

Minutes of the Livingston Parish Council
Livingston, Louisiana
June 27, 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, June 27, 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
Erin Sandefur	Joseph "Joe" Erdey
John Wascom	

Absent: Parish Legal Counsel

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

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 he had received a letter that he had been asked to read to the Council members from Livingston Parish Sheriff, Jason Ard as follows:

I would like to apologize to the Council once again for not being able to attend the last meeting. Also I want to thank the Council for being willing to seek out and listen to all facts before voting on the proposed occupational ordinance and once again, I want to assure the Council and the Parish Administration, that myself and my staff are always here to help.

The chair reiterated that the Sheriff had sent that to him and he asked if he would read that and the chair told him that he would be glad to do that.

Having no comments, the chair moved to the next agenda item.

The chair addressed agenda item number 7a, "Presentations: Sydney Taylor, Miss Louisiana USA 2024 – Lonnie Watts".

The chair called upon Councilman Lonnie Watts. Councilman Watts advised that Sydney Taylor was from his Council district, District 1, and wanted to share a little bit about who Sydney was. He explained that Sydney Taylor is twenty-three (23) years old and from Livingston, Louisiana. She is the daughter of proud parents Billy & Courtney Taylor. She graduated from LSU in 2023 with her Bachelor's Degree in Accounting, and plans to attend law school to eventually become a corporate attorney. Sydney grew up as an athlete and is now a volunteer coach, which led her to create her platform, Play With a Purpose. Using her platform, she collects sports equipment and donations to give back to young athletes in need, so they can achieve their goals. Sydney was recently crowned Miss Louisiana USA and will be competing at the Miss USA competition on August 4th in Hollywood. She's ecstatic to have the opportunity to represent her home state and parish.

Councilman Watts thanked and congratulated Sydney and declared that he knew that she would "do us proud"!

The audience clapped in response and the chair asked for the Council members to have a photo opportunity as Councilman Watts presented her with a plaque of recognition and a proclamation.

Ms. Taylor thanked the Council members and stated that she was really proud to represent Livingston Parish. She advised that she has lived here her entire life and was really excited to represent on the Miss USA stage in just one (1) month.

The Council members paused for a photo opportunity and then returned to the regular order of business of the meeting.

The chair commended Councilman Watts on his presentation. Councilman Watts also wanted to recognize Parish President Randy Delatte for his participation in honoring Ms. Taylor at that evening's meeting.

The chair addressed agenda item number 8a, "Livingston Economic Development Council – David Bennett: Adopt resolution in support of Weyerhaeuser NR Company to amend Exhibit A's of their original ITEP contracts by modifying the retained jobs and payroll to reflect 125 jobs and 6,893,000 in annual payroll".

The chair recognized Mr. David Bennett, President of the Livingston Parish Economic Development Council.

Mr. Bennett greeted the Council members and gave them a brief overview of this project for Weyerhaeuser. He invited Mr. Robert Wege of Sumit Credits, LLC to explain further the need for the proposed resolution.

Mr. Wege advised that this was basically an unavoidable error in the process of filing the application. He stated that at the time of the application they only had a partial year's worth of data, and they used that data to get the best estimate of what the number of qualified jobs were at the site. However, at the end of the year it was determined that their information was not complete and a number of those jobs did not qualify in the state's eyes as being a full time Louisiana resident qualified job for the purposes of this program. They are asking the Council to make a modification to the contract to reduce the number of jobs that are required at the site to match what was at that site in terms of a qualified eligible job as required by the state.

Mr. Wege answered questions from the Council members.

**PARISH OF LIVINGSTON
STATE OF LOUISIANA**

L.P. RESOLUTION NO. 24-239

Motion was made by John Mangus and duly seconded by Ricky Goff:

WHEREAS, the Livingston Parish Council during its meeting of July 30, 2021, approved ITEP Applications for #20210148-ITE, 20210148-A-ITE, and 20210148-B-ITE of Weyerhaeuser NR Company; and

WHEREAS, Weyerhaeuser NR Company agreed to retain one hundred thirty-four (134) existing jobs as a consideration for the grant of a tax exemption; and

