

Minutes of the Livingston Parish Council
Livingston, Louisiana
May 23, 2024

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, May 23, 2024, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Lonnie Watts	John Mangus
Ryan Chavers	Ricky Goff
Billy Taylor	Dean Coates
	Joseph "Joe" Erdey
John Wascom	

Absent: Erin Sandefur
Parish Legal Counsel

Also present: Parish President Randy Delatte
Mickey McMorris, Livingston Parish Finance Director

The chair called the meeting to order. He addressed the audience members and wished to thank everyone for taking time out of their busy schedules to attend a Livingston Parish Council meeting.

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 7a, "Presentations: Update from DOTD on the Juban Road four (4) lane road project – Ryan Chavers".

The chair called upon Councilman Ryan Chavers who advised that he wished to defer this item to be placed upon the June 13, 2024 agenda. He stated that a representative from Senator Valarie Hodges's Administration would be present to provide an update at that time.

The chair addressed agenda item numbers 8a and b, "Adopt the Minutes:
a. May 1, 2024, Special Meeting of the Livingston Parish Council
b. May 9, 2024, Livingston Parish Council regular meeting"

LPR NO. 24-197

MOTION was made by John Mangus and duly seconded by Ryan Chavers to dispense with the reading of the minutes from the May 1, 2024 special meeting and the minutes of the May 9, 2024 regular meeting of the Livingston Parish Council adopt as written.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair addressed agenda item number 9, "Adopt a resolution for the Process Verbal canvassing the returns and declaring the results of the special election held in Special Taxing District No. 5 of the Parish of Livingston, Louisiana (the "***District***") on Saturday, April 27, 2024, for the purpose of authorizing the renewal of the levy and collection of a ½% sales use tax for a period of ten (10) years – Jim Ryan, IRMA, Government Consultants, Parish Financial Advisor".

The chair gave a brief explanation of the Livingston Parish Council's responsibility as the governing authority of the Parish to announce the results of the election by reading aloud audibly to the public in a regular meeting those results within the proces verbal.

The chair read into the record the following statement provided in the proces verbal canvassing the returns and declaring the results for the election held on Saturday, April 27, 2024, for the purpose of authorizing the renewal of the levy and collection of a half percent (½%) sales and use tax for a period of ten (10) years for Gravity Drainage District 5.

“The polling places specified being the only polling places designated at which to hold the election, was therefore shown that there was a total of 636 votes cast IN FAVOR OF the Proposition and a total of 377 votes cast AGAINST the Proposition, as set forth, and that there was a majority of 636 votes cast FOR the Proposition as herein set forth.”

In addition to announcing the results audibly, the chair advised the requirement to adopt a resolution providing for the canvassing of the returns and declaring the results of the special election held in Taxing District No. 5.

PARISH OF LIVINGSTON, STATE OF LOUISIANA

The following Resolution was offered by Billy Taylor and seconded by Joe Erdey:

L.P. RESOLUTION NO. 24-198

A Resolution providing for canvassing the returns and declaring the result of the special election held in Special Taxing District No. 5 of the Parish of Livingston, Louisiana (the “***District***”) on Saturday, April 27, 2024, for the purpose of authorizing the renewal of the levy and collection of a 1/2% sales and use tax for a period of ten (10) years, beginning August 1, 2025, for the purpose of acquiring drainage works, equipment and facilities necessary to construct, maintain and operate outlets for the waters of the District, and prevent flooding; and further shall the District be authorized to fund the proceeds of the Tax into bonds to the extent and in the manner permitted by the laws of Louisiana.

BE IT RESOLVED by the Parish Council of the Parish of Livingston, State of Louisiana (the “***Governing Authority***”), acting as governing authority of Special Taxing District No. 5 of the Parish of Livingston, Louisiana (the “***District***”), as follows:

SECTION 1. That the Governing Authority does now proceed in open and public session to examine the official certified tabulations of votes cast at the special election held in the District on Saturday, April 27, 2024 (the “***Election***”), said tabulations having been prepared and certified by the election officials serving at the designated polling places, and the Governing Authority does now further proceed to examine and canvass the returns and declare the result of the Election.

SECTION 2. That a Proces Verbal of the canvass of the returns of the Election shall be made and that a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in her office; that another certified copy thereof shall be forwarded to the Clerk of Court and ex-officio Recorder of Mortgages in and for the Parish of Livingston, State of Louisiana, who shall record the same in the Mortgage Records of the Parish of Livingston, State of Louisiana; and that another copy thereof shall be retained in the archives of the District.

SECTION 3. That the result of the Election shall be promulgated by publication in the manner provided by law, after receipt from the Secretary of State’s office of the actual cost of holding the Election, as required by La. R.S. 18:1292(B)(2).

