23 as a public hearing.

Mr. Cascio stated that he was not at the last meeting, but the way that he read that agenda item, to him, it read that there was a rule that would basically prohibit G-Boy from amending the zoning in Scooter's district and then you want to change that rule, not a rule about Deer Run specifically.

Mr. Cascio advised the chair that there was a motion and a second on the floor. The chair paused and stated that he was debating whether that was a valid motion.

Public input: Bobbette Larkey; asked if they would hold off on this because they have hired a planner, being paid by their tax dollars, and questioned why do they want to keep changing zoning if he was working on this. She felt that they needed to give him a chance to finish up what he's doing.

Councilman "Maurice" Keen wished to address Ms. Larkey's questions. He stated that they signed a settlement and he was not going to be party to not be able to meet that requirement of that settlement. He further stated that it needs to go away so that they can discuss it before they get to the end of the year, because then it is in someone else's court and he was still in the settlement.

The chair allowed an open discussion.

Public input: Tom Easterly, attorney for Ascension Properties

Mr. Easterly stated that in the grand scheme of things he was very confused when the rule was voted on several weeks back, because he was not understanding what a rule was and what the vote really was and that the significance of the word rule wasn't necessarily something that he understood.

Mr. Easterly asked what does that mean in your mind? He made reference to Robert's Rule of Order. Councilman Randy Delatte gave a lengthy explanation how rules are followed in their meetings.

Public input: Brian Clemmons

The chair allowed a lengthy open discussion.

After a very lengthy and heated debate, the chair paused the discussion and advised that he was making a chairman's call, and this item is not valid to be on the agenda so they would be passing that one over.

The chair moved to address agenda item number 24, "Board appointments/reappointments: Gravity District 2" and called upon Councilman Garry Talbert.

Councilman Talbert advised that he had three (3) people who were expired on this board at that time and he wished to reappoint two (2) and make a change on the third one (1).

He stated that he wished to reappoint Mr. Davis, he wanted to change Brian. He asked for the board list. The Council clerk retreated the Council chambers to print what he wished. Mr. Talbert advised that he wanted to reappoint Brian Emrick and he was going to replace Brian Clemmons with Kevin Romig.

The chair stated that there was a motion by Mr. Talbert to replace Brian Clemmons with Kevin Romig and reappoint Brian Emerick and reappoint Jimmy Davis. The chair asked if there was a second to his motion. Councilman Maurice "Scooter" Keen wished to second his motion.

Councilman Shane Mack stated that he wished to make a substitute motion to defer all board appointments, whether it is a reappointment, or a replacement or a removal until the new Council takes over. Councilwoman Erin Sandefur wished to second his motion.

The chair asked if there were anyone for discussion?

Public input: Ryan Chavers, Councilman elect for Council District 2

Mr. Chavers addressed Councilman Talbert and stated his displeasure with his action of removing

Brian Clemmons from the Gravity Drainage District 2 board.

Councilman Talbert wished to tell Mr. Chavers his exact reasoning. He stated that he would be glad to give him his reasoning. He explained that there is a project that would benefit Gravity 2 that requires an appropriation of land. The land is Mr. Clemmons' land. Councilman Talbert said that Mr. Clemmons doesn't feel like government should be able to come in and buy somebody's land, even if they do not want to sell it for the benefit of the whole. He said that he wanted to tell them that when Beaver Creek starts north of the diversion you would understand why somebody that has no desire to let that happen doesn't need to be on the drainage board.

Mr. Chavers stated that you could say the same thing for Kevin Romig. He indicated that he did not know Mr. Romig.

Councilman Talbert told Mr. Chavers that he understood, but when Mr. Chavers was the councilman next month, he can appoint whoever he wanted to, to whatever board comes about, but right now these people expire when I'm the councilman. Mr. Chavers replied to Mr. Talbert and asked him if he realized that it makes it tricky for a new councilman to come in to find reason to pull those people off.

Mr. Chavers stated that he wished to ask a question of the attorney. He asked if you could pull anybody off of a board for any reason whatsoever? He asked Mr. Cascio if you needed to have just cause to take them off?

Mr. Cascio confirmed that you would need just cause to take them off of the board.

Mr. Chavers stated that goes back to what Councilman Talbert was doing by appointing someone for four (4) years that he had no idea of who they were.

Councilman Talbert asked Mr. Chavers, you don't think that we all have dealt with that in the past?

Mr. Chavers referred to Councilman Shane Mack's suggestion to roll the appointment over.

Councilman Talbert stated that nobody rolled them over for me. Mr. Chavers pointed out that this was discussed two (2) meetings ago.

Councilman Talbert stated that he did not have nine (9) votes two (2) meetings ago, there weren't nine (9) people here, there are nine (9) people here, we are going to readdress this issue.

Mr. Chavers referred back to Councilman Randy Delatte's statement and asked what's the rush? He again asked Councilman Talbert, what is the rush?