WHEREAS, the Livingston Parish Council has been advised that Weyerhaeuser NR Company is requesting to amend the Exhibit A's of the original ITEP contracts for retention jobs required due to the original contracts erroneously including jobs that are not counted based on the state's definition of "jobs" in its estimation of existing jobs to be maintained with the amended requirement to reflect the retention of one hundred twenty-five (125) jobs and an annual payroll of \$6,893,000; and

WHEREAS, Weyerhaeuser NR Company must obtain a resolution of support from the local taxing entities in their amendment request;

NOW, THEREFORE, BE IT RESOLVED, that the Livingston Parish Council does hereby support the request by Weyerhaeuser NR Company to amend the Exhibit A's of their original ITEP contracts by modifying the retained jobs and payroll requirement to reflect one hundred twenty-five (125) jobs and \$6,893,000 in annual payroll;

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. MANGUS, MR. WATTS, MR. GOFF, MR. CHAVERS, MR. COATES,
MR. TAYLOR, MR. ERDEY, MR. WASCOM, MS. SANDEFUR

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item numbers 9a and b, "Adopt the Minutes:

- a. June 13, 2024, Livingston Parish Council regular meeting
- b. June 13, 2024, Juban Crossing Community Development District Meeting"

The chair advised that the Minutes of the June 13, 2024 regular meeting of the Livingston Parish Council would be deferred until the next meeting.

LPR NO. 24-240

MOTION was made by John Mangus and duly seconded by Lonnie Watts to dispense with the reading of the minutes from the June 13, 2024 meeting of the Juban Crossing Community Development District and adopt as written.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 9, "Parish President's Report:". The Parish President wished to address his items later that evening.

The chair addressed agenda item number 10, "Correct the minutes from the February 24, 2022 regular meeting of the Livingston Parish Council". He explained that there were two (2) members of Fire Protection District No. 11 with the last name of Populus and when the appointment was made in 2022, Jason Populus's name was used in the motion of the resolution instead of Terrel "Terry" Populus.

LPR NO. 24-241

MOTION was made by Ryan Chavers and was duly seconded by John Mangus to correct the minutes of the February 24, 2022 regular meeting of the Livingston Parish Council by updating the following resolution to reflect the name of Terrel "Terry" Populus in the place of Jason Populus:

LPR NO. 22-067

MOTION was made by Shane Mack was duly seconded by Maurice "Scooter" Keen to remove Mr. Don Bernard from Fire Protection District No. 11 for just cause as he cannot attend the board meetings and appoint ~~Jason Populus~~ Terrel "Terry" Populus in that vacancy two year term of expiration to be November 10, 2022.

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

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

NAYS: NONE

ABSENT: MR. HARRIS

ABSTAIN: NONE

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

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 11, “Parish President’s Report:” and called upon Parish President Randy Delatte. He advised that he would be presenting later in the meeting.

The chair addressed agenda item number 12a, “Grants Department:

Adopt a Resolution authorizing the parish president to execute a cooperative endeavor agreement (CEA) between the Livingston Parish Council and the Livingston Parish Sewer District (LPSD) to use ARPA funding for the Sanitary Sewer Force Main from Belmont Subdivision to Juban Parc Subdivision and the Buddy Ellis Regional Wastewater Treatment Plan expansion projects”

Councilwoman Erin Sandefur questioned the ARPA funding and wanted how much and a breakdown.

Mickey McMorris, Parish Finance Director, advised that it was three million dollars (\$3,000,000.00) that was set aside for the project. He stated that 1.5 million is required now. Administration is determining if the additional 1.5 million can be derived from other sources, and if not, the Parish will need to use the ARPA money.

Councilwoman Sandefur asked for further clarification.

Parish President Randy Delatte advised that it was a three million dollar (\$3,000,000.00) project that was proposed in the first budget. The Parish is facing some budget constraints and they have agreed to only accepting 1.5 million at this time and then 1.5 over another year.

Councilman John Mangus stated that it was his understanding for Buddy Ellis Regional Wastewater Treatment Plant that there was an expansion planned, but as of right now, it’s over capacity. He asked if someone could address that?

Mr. McMorris explained that this is a huge project, intended to be over forty million dollars (\$40,000,000.00) and wished to defer those questions to Mr. Eddie AydeLL of Alvin Fairburn and Associates to speak on behalf of these specific items. He further explained that these specific items were just some of the things that was pulled out of a whole array of what is going on to consolidate the Sewer District.