SECTION 4. This Resolution shall take effect immediately upon adoption.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE
ABSENT: MS. SANDEFUR
ABSTAIN: NONE

WHEREUPON, this Resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 23rd day of May, 2024.

1/2\ Sandy C. Teal
Sandy C. Teal, Council clerk

1/2\ John Wascom
John Wascom, Council chairman

STATE OF LOUISIANA
PARISH OF LIVINGSTON

I, the undersigned Clerk of the Parish Council of the Parish of Livingston, State of Louisiana (the “**Governing Authority**”), acting as the governing authority of Special Taxing District No. 5 of the Parish of Livingston, Louisiana, do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Governing Authority on May 23, 2024, providing for canvassing the returns and declaring the result of the special election held in Special Taxing District No. 5 of the Parish of Livingston, Louisiana (the “**District**”) on Saturday, April 27, 2024, for the purpose of authorizing the renewal of the levy and collection of a 1/2% sales and use tax for a period of ten (10) years, beginning August 1, 2025, for the purpose of acquiring drainage works, equipment and facilities necessary to construct, maintain and operate outlets for the waters of the District, and prevent flooding; and further shall the District be authorized to fund the proceeds of the Tax into bonds to the extent and in the manner permitted by the laws of Louisiana.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council of the Parish of Livingston, State of Louisiana on this 23rd day of May, 2024.

1/2\ Sandy C. Teal
Sandy C. Teal, Council Clerk
(SEAL)

PARISH OF LIVINGSTON, STATE OF LOUISIANA

The following Resolution was offered by Ricky Goff and seconded by John Mangus:

L.P. RESOLUTION NO. 24-199

A Resolution directing the renewal of the levy and collection of a 1/2% sales and use tax for a period of ten (10) years, beginning August 1, 2025, for the purpose of acquiring drainage works, equipment and facilities necessary to construct, maintain and operate outlets for the waters of the District, and prevent flooding; and further shall the District be authorized to fund the proceeds of the Tax into bonds to the extent and in the manner permitted by the laws of Louisiana; and further providing for other matters in connection therewith.

WHEREAS, under the provisions of Section 338.54 of Title 47 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 47:338.54) and other constitutional and statutory authority supplemental thereto, including an election held in Special Taxing District No. 5 of the Parish of Livingston, Louisiana (the “**District**”) on Saturday, April 27, 2024, the Parish Council of the Parish of Livingston, State of Louisiana (the “**Governing Authority**”), acting as the governing authority of the District, desires to renew the levy and collection of the sales and use tax as authorized at the election by virtue of the favorable passage of the proposition attached hereto as Schedule A setting forth the rate and duration of the tax; and

WHEREAS, in compliance with the provisions of said authority and other applicable constitutional and statutory authority, an election was held in the District on Saturday, April 27, 2024, to authorize the renewal of the levy and collection of the sales and use tax, it is now the desire of the District to renew the levy of the sales and use tax and to provide for the collection thereof and other matters in connection therewith as hereinafter provided in this Resolution.

BE IT RESOLVED by the Parish Council of the Parish of Livingston, State of Louisiana, acting as the governing authority of the District, as follows:

SECTION 1. Pursuant to the authority of an election held in the District on Saturday, April 27, 2024, there be and there is hereby renewed within the geographic boundaries of the District for the m,purposes stated in the proposition attached hereto as Schedule A, the levy of a sales and use tax of 1/2% upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and upon the sale of services in the District for a period of ten (10) years, beginning August 1, 2025, all in the manner and subject to the provisions and terms of those portions of Title 47 of the Louisiana Revised Statutes of 1950, as amended, applicable to sales and use taxes levied by the District.

SECTION 2. The levy of the sales and use tax described in Section 1 above shall be renewed, continued and enforced according to law.

SECTION 3. The obligations and rights of taxpayers in connection with the sales and use tax levied hereby shall be as provided by the provisions of law applicable to sales and use taxes levied by the District.

SECTION 4. If any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Resolution which validates or makes legal any provision of this Resolution which would not otherwise be valid or legal, shall be deemed to apply to this Resolution.

SECTION 5. Upon adoption, this Resolution shall be published in full in one (1) issue of the *Livingston Parish News* and shall be recorded in the mortgage records of the Livingston Parish Clerk of Court.

SECTION 6. The Chairman of the Governing Authority be and he is hereby authorized, empowered and directed to take any and all such action as may be necessary to carry into effect the provisions of this Resolution.

SECTION 7. This Resolution shall immediately take effect upon adoption.

[Remainder of this page intentionally left blank]

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

WHEREUPON, this Resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 23rd day of May, 2024.