Public input: Brian Clemmons, board member of Gravity Drainage District 2

Mr. Clemmons stated that he wished to address the question made by Councilman Garry Talbert of his impartiality. Councilman Talbert told him to go ahead.

Mr. Clemmons replied that according to state law, he was required once a year to take a test, and he has done so every single year that he has been on that board. He explained that if the matter comes up that concerns him directly, he is required to recuse himself. He encouraged Councilman Talbert to check the records, he has taken those tests and passed those tests, and he has adhered to those tests. He wished to point out that the project that Councilman Talbert was pushing for there, specifically, would benefit Councilman Talbert because he was directly downstream of Beaver Creek from Mr. Clemmons and this project would impact him, personally, directly. Mr. Clemmons wished to again point out that he has taken the required Ethics exams and he has passed them and if a vote comes up on that particular project, rest assured, he would recuse himself.

Public input: Raymond Wallace; addressed Councilman Talbert's motion in regard to Brian Clemmons and stated his displeasure in Councilman Talbert's actions

The chair stated that there was a substitute motion by Councilman Mack to not allow any board changes until the new Council takes their place.

Councilman Tracy Girlinghouse wished to speak and advised that he agreed with him in principal, that is why he has not changed any of his board members. However, he thought that Councilman Talbert should have the right to. Councilman Girlinghouse wished to state that Councilman Talbert was not removing Mr. Clemmons, his time had expired, and he was replacing him.

Councilman Girlinghouse wished to reiterate that he would not do that, he would leave that for the incoming councilman, Mr. Goff, but he wanted to respect Mr. Talbert's right to do so.

The chair wished to state that if he remembered correctly, when Councilman Mack made the motion last time to put someone on the board, Councilman Girlinghouse was adamant to undo Councilman Mack's board member appointment and he had supported that. Councilman Mack

concurring.

Councilman Mack stated that he was reappointing someone that had been on that board for years and that had done an outstanding job, who was about ninety (90) years old and really enjoyed the service and benefit of serving on that board. Councilman Mack explained that the Council had voted to reappoint that board member and Councilman Girlinghouse voted to remove him, because they decided as a team that night, that they were going to let the new Council appoint board members.

Councilman Girlinghouse quantified his actions and stated that Councilman Mack had made that point, which he was okay with, but then turned around and tried to deny Mr. Talbert his right to do the same thing. Councilman Mack stated that was because Councilman Talbert was removing, but he was reappointing.

The chair allowed an open discussion.

The chair ended the heated discussion to call for the vote, but he also wished to make a statement.

The chair stated that the people in this Parish just went through an election and they spoke pretty clearly who they wished to govern this Parish. He continued to state that to be vindictive and to be scorched earth and take everything down with you when you are going out your last day of the meeting is terrible. He felt that it was only right if Mr. Mack gave up a good appointment because he believed that the newly elected council members should be making that decision and he wished to call for the vote for the substitute motion.

The chair stated that the substitute motion was to allow the new Council to make the decisions. He explained that a “Yes” vote would allow the new Council to appoint the board members that they felt are necessary.

The Deputy clerk stated that this will defer all board appointments until the new Council takes office.

LPR NO. 23-501

MOTION was offered by Shane Mack and duly seconded by Erin Sandefur to make a substitute motion that will defer all board appointments until the new Council takes office that was made to the original motion previously made by Councilman Garry Talbert and Councilman Maurice “Scooter” Keen to reappoint Jimmy Davis and Brian Emrick to Gravity Drainage District No. 2 and replace Brian Clemmons with Kevin Romig; thereby calling for all board appointments of the Livingston Parish Council to be deferred until the newly elected Council members are in office.

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

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

NAYS: MR. KEEN, MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had been carried and was adopted on the 30th day of November 2023.

The chair addressed agenda item number 25a, “Committee Report(s): Finance committee” and called upon Councilman Randy Delatte, Finance committee chairman.

Councilman Delatte gave a brief report of their meeting that was held earlier before the Council meeting.

The chair addressed agenda item number 25b, “Committee Report(s): Ordinance committee: Recommendation(s) of Ordinance(s) introduction(s):” and called upon Councilman Shane Mack, Ordinance committee chairman.

Councilman Mack reported that the committee would not be meeting again that year and that he enjoyed being the Ordinance committee chair and working with the people of Livingston Parish, receiving feedback and modifying the law to better their quality of life.

The chair called upon Mr. Brad Cascio to address agenda item number 26, “District Attorney’s Report:”. Mr. Cascio stated that he did not have anything to report that evening.

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, December 14, 2023, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 23-502

MOTION was offered by Jeff Ard and duly seconded by Erin Sandefur to adjourn the November 30, 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. GIRLINGHOUSE, MR. DELATTE, MR. WASCOM, MR. MACK, MS. SANDEFUR, MR. ARD, 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=8Cv9DiGE1T8>

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

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

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