Councilman Mangus asked if this would be under the Livingston Parish Sewer District? Mr. McMorris confirmed that it would be. Councilman Mangus had other questions and Mr. McMorris wished to defer those to Mr. Eddie AydeLL.

Mr. Eddie AydeLL of Alvin Fairburn and Associates advised that the Sewer District took \$4.5 million of funds that they had dedicated toward \$38 million worth of construction projects to use

as match to fix the issues for the Springfield project. They saw an opportunity to make an application for Louisiana Water Sector funds, but it required them to dedicate \$4.5 million worth of monies they had scheduled to go toward twelve (12) other projects. The Sewer District committed the \$4.5 million, and thankfully, that allowed the receipt of \$14 million of funding to fix all of the issues at Springfield. He explained that the Cooperative Endeavor Agreement will help to make the Sewer District whole, but not completely whole, because they're in at \$4.5 million and they agreed to only accept \$3 million from the Parish to offset the \$4.5 million. He further explained that of those twelve (12) projects, two (2) of them are to increase the capacity at the Buddy Ellis plant, to run that force main from the Buddy Ellis plant all the way down south, past Belmont to Hammock Road. He discussed upgrades to the Ward 2 substation, upgrades at the Lockhart plant main station, upgrades at Savannah Trace, four (4) odor control projects, there were many things that encompasses the \$38 million that they took the \$4.5 million from.

Mr. Aydell stated that he had all of the details for anyone that would like to look at it and he would be happy to meet with them.

Councilman Ricky Goff and Mr. Aydell offered some history of the past difficulties and problems of sewer locations and how through this funding those needs would be met.

Councilman Goff stated that there were so many pieces to this and he knew the Cooperative Endeavor Agreement spells out those pieces, he questioned if it would be better for the Council to include all of those entities in the Cooperative Endeavor Agreement in case there may be issues that could arise.

Mr. Aydell advised that could certainly be done if the Council wished to amend the agreement. He stated that he had the list of the twelve (12) projects if they wanted to give the flexibility to apply to any of those twelve (12).

The list of projects included in the \$38,000,000 of construction are:

• Duff Road Force Main Expansion:	\$2,000,000.00
• North Regional Plant Site:	\$100,000.00
• Fore Road/Savanah/Ward II Lift Station Odor Control and Upgrades:	\$750,000.00
• Maintenance Building:	\$1,275,000.00
• Lockhart Main Station Re-construction:	\$2,500,000.00
• Standby Pumps/Generators:	\$2,000,000.00
• Buddy Ellis Treatment Plant Expansion:	\$23,866,000.00
• Brown Road Force main:	\$1,444,000.00
• Amite Church Lift Station Upgrades:	\$500,000.00
• O’Neal Lift Station Upgrades:	\$575,000.00
• Savannah Trace Lift Station Upgrades:	\$1,500,000.00
• Ward II Lift Station Upgrades:	\$1,500,000.00

Mr. McMorris stated that Administration would certainly not have any issues to Councilman Goff’s proposed amendment to the Cooperative Endeavor Agreement.

The chair asked Councilman Goff if he was proposing to make those amendments, and did he want to put that in the form of a motion by adding the other entities?

Councilman Goff advised that he did and Councilman Billy Taylor wished to second that motion.

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

LPR NO. 24-242

MOTION was made by Ricky Goff and duly seconded by Billy Taylor to authorize the Parish President to execute a Cooperative Endeavor Agreement between the Livingston Parish Council and the Livingston Parish Sewer District to use ARPA funding for the Sanitary Sewer Force Main from Belmont Subdivision to Juban Parc Subdivision and the Buddy

Ellis Regional Wastewater Treatment Plan expansion projects; and amend the Cooperative Endeavor Agreement to include the following lists of projects:

- Duff Road Force Main Expansion: \$2,000,000.00
- North Regional Plant Site: \$100,000.00
- Fore Road/Savanah/Ward II Lift Station Odor Control and Upgrades: \$750,000.00
- Maintenance Building: \$1,275,000.00
- Lockhart Main Station Re-construction: \$2,500,000.00
- Standby Pumps/Generators: \$2,000,000.00
- Buddy Ellis Treatment Plant Expansion: \$23,866,000.00
- Brown Road Force main: \$1,444,000.00
- Amite Church Lift Station Upgrades: \$500,000.00
- O’Neal Lift Station Upgrades: \$575,000.00
- Savannah Trace Lift Station Upgrades: \$1,500,000.00
- Ward II Lift Station Upgrades: \$1,500,000.00