Sandy C. Teal, Council Clerk



John Wascom, Council Chairman

SCHEDULE A

PROPOSITION

Shall Special Taxing District No. 5 of the Parish of Livingston, Louisiana (the "District") be authorized to renew the levy and collection of a 1/2% tax (an estimated \$2,100,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) (the "Tax") upon the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption, of tangible personal property and on sales of services in the District, for a period of ten (10) years, commencing on August 1, 2025, with the proceeds of the Tax (after paying the reasonable and necessary expenses of collecting and administering the Tax), to be dedicated and used to acquire drainage works, equipment and facilities necessary to construct, maintain and operate outlets for the waters of the District, and prevent

flooding; and further shall the District be authorized to fund the proceeds of the Tax into bonds to the extent and in the manner permitted by the laws of Louisiana?

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

I, the undersigned Clerk of the Parish Council of the Parish of Livingston, State of Louisiana (the “**Governing Authority**”), acting as the governing authority of Special Taxing District No. 5 of the Parish of Livingston, Louisiana, do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Governing Authority on May 23, 2024, directing the renewal of the levy and collection of a 1/2% sales and use tax for a period of ten (10) years, beginning August 1, 2025, for the purpose of acquiring drainage works, equipment and facilities necessary to construct, maintain and operate outlets for the waters of the District, and prevent flooding; and further shall the District be authorized to fund the proceeds of the Tax into bonds to the extent and in the manner permitted by the laws of Louisiana; and further providing for other matters in connection therewith.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council of the Parish of Livingston, State of Louisiana on this 23rd day of May, 2024.



Sandy C. Teal, Council Clerk

(SEAL)

The chair addressed agenda item number 10a, “Parish President’s Report: Adopt a resolution of the Livingston Parish Council pledging support for the dredging of the Amite River”, and asked if the Parish President had anyone that was in attendance that he wished for them to speak on this item. He further advised that he knew many people who were excited about this project and it was long overdue.

Mr. Jim Gilbert, Chief of Staff from Administration came to the podium and read the proposed resolution.

**L.P. RESOLUTION NO. 24-200
A RESOLUTION OF THE LIVINGSTON PARISH COUNCIL
PLEDGING SUPPORT FOR THE DREDGING OF THE AMITE RIVER**

MOTION was made by Dean Coates and duly seconded by John Mangus:

WHEREAS, the Amite River Basin includes two thousand two hundred (2,200) square miles in southeastern Louisiana that is drained by the Amite River and its tributaries including portions of East Baton Rouge, Ascension, Livingston, East Feliciana, St. Helena, Iberville, St. James and St. John the Baptist Parish in Louisiana; and

WHEREAS, all water flowing the Amite River and it tributaries must empty into the Lake of Maurepas located at the very southern end of Livingston Parish where sediment impairs water flow; and

WHEREAS, the residents expect the United State Army Corp of Engineers to authorize dredging of the Amite River to restore drainage capacity in order to decrease the risk to human life due to flooding events, reduce damages to residential, commercial and historical assets and reduce recovery time from high water events that make evacuation routes and other critical roadways impassable; and

WHEREAS, critical infrastructure throughout the region including the I-10 and I-12 transportation system, government facilities, medical facitilites, schools, critical evacuation routes are being are being inundated with flood waters with more frequency and intensity; and

WHEREAS, since 1851, the paths of fifty-one (51) tropical events have intersected throught the Amite River and Tributaries boundaries; and

WHEREAS, the 2016 floods in Louisiana resulted in 26,909 flood claims costing approximately \$2.5 billion; and

WHEREAS, Louisiana State Senator Bodi White, of Central, had an act passed in 2017 allowing Scenic Waterways to be dredged, cleared, and de-snagged targeting the Amite and Comite Rivers; and

WHEREAS, citizens and experts believe log jams and silt are exacerbating the flooding; and

WHEREAS, the last time the Amite River was dredged was in 1956 and the Amite River Basin Commission agrees that dredging needs to happen soon and sedimentation will continue to occur making the situation worse.

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of Livingston, State of Louisiana, that we hereby support the dredging of the Amite River from Highway 22 to the mouth of the river at Lake Maurepas to alleviate critical flooding.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

WHEREUPON, this resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 23rd day of May, 2024.

\s\ Sandy C. Teal

Sandy C. Teal, Council Clerk

\s\ John Wascom

John Wascom, Council Chairman

The chair addressed agenda item number 10b, "Parish President's Report: Adopt a resolution authorizing the Parish President to execute a Cooperative Endeavor Agreement between the Livingston Parish Council, J. Breau Enterprises, LLC, and D.R. Horton Homes, Inc. to repair the roads in Whispering Springs Phase 1", and called upon Mr. Robert Dugas, Director of the Livingston Parish Department of Public Works.

Mr. Dugas explained that this item was an Intergovernmental Agreement for Phase One of Whispering Springs that had been spoken about in the past. He advised that Phase I had been done many, many years ago and this agreement will bring it up to Parish standards. Each party to the agreement will contribute to one third (1/3) of the costs not to exceed one hundred fifty-five thousand dollars (\$155,000.00). The chair asked whose Council district was this development located in. Mr. Dugas advised that it was Councilman Lonnie Watts's district.