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 13a, “Livingston Parish Planning and Zoning Commission:

WCK Construction	Alvin Fairburn & Associates
Preliminary Site Plan	
Walker South Road	Section 1, T86, R3E
Council District 6”	
*Waiver on the Fence requirement	

Public input: Chris Houston, representative of WCK Construction

Mr. Houston advised that his company currently has an office located on Walker South. They have purchased the property next door from their neighbor, who has no objections to waiving the fence requirement and has also signed the fence waiver. He explained that their business has plans to build an office next door to where they are located on Walker South.

Questions were raised asking if this had been through the Planning Commission. Mr. Houston advised that it had.

The chair called upon Ms. DeeDee Delatte, Parish Planning and Permit Director. Ms. Delatte advised that it had gone through the Planning Commission and it was approved contingent on the waiver for the fence.

Councilwoman Erin Sandefur wished to convey that out of concern for waivers, had asked for an opinion from one of their attorneys and he offered an opinion. She advised that it is not so simple to just issue a waiver and it does affect other things hugely. She called upon Mr. Steve Irving to come and address the Council members and explain the legality of waivers.

Mr. Steve Irving addressed the Council members and advised that he handles Planning and Zoning things for the Parish and is a lawyer. Mr. Irving stated that he received this request about waivers, but he did not really know what the waiver was exactly about. He stated that waivers and variances are sometimes used interchangeably even though they are not precisely. He advised that he went ahead and actually wrote an opinion, that he thought had been distributed to the Council members,

discussing both the waivers and the variances and what the status of the laws are and in the ordinances in terms of making that actually work.

Mr. Irving stated that this is an Administrative decision making process. He explained that ultimately there were three (3) things needed. The first being the need for a procedure by which the decision is made, the criteria used to make the decision, and you needed to have a way to record the decision so that the next individual having the same problem is treated the same way, being equal protection. He explained that these three (3) things are called procedural due process, substantive due process and equal protection. He advised that there was some clean up that needed to be done in the waivers and variances process that is in this Parish, which he has outlined in the opinion that he had given the Council.

Mr. Irving explained that in looking at this proposed request for a fence waiver, there is a procedure for this under Chapter 126 of the Code of Ordinances. That procedure is that it comes before the Council as a recommendation from the Planning and Zoning Commission and ultimately the Council either affirms or denies the recommendation from the Planning and Zoning Commission.

Mr. Irving offered that the one thing that needed some work in Chapter 126 was a better statement of the criteria that will be used to determine whether a waiver will be granted or not. He advised this was the result of his general review of this. He stated that he would be happy to answer any questions.

Councilman John Mangus stated that if the neighbor wanted the fence, that is quite a different thing, and is truly a waiver and going against what their ordinances are.

Mr. Irving advised that the Council could have that in their ordinance for whether a waiver will be granted or not would be if there is objection from any of the surrounding property owners. He explained that would be a perfectly fine rule to put in as part of the decision making process. In addition, the Planning and Zoning Commission could track those decisions so that the next time that something comes up, Planning and Zoning could make a recommendation to the Council recommending the waiver to be approved because the Council has considered this issue in the past or they could recommend to do it differently because something is different. He stated that is the Administrative process.

The chair called upon Ms. Delatte who advised that they had the letters from the adjacent homeowner of no objection.

Councilwoman Sandefur stated that they did not have a recommendation from the Planning Commission.

Ms. Delatte advised that the Planning Commission recommended approval, contingent upon the waiver being authorized for the fence.

Councilwoman Sandefur responded and said that they didn't make a recommendation to the Council.

Ms. Delatte read the recommendation from the Livingston Parish Planning Commission as follows: Their recommendation is to approve the preliminary site plan for WCK Construction contingent on the Council approving the waiver on the fence.

Motion made by Brady Wax and duly seconded by Gerald Burns. She advised that the vote was unanimous.

Parish President Randy Delatte advised that he understood Councilwoman Sandefur's question. He stated that they haven't answered the question the way that it needs to be answered is because the ordinance did not give them authority to grant a waiver. He conveyed that the attorney, Mr. Steve Irving, was recommending that they change that and give them authority. The Planning Commission would have no problem in giving authority because they approved it. He advised that the issue is that it precisely says in the ordinance that the approval must come from the Council. If

the Council chooses to amend the ordinance, it will take thirty (30) days, and it is not fair to WCK to keep them out for thirty (30) days, particularly when they have been doing the same over and over and the neighbor agrees.

Councilman Dean Coates questioned Mr. Irving about his statement that there needs to be a procedure in place and asked if there was currently a procedure in place?

Mr. Irving advised that there was a procedure in place in the sense that in Chapter 126, the waiver comes to the Council as a recommendation from the Planning and Zoning Commission. However, there is no criteria stated in the ordinance by which the Planning and Zoning Commission should consider granting it. He explained that was the deficiency in this, the lack of having criteria on which the decision is made. He referred to his conversation with the Parish President that he thought that it was a good idea to take things like this and let them be decided by the Planning and Zoning Commission. He stated that there could potentially be an appeal to the Council if someone disagrees with their decision. He offered that if you have a situation where the neighbors are in agreement, there is no reason that it should have to come before the Council. He thought that the Planning and Zoning Commission should just be given criteria and authorized to make the decision, as well as keep track of it and be sure the next person is treated the same way, he felt that was fine.

Mr. Houston answered many questions that Councilman Dean Coates submitted.

Councilman John Mangus advised that he wished to make the motion to approve the waiver for the fence if there were no more discussion. Councilman Lonnie Watts made the second to this motion.

The chair asked if there were any other discussion?

Councilwoman Erin Sandefur continued the discussion. Mr. Irving answered her questions. She asked if Mr. Irving could draw up the criteria for them. He advised that he could take care of that and had been in connection with Mr. Jerome Fournier, Parish Planning Professional, who agreed that this needs to be done and something that he was considering as well.

Councilman Dean Coates stated that he would like to provide an amendment to that. The chair questioned if he wanted to make a substitute motion? Councilman Coates stated yes and the chair asked what his substitute motion was.

Councilman Coates submitted that perhaps they could table this until Mr. Irving has an opportunity to set that criteria, so when they are doing it, they are following the protocols that he set forth here.

The chair asked if there was a second to Councilman Coates's substitute motion? Councilman Ryan Chavers made the second.

Councilman Mangus questioned if the variance was for them to not have to put up a fence, if the Council tables this, does it mean that a fence would then be required?

The chair clarified that he would not receive his waiver if Councilman Coates's motion passes and he could not proceed with his project until he either puts up a fence or gets that waiver.

The chair called upon Ms. Delatte who wished to clarify that there is a procedure in place and has been for many years. She stated that in order for a waiver on a fence to even be considered, you are required to have a letter of no objection from the adjacent property owners. She reiterated that there is a requirement and stipulations that the Planning Department does require before it is even allowed to progress.

Councilman Ricky Goff asked Mr. Irving if he could come to the podium. He discussed the procedure that is in place, its requirement of the gathering of information, the Planning Commission's approval based on the most that they can do, and then that person has to come to the Council to obtain the waiver. He stated that it was his belief, but he wished to hear it from Mr. Irving, that the Council is perfectly within their rights to do what they are doing, because that is

the precedent that they have set for many, many years. He reiterated what Mr. Irving was suggesting about setting guidelines for the Planning and Zoning Commission that would allow them to approve a waiver, but, also offer that if the Commission chooses not to approve the variance, the person requesting the waiver will be able to appeal that decision to the Council for approval. He asked Mr. Irving if that was the procedure that he was asking to be put in place.

Mr. Irving agreed that was what he was proposing for the Council to put in place. He stated that the other thing that he would add to that is placing criteria in the ordinance. He would put the concurrence of the neighbors in the process as well.

Councilman Ricky Goff questioned Mr. Irving as the Parish's attorney, is the Council perfectly within their rights to grant WCK Construction their waiver so he can move on with his business and Mr. Irving can move on with his business setting up the Parish's guidelines so that Planning and Zoning can do their business.

Mr. Irving stated that the Council is within their rights to grant the waiver. It has been received by the Council as a recommendation from the Planning and Zoning Commission, which is what the current procedure is, and they would be codifying as part of the substances exactly what they have talked about so there will be criteria.