The chair called upon Councilman Lonnie Watts to request his opinion and ask if he found everything to be satisfactory. Councilman Watts spoke in the affirmative and advised that they had discussed this matter before, and it was a terrible situation. He stated that this subdivision had remained dormant for possibly fifteen (15) years with no vehicles traveling upon the roads and there were no homes built in it either.

The chair asked if Councilman Watts wished to make the motion to which he agreed and Councilman Ricky Goff stated that he would second that motion.

The chair asked if there was any other discussion. Having none, he called for the vote.

LPR NO. 24-201

MOTION was made by Lonnie Watts and duly seconded by Ricky Goff authorizing the Parish President to execute a Cooperative Endeavor Agreement between the Livingston Parish Council, J. Breau Enterprises, LLC, and D.R. Horton Homes, Inc. to repair the roads in Whispering Springs Phase 1; each party consenting to sharing one third (1/3) of the costs of the repairs and improvements to the roads, not to exceed one hundred fifty-five thousand dollars (\$155,000.00).

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE
ABSENT: MS. SANDEFUR
ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair called upon Mr. Dugas to address agenda item number 11a, “Livingston Parish Grants Department: Adopt a resolution authorizing the final acceptance of the contract with Gulf States Services, LLC, as complete for the Livingston Parish Sims Road Improvement Project through the Louisiana Department of Transportation and Development (State Project #H.013543)”.

Mr. Dugas advised that this project was through the MPO (Metropolitan Planning Organization) and had been completed. He further stated that the final inspection and walk-through had been accomplished and this would be the final step of the project.

The chair stated that the Parish had a twenty percent (20%) cost share involved with this project. He asked Mr. Dugas if he knew whose Council district that this was located in.

Councilman Ryan Chavers stated that it was located in his Council district. The chair asked if Councilman Chavers wished to make the motion.

LPR NO. 24-202

MOTION was made by Ryan Chavers and duly seconded by Billy Taylor authorizing the final acceptance of the contract with Gulf States Services, LLC, as complete for the Livingston Parish Sims Road Improvement Project through the Louisiana Department of Transportation and Development (State Project #H.013543) with Livingston Parish having a twenty percent (20%) cost share.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM
NAYS: NONE
ABSENT: MS. SANDEFUR
ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair addressed agenda item number 11b, “Livingston Parish Grants Department: Resolution authorizing the parish president to enter a contract agreement with Halff Associates, Inc. to perform engineering services for the Drainage Master Plan being funded through the Office of Community Development – Disaster Recovery Unit - Resilient Communities Infrastructure Program (RCIP)”, and called upon Mr. Mickey McMorris, Parish Finance Director.

Mr. McMorris advised that on May 16th, a panel appointed by Mr. Delatte convened and went through very strict federal guidelines grading the submissions that they had received to perform engineering services for the Drainage Master Plan. It was Administration’s recommendation to present Halff Associates, Inc. to the Council members for approval and authorize the Parish President to enter into a contract agreement for engineering services in connection with the Drainage Master Plan for the Parish of Livingston.

LPR NO. 24-203

MOTION was made by John Mangus and duly seconded by Dean Coates authorizing the Parish President to enter into a contract agreement with Halff Associates, Inc. to perform engineering services for the Drainage Master Plan being funded through the Office of Community Development – Disaster Recovery Unit - Resilient Communities Infrastructure Program (RCIP) as recommended from the Administrative Selection Committee from solicited Request for Qualification Statements from engineering services.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

Robert Dugas, Director of the Livingston Parish Department of Public Works approached the podium to offer information or answer any questions that the Councilmembers might have for the next three (3) agenda items.

The chair addressed agenda item number 12a:

“Department of Public Works: Gray’s Creek, 3rd Filing

i. Accept roads & improvements into the Parish Maintenance system

ii. Release \$122,931.00 maintenance bond

Natchez Trace Section 47, T6S R3E Council District 4”

LPR NO. 24-204

MOTION was made by Ryan Chavers and duly seconded by Joe Erdey to accept the roads and improvements into the Parish Maintenance system and release the one hundred twenty-two thousand nine hundred thirty-one dollar (\$122,931.00) maintenance bond for Gray’s Creek Subdivision, 3rd Filing, located on Natchez Trace, Section 47, T6S R3E in Council District 4.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair addressed agenda item number 12b:

“Department of Public Works: Juban Parc, 4th Filing

i. Accept roads & improvements into the Parish Maintenance system

ii. Release \$312,763.57 maintenance bond

Juban Parc Avenue Section 22 & 23, T7S R3E Council District 6”

Councilman John Mangus wished to address releasing the maintenance bond for the 4th filing in Juban Parc when the entrance to Juban Parc Subdivision is in deplorable conditions and was done over ten (10) years ago.

Mr. Robert Dugas explained that the maintenance bond at the time that this was done, that maintenance bond was for the construction of the fourth filing and at that time, they did not require a bond for the rest of it. He explained that has since changed and now you must bond the filing, but you must also bond the roads going to that filing.

Councilman Mangus stated that he wanted the people of Council District 6 and the residents of Juban Parc Subdivision to know that the Parish is striving to fix that road. He wished to advise that just because the Parish was accepting the fourth filing, that did not mean that they were done with this development.

LPR NO. 24-205

MOTION was made by John Mangus and duly seconded by Ricky Goff to accept the roads and improvements into the Parish Maintenance system and release the three hundred twelve thousand seven hundred sixty-three dollar and fifty-seven cents (\$312,763.57) maintenance bond for Juban Parc Subdivision, 4th Filing, located on Juban Parc Avenue, Section(s) 22 & 23, T7S R3E in Council District 6.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

Before moving to the next agenda item, Councilman Ricky Goff wished to make sure that everyone understood what Mr. Dugas had just explained.

Mr. Goff explained that in the past, when the developer did the first filing, they would bond out and secure those roads and they must be at a certain standard when the Parish accepts them into the maintenance system. He advised that when the developer moves into construction on the second, third, and fourth filing and runs over the roads going in and out of the first filing, in the past he was not required to have concern over that part of the development. Councilman Goff acknowledged that since Mr. Dugas and Parish President Delatte and his administration has taken office, now the developer is required to obtain a bond to secure those roads that will include the first filing. The Parish President nodded in agreement. Councilman Goff further advised that at the present time, the Parish will have to do the maintenance and repair for Juban Parc Subdivision. The Parish President nodded in agreement and added that will be in the future.

The chair addressed agenda item number 12c:

“Department of Public Works: Plainview Ridge, 4th Filing

i. Accept roads & improvements into the Parish Maintenance system

ii. Release \$29,594.30 maintenance bond

Lillie Drive Section 64, T6S R2E Council District 3

LPR NO. 24-206

MOTION was made by Billy Taylor and duly seconded by John Mangus to accept the roads and improvements into the Parish Maintenance system and release the twenty-nine thousand five hundred ninety-four dollars and thirty cents (\$29,594.30) maintenance bond for Plainview Ridge Subdivision, 4th Filing, located on Lillie Drive, Section 64, T6S R2E in Council District 3.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair addressed agenda item number 13, “Introduction of ordinance, Evacuation Plan for Commercial and Residential Developments (10 lots are more)”, and called upon Councilman Ryan Chavers.

Councilman Chavers requested the Council clerk to read the proposed ordinance by title. He explained that this proposed ordinance requires that developers must provide an evacuation plan for fifty (50) lots or more along with multi-family and it must come before the Council for approval before they can proceed with getting a preliminary plat. He advised that this is in the event of a disaster residents in a subdivision have a safe evacuation route and know how to get to a closest or nearest interstate.

Councilman Chavers advised that he thought that it was a good thing to have. He stated that he had received the blessing of Chris Anderson who worked together with him on this and had also worked with Steve Irving.

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

L. P. ORDINANCE NO. 24-12

AN ORDINANCE TO AMEND CHAPTER 125, ARTICLE II, “STUDIES”, ADDING SECTION 125-27, “REQUIREMENTS FOR EVACUATION PLAN”, THAT WILL REQUIRE THAT DEVELOPERS OF SUBDIVISIONS LARGER THAN FIFTY (50) LOTS AND ALL MULTIFAMILY DEVELOPMENTS PROVIDE THE PARISH WITH PROOF THAT THE DEVELOPMENT CAN BE SAFELY EVACUATED AND TO REQUIRE THAT AN EVACUATION PLAN FOR THE DEVELOPMENT BE APPROVED BY THE LIVINGSTON PARISH COUNCIL.

LPR NO. 24-207

MOTION was offered by Ryan Chavers and duly seconded by Joe Erdey to publish the ordinance by title in the Official Journal and set a Public Hearing for Thursday, June 13, 2024, at the hour of six o'clock (6:00) p.m. at the Governmental Building in the Livingston Parish Council chambers located at 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. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS, MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

(As per rules of the Council, copies of the proposed ordinance shall be available for public inspection in the office of the Livingston Parish Council)

The chair addressed agenda item number 14, “Introduction of Ordinance: Amend Section 125-37(4), “Requirements for Minor Subdivisions,” amending the width requirement for servitudes”, and called upon Councilman Ricky Goff.

Councilman Goff gave a brief explanation of the proposed ordinance. He advised that if someone subdivides their property they must leave an appropriate amount for a future road if necessary. He stated that it does not mean that the property owner cannot use that part of the property, it means that the property owner cannot put anything there permanently, so if things begin to develop in the future, there would be the ability to place a road.