The chair ended the discussion and stated that there was a substitute motion made by Councilman Dean Coates that was seconded by Councilman Ryan Chavers to table this until Mr. Steve Irving can provide policy and criteria for waivers, and not give a variance for the fence requirement. If it passes, then they do not receive the variance, if it fails then the Council will pick up the next motion.

The chair requested for the Council clerk to call for the vote.

LPR NO. 24-243

SUBSTITUTE MOTION was made by Dean Coates and duly seconded by Ryan Chavers to table the fence requirement waiver request until Steve Irving can provide the criteria and ordinance amendments for waivers:

WCK Construction	Alvin Fairburn & Associates
Preliminary Site Plan	
Walker South Road	Section 1, T86, R3E
*Waiver on the Fence requirement	Council District 6

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

YEAS: MR. WATTS, MR. CHAVERS, MR. COATES, MR. ERDEY, MS. SANDEFUR

NAYS: MR. MANGUS, MR. GOFF, MR. TAYLOR, MR. WASCOM

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

There was an open discussion concerning the previous vote.

Councilman Lonnie Watts wished to reconsider his "YEA" vote for the substitute motion to deny the waiver.

The chair asked if he wished to make that in the form of a motion. He stated yes. Councilman John Mangus advised that he wished to second that motion.

LPR NO. 24-244

MOTION was made by Lonnie Watts and duly seconded by John Mangus to reconsider the previous vote for a substitute motion:

LPR NO. 24-243

SUBSTITUTE MOTION was made by Dean Coates and duly seconded by Ryan Chavers to table the fence requirement waiver request until Steve Irving can provide the criteria and ordinance amendments for waivers:

WCK Construction		Alvin Fairburn & Associates
Preliminary Site Plan		
Walker South Road	Section 1, T86, R3E	Council District 6
<i>*Waiver on the Fence requirement</i>		

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

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

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

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

Thereupon the chair declared that the Motion for re-consideration had carried and was adopted on June 27, 2024.

The chair advised that now the Council members would go back to Councilman Coates’s substitute motion as follows:

LPR NO. 24-245

SUBSTITUTE MOTION was made by Dean Coates and duly seconded by Ryan Chavers to table the fence requirement waiver request until Steve Irving can provide the criteria and ordinance amendments for waivers:

WCK Construction		Alvin Fairburn & Associates
Preliminary Site Plan		
Walker South Road	Section 1, T86, R3E	Council District 6
<i>*Waiver on the Fence requirement</i>		

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

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

Thereupon the chair declared that the Substitute Motion had **FAILED** and was **NOT** adopted on June 27, 2024.

The chair stated that they would now be going back to Councilman Goff’s original motion to grant a waiver to WCK.

LPR NO. 24-246

MOTION was made by John Mangus and duly seconded by Ricky Goff to authorize a waiver for the fence requirement as requested by:

WCK Construction		Alvin Fairburn & Associates
Preliminary Site Plan		
Walker South Road	Section 1, T86, R3E	Council District 6
<i>*Waiver on the Fence requirement</i>		

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

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

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair congratulated Mr. Houston, representing WCK, and advised that he received his waiver.

Many audience members clapped in agreement for Mr. Houston's authorization of a waiver that he received for the fence requirement.

The chair addressed agenda item number 14, "Introduction of Ordinance: Rules and Regulations of Parks and Recreation District No. 3 – John Wascom".

The chair advised that the Council members had a copy of the proposed ordinance before them. He explained that the Ordinance committee had reviewed this ordinance at their meeting that was held last Tuesday and the committee gave a favorable recommendation to the Parish Council.

He further explained that the proposed ordinance gives their local parks throughout the Parish the ability to enforce policies and regulations. He stated that if someone is being out of line at the park and a police officer shows up, the police officer will have the right to remove them from the park legally.

The chair requested the Council clerk to read the proposed ordinance by title.

The chair asked if there was any discussion? Councilman Dean Coates requested clarification on the verbiage amending the ordinance.

The chair read the amendment to Section 54-1, "Restrictions on Use of the Parish Park", as follows:

Sec. 54-1 – Restrictions on use of the Parish park.

All rules, regulations, and policies that are voted on by the Parks and Recreation district board members, passed by resolution of the Livingston Parish Council, and posted within plain sight must be adhered to by all visitors that are located on the premises of all Parks and Recreation Districts. These rules, regulations, and policies shall be enforced by the local law enforcement.