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

L. P. ORDINANCE NO. 24-13

AN ORDINANCE TO AMEND CHAPTER 125, “SUBDIVISION REGULATIONS”, ARTICLE III – “MINOR SUBDIVISIONS”, SECTION 125-37 (4), AMENDING THE WIDTH REQUIRED FOR SERVITUDES UPON THE RE-SUBDIVISION OF PROPERTY, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

LPR NO. 24-208

MOTION was offered by Ricky Goff and duly seconded by Billy Taylor to publish the ordinance by title in the Official Journal and set a Public Hearing for Thursday, June 13, 2024, at the hour of six o'clock (6:00) p.m. at the Governmental Building in the Livingston Parish Council chambers located at 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. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

(As per rules of the Council, copies of the proposed ordinance shall be available for public inspection in the office of the Livingston Parish Council)

The chair noted that this ordinance previously had a sixty (60') foot servitude requirement and the Parish Council did not like authorizing waivers for property owners who needed a lesser footage requirement and therefore amended the ordinance from the sixty (60') foot requirement to forty (40') feet. He advised that he was agreeable for this ordinance to be amended back to its original footage requirement, and it was the right thing to do, but in some circumstances waivers are going to be needed. He requested that the Council members use common sense when waiver requests are received.

The chair addressed agenda item number 15, "Introduction of Ordinance: Amendments to the Home Rule Charter – Dean Coates". He advised that this agenda item was being pulled by Councilman Dean Coates.

Councilman Coates concurred and stated that the proposed ordinance required more detail than what he had provided.

Having no other discussion, the chair moved to the next agenda item.

The chair addressed agenda item number 16, "Adopt resolution to authorize a waiver of Section "125-176, "Definitions" to allow a third address on a (5.583) acre tract for Jerry Hoyt Jr. being located of Hutchinson Cemetery Road, Albany, La 70711 – Parcel # 0137901 in Council District 9 – Joseph "Joe" Erdey".

Councilman Erdey wished to explain what he had. He explained that there were five and a half (5 ½) acres and he had an older family in their seventies (70s), a man and a woman. In the center he had the brother to the right of the five and a half (5 ½) acres and everyone was good with their addresses. He further explained that what he had was a young lady around twenty (20) years old with a child and has her mobile home in place. He stated that it took him a while to come to the conclusion, because it is a waiver, but when he analyzed it, he advised that all this lady was asking for was a mailbox. She was not asking to build a home or move anything or subdivide, she simply wants her own address. He acknowledged that he understood the way that people feel about the waivers, but he wished to put this on the agenda because it was the right thing to do.

LPR NO. 24-209

MOTION was made by Joe Erdey and duly seconded by Lonnie Watts to authorize a waiver of Section "125-176, "Definitions" to allow a third address on a (5.583) acre tract for Jerry Hoyt Jr. being located of Hutchinson Cemetery Road, Albany, La 70711 – Parcel # 0137901 in Council District 9.

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

YEAS: MR. WATTS, MR. ERDEY, MR. WASCOM

NAYS: MR. MANGUS, MR. GOFF, MR. CHAVERS, MR. COATES, MR. TAYLOR

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted on May 23, 2024.

The chair addressed agenda item number 17, "Adopt resolution for the annual appointment of the Livingston Parish Official Journal (July 1, 2024 through June 30, 2025) – Louisiana Secretary of State".

The chair explained that every year the Livingston Parish Council, as the legislative body, is required to appoint an Official Journal, which is where the Council publishes notices and other required mandates to inform the public. He stated that the Council has always used the Livingston Parish News and acknowledged that they have always done a great job. He wished to commend Mr. Billy Gibson, a reporter for the Livingston Parish News, and advised that he was doing a fantastic job.

The chair stated that if a recommendation was needed, he wished to recommend that the Council reappoint the Livingston Parish News.

LPR NO. 24-210

MOTION was made by Ricky Goff and duly seconded by John Mangus to appoint the Livingston Parish News as the Official Parish Journal for the governing authority of the Parish of Livingston as mandated by R.S. 43:150 and R.S. 43:174 for the term of one (1) year beginning on July 1, 2024 and ending upon June 30, 2025; and whereby submitting this selection to the Louisiana Secretary of State.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair addressed agenda item number 18, “Adopt resolution to reduce the speed limit(s) in Gravesbriar Place Subdivision, in Council District 2, from twenty (20) mph to fifteen (15) mph”, and called upon Councilman Ryan Chavers.

Councilman Ryan Chavers explained that he had a meeting with the Home Owners Association of Gravesbriar Place Subdivision and all of their concerns were the same, which was speeding in the subdivision. He advised that the Sheriff’s office had also met with them in the subdivision and he wished to make a motion to reduce the speed limit from twenty (20) miles per hour to fifteen (15) miles per hour.

LPR NO. 24-211

MOTION was made by Ryan Chavers and duly seconded by Billy Taylor to reduce the speed limit in Gravesbriar Place Subdivision from twenty (20) miles per hour to fifteen (15) miles per hour.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

The chair addressed agenda item number 19, “Public Hearing and Adoption of L.P. Ordinance No. 24-11: Twelve (12) Month Solar Panel Moratorium – Erin Sandefur”.

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

L.P. ORDINANCE NO. 24-11

AN ORDINANCE TO ADOPT A ONE YEAR (12 MONTHS)
MORATORIUM PROHIBITING THE CONSIDERATION,

SUBMITTAL, OR APPROVAL OF ALL SOLAR PANEL FARMS OR
COMMERCIAL SOLAR POWER PLANTS WITHIN LIVINGSTON
PARISH UNTIL SUCH TIME AS THE PENDING STUDIES AND
ORDINANCES ARE COMPLETE.

The chair wished to reaffirm that this moratorium was for twelve (12) months or whichever comes first.

Councilman John Mangus questioned if that meant that it could be less than a year. The chair answered that if all of the studies have been completed and the ordinances are in place.

The chair advised that Councilwoman Sandefur was not present that evening and this is one that she had introduced, and asked if there was a motion to adopt this ordinance.

Councilman Dean Coates requested to comment on this and stated that they currently have no regulations in place to control solar farms or solar plants and there was a lot of conjecture out there that these solar panels have toxic chemicals in them and things of that nature. He advised that all of the parishes around them are starting to get away and put in ordinances to prevent them from coming into their venues and he felt that it was important that they do same. He stated that they had a lot of promises about this Green New Deal and he felt that a lot of this stuff was untested and they needed to look into this stuff a little bit closer before they started bringing all of this stuff into their Parish. He advised that they needed to make sure that it was safe for the plants and the wildlife, their rivers, the environment itself, and there was a lot of talk that once these things come online they were not kept up. He noted that Councilman Joe Erdey had one in his district and it had turned into a weed farm instead of a solar farm.

Councilman Erdey concurred and advised that the solar farm in question was in bad shape. He advised that he had spoken to Mr. Robert Schmidt and he acknowledged the fact that the storm did significant damage to it and the need to get in there and do something about it. Councilman Erdey advised that there were five hundred to a thousand (500 to 1,000) in there, some being damaged, some not, and he was doing research and the word toxic kept coming up. He stated that it was sixty-five (65) acres and it was an understanding, not a proven science that when it sits there and it shuts itself down, you will not be able to live or farm there if that evidence is true.

Councilman Coates stated that he found that in his research as well. He advised that all that they were trying to do is make sure that once they're in here, we're not going to be able to push them out after that, so let's just make sure that they are safe before they get here. He thought that was all Councilwoman Sandefur was trying to do with this ordinance.

The chair asked if Councilman Coates wished to make that motion to which he concurred that he wished to make the motion to adopt this proposed ordinance. Councilman Joe Erdey stated that he wished to second that motion.

The chair advised that they were required by law to open a public hearing for the proposed ordinance and asked if there were anyone present who wished to speak for or against this specific ordinance.

Having none, the chair closed the Public Hearing.

LPR NO. 24-212

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on May 9, 2024, 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 May 23, 2024, on Motion of Dean Coates and seconded by Joe Erdey:

L.P. ORDINANCE NO. 24-11

AN ORDINANCE TO ADOPT A ONE YEAR (12 MONTHS)
MORATORIUM PROHIBITING THE CONSIDERATION,
SUBMITTAL, OR APPROVAL OF ALL SOLAR PANEL FARMS OR
COMMERCIAL SOLAR POWER PLANTS WITHIN LIVINGSTON

PARISH UNTIL SUCH TIME AS THE PENDING STUDIES AND ORDINANCES ARE COMPLETE.

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS, MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of May 2024.

(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)

Councilman Ricky Goff acknowledged that this was a very proactive thing to do. He conceded that he was very interested to see how it evolves and believed that it was a very proactive thing to do to protect the citizens of Livingston Parish. He referenced the issues that Councilman Joe Erdey was experiencing with the solar farm located in his Council district and asked the Parish President if it was possible of sending the land owner a letter asking him about those issues.

The chair addressed agenda item number 20a, “Board (re)appointment(s)/Resignation(s): Recreation District No. 6 – Joseph “Joe” Erdey”.

Councilman Joe Erdey advised that District 6 in the Albany area decided a few months back that they wanted to recreate and bring back the board again.

The chair asked if there were any more discussion. Councilman Ricky Goff wished to ask if one (1) of the members was a citizen of the Albany municipality. He explained that the guidelines of the recreational district when it is formed requires that one of those appointees is a registered member of the municipality of Albany.