Councilman Coates asked the chair, didn't we say we were doing something to where if they changed the rules it would have to come back to the Council?

The chair stated that it has to be approved by the Council. Councilman Coates stated that he was just making sure.

The chair further explained that if they make a rule and it is not approved by the Council, then they cannot legally have it enforced. Councilman Coates stated that he was just trying to clarify that.

Councilwoman Sandefur asked if the Recreation District wished to tweak it, they must come before the Council. The chair concurred and stated that if they wanted to change policy, they would need to get a resolution from the Council. He advised that it would not be an ordinance that needed to be adopted from the Council, it would be a resolution that is backed by an ordinance.

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

L.P. ORDINANCE 24-18

AN ORDINANCE TO AMEND CHAPTER 54 "PARKS AND RECREATION," ARTICLE I, "IN GENERAL," SECTION 54-1 "RESTRICTIONS ON USE OF THE PARISH PARK" IN THE CODE OF ORDINANCES OF LIVINGSTON PARISH, AS FOLLOWS.

LPR NO. 24-247

MOTION was offered by John Mangus and duly seconded by Billy Taylor to publish the ordinance by title in the Official Journal and set a Public Hearing for Thursday, July 11, 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. WATTS, MR. GOFF, MR. CHAVERS, MR. COATES,
MR. TAYLOR, MR. ERDEY, MR. WASCOM, MS. SANDEFUR

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 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 15, "Public Hearing and Adoption of L.P. Ordinance No. 24-14: Rescind and Reenact Chapter 9, Article VIII. – "AMBULANCES" of the Code of Ordinances of Livingston Parish, Louisiana in its entirety".

The chair invited Mr. Josh Creed, Acadian Ambulance - Community and Government Relations, to speak on this proposed ordinance.

He then called upon the Council clerk to read the ordinance by title and opened the Public Hearing.

The chair asked if there was anyone present who wished to speak for or against this specific ordinance? Having none, he closed the Public Hearing.

Councilman Dean Coates requested to speak on this ordinance adoption. He advised that this is what they have been working on in the Quality Assurance Panel. He stated that the changes that were made were minute changes.

LPR NO. 24-248

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on June 11, 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 June 27, 2023 on Motion of Dean Coates and seconded by Billy Taylor:

LIVINGSTON PARISH ORDINANCE NO. 24-14

AN ORDINANCE TO RESCIND AND REENACT CHAPTER 9, ARTICLE VIII.
– "AMBULANCES" OF THE CODE OF ORDINANCES IN AND FOR THE
PARISH OF LIVINGSTON TO AMEND THE ARTICLE IN ITS ENTIRETY.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and the ordinance was adopted on June 27, 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).

Mr. Josh Creed from Acadian Ambulance requested to speak. He advised that one of the things that Acadian Ambulance takes very seriously is their staffing. He explained that they had EMR and EMT starting every single month at Acadian Ambulance through their national EMS Academy with a partner of the South Louisiana Community College. He stated that if there were anyone that was listening and interested in this, they had a website that you could go to for more information: becomeamedic.com . He announced that their next EMT class will begin on July 15th and in a matter of three (3) months you could be an EMT and could make thirty-six thousand dollars (\$36,000.00) a year for Acadian Ambulance. He encouraged everyone to visit that website he mentioned and stated that even if you want to become an EMT and help your local fire departments, Acadian can help get that certification.

The chair addressed agenda item number 16, Public Hearing and Adoption of L.P. Ordinance No. 24-17: Rescind Section 46-47, “Future Highway Growth Corridors” and Section 46-48, “Safety Requirements of Property Adjacent to State and Federal Highways” and Enact Chapter 121, “State and Federal Highways”, Section 121-1, “Building Lines/Setback Requirements that are adjacent to State and Federal Highways” and Section 121-2, “Safety Requirements of Property Adjacent to State and Federal Highways” – Erin Sandefur”.

The chair called upon the Council clerk to read the proposed ordinance by title and opened the Public Hearing.