One of the board members was present in the audience and advised that Mr. Dustin Watts was a resident within the municipality.

Councilman Goff requested that the address be verified and he would like that to be part of the record.

The chair suggested that they approve the appointments contingent upon the verification of Mr. Watts’s residence.

LPR NO. 24-213

MOTION was made by Joe Erdey and duly seconded by Ryan Chavers to re-establish Recreation District 6 and appoint the following members contingent upon the verification of Dustin Watts’s residence being located in the municipality of Albany, Louisiana:

- William C. Needham whose five (5) year term will expire on May 23, 2029
- Dustin Watts whose five (5) year term will expire on May 23, 2029
- Lillie Bankston Bora whose four (4) year term will expire on May 23, 2028
- Laremy Stilley whose two (2) year term will expire on May 23, 2026
- Seth Foster whose four (4) year term will expire on May 23, 2028
- Austin Thomas whose one (1) year term will expire on May 23, 2025
- Chris Boudreaux whose three (3) year term will expire May 23, 2027

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS, MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

Council clerk's Note: *Mr. Dustin Watts's address was verified at the Livingston Parish Registrar of Voters' Office on June 6, 2024 and it was determined that he does live inside the municipality of Albany.*

The chair addressed agenda item number 21a, "Committee Report(s): Finance Committee", and called upon Councilman John Mangus, Finance committee chairman.

Councilman Mangus advised that the committee had met earlier that evening prior to the regular meeting of the Council. He reported that Mr. Mickey McMorris, Parish Finance Director, had advised them about the ongoing problems with the detention center's roof. Administration was asking the Council to accept their recommendation to hire the London Roofing Company having the bid of forty-seven thousand four hundred seventy-six dollars (\$47,476.00), which includes all labor, the removal and the replacement of the roof and will have a ten (10) year warranty. The Finance Committee made a recommendation to approve hiring London Roofing Company.

The chair asked if the Council needed to take action at that time. Councilman Mangus advised that they did.

LPR NO. 24-214

MOTION was made by John Mangus and duly seconded by Lonnie Watts to approve the recommendation of the Finance Committee to hire the London Roofing Company and accept their bid of forty-seven thousand four hundred seventy-six dollars (\$47,476.00) for the removal and the replacement of the roof of the Livingston Parish Detention Center which includes all labor and will have a ten (10) year warranty.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 23, 2024.

Having nothing else to report at that time from the Finance committee, the chair moved to the next agenda item.

The chair addressed agenda item number 13b, "Committee Report(s): Ordinance Committee: Recommendation(s) of ordinance introduction(s)", and called upon Councilman Dean Coates, chairman.

Councilman Coates advised that their Ordinance committee went very well and thanked them for bringing their ordinances to the committee for them to discuss. He wished to thank Councilman Erdey again for agreeing to be an additional member of the committee.

The chair addressed agenda item number 22, "District Attorney's Report:", and advised that they did not have legal counsel present that evening.

Councilman Dean Coates stated that he had something to say about Councilman Joe Erdey receiving a subpoena for court and advised that Councilman Erdey was being sued personally. Councilman Coates wished to discuss with the Council, after speaking with the chairman, scheduling a special meeting next Tuesday, May 28th, in order to talk about Mr. Erdey's counsel for this situation.

There was an open discussion in regard to several Council members having scheduling conflicts with the date and time of Tuesday, May 28th at six o'clock (6:00) p.m. There was acknowledgment that the special meeting needed to be scheduled before Wednesday. It was determined that the special meeting would be held on Tuesday, May 28th at four o'clock (4:00) p.m.

The chair asked for the clerks to get with Councilman Coates for the wording of the agenda item.

The chair wished to make a statement before the Council adjourned.

The chair stated that he wanted to commend Parish President Randy Delatte for his efforts and determination exhibited for the Parish of Livingston working from morning until night. He acknowledged that it made his job as chairman so much easier and wished to thank him for his hard work and the fantastic job that he was doing.

Having no further business, a motion to adjourn was requested until the special meeting of the Livingston Parish Council scheduled on Tuesday, May 28, 2024 at four o'clock (4:00) p.m. and thereafter the next regular meeting being scheduled on Thursday, June 13, 2024, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 24-215

MOTION was offered by Billy Taylor and duly seconded by John Mangus to adjourn the May 23, 2024 regular meeting of the Livingston Parish Council.

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

YEAS: MR. MANGUS, MR. GOFF, MR. WATTS, MR. ERDEY, MR. CHAVERS,
MR. COATES, MR. TAYLOR, MR. WASCOM

NAYS: NONE

ABSENT: MS. SANDEFUR

ABSTAIN: NONE

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



Sandy C. Teal, Council clerk



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=m_8dphqC6G8&t=561s

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.