L.P. ORDINANCE NO. 24-17

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON BY REMOVING SECTION 46-47, “FUTURE HIGHWAY GROWTH CORRIDOR(S)” AND SECTION 46-48, “SAFETY REQUIREMENTS OF PROPERTY ADJACENT TO STATE AND FEDERAL HIGHWAYS”, LOCATED IN CHAPTER 46, “MOTOR VEHICLES AND TRAFFIC”, AND WHEREBY CREATING AND ENACTING CHAPTER 121, “STATE AND FEDERAL HIGHWAYS”.

Public input: Wade Holden

Mr. Holden stated that they were having a difficult time hearing the Council clerk read the ordinance by title. The clerk’s microphone was repositioned and the proposed ordinance was read by title once more for the public.

Mr. Holden asked if this ordinance was about the setbacks? The chair concurred. Mr. Holden stated that he needed someone to explain the actual setbacks.

Councilwoman Erin Sandefur explained that the setbacks as they exist now are just for Florida Boulevard. There are one hundred foot (100’) setbacks, which means fifty feet (50’) from the centerline. She advised that the math does not match with the Master Plan by one foot (1’). She indicated that there are two (2) side yard setbacks of twenty yards (20) and one front yard setback of forty (40). This proposed ordinance will now match the Parish’s Master Plan being one hundred forty-two feet (142’) in totality, with the exception of the front yard setback. She stated that she wanted the placement of the ordinance in the Land Development area and not located in with Motor Vehicles and Traffic so the developers can look at it and see it.

Mr. Holden had questions. Councilwoman Sandefur asked if she could finish explaining because there was a lot that was happening with this. She continued with her explanation.

She advised that Councilman Ricky Goff had made some amendments to the proposed ordinance that she agreed with and stated that his are better. She asked if he wished to explain his amendments to Mr. Holden.

The chair declared that they were still in a Public Hearing and he wanted to hear from anyone who wished to speak for or against this ordinance.

Mr. Holden questioned doing the math that is presented in the ordinance, has this been presented in the ordinance. He felt that the point of beginning for any setback should be at the end or the back of the rights-of-way. He discussed why he felt this way and Councilman Ricky Goff concurred and agreed with Mr. Holden how to measure the setbacks. He advised that they had made that adjustment in the proposed ordinance. Mr. Holden also commented on property that was a half-acre on a state highway, he advised that doing the math that he had been presented with, a mobile home could not even be installed on it. He further advised that you had made all the property absolutely worthless in Livingston Parish.

The chair asked if there was anyone else who wished to speak for or against this ordinance?

Public input: Melissa Jones, resident of Council District 1: wished to speak for rural properties (Against)
Gus Holden, resident of LA Trace Road (Against)
Scott Jones, resident of Council District 6 (Against)
Lisa Cothren, resident of Council District 8: Ordinance is unconstitutional (Against)
Jennifer Holden, resident of LA Trace Road: questioned side setbacks (Against)
Henry “Hubert” Harris: wanted the record to reflect in Livingston Parish you can spend 25 minutes talking about a fence, and you cut somebody off talking about our constitutional rights (Against)

The chair closed the Public Hearing. He then opened the floor for the Council members to comment on the proposed ordinance.

The chair asked if there was a motion to adopt the ordinance. Councilwoman Sandefur advised that there was not a motion to adopt. She advised of all of the input that had been received and welcomed public involvement and contributed suggestions and feedback. She indicated that this ordinance would need to go back to the Ordinance committee and maybe the Master Plan Review committee.

The chair advised that if there was not a motion to adopt this ordinance, he would then move on to the next agenda item.

The chair addressed agenda item number 17, “Adopt a resolution to authorize a waiver to subdivide in a named subdivision, “Durango Estates”, for Marie Hidgen located at 36052 Reinninger Road, Denham Springs, 70726 in Council District 1”, and called upon Councilman Lonnie Watts.

Councilman Watts wished to explain that Ms. Hidgen had recently contacted him about this issue. She is an elderly lady and she is trying to get her affairs in order. She lives in the house that is in the front of the property and her son already has a second address and lives in the back. She wants to divide the property, giving the back to her son and the front to her daughter. Councilman Watts advised that this subdivision is a unique one and was established in 1974. He advised that part of the land was on the south side of Springfield Road and is separated with two or three different roads off of a state highway. He indicated that it is not really a subdivision, it is a rural area, and Ms. Hidgen is trying to get her affairs in order so it wouldn’t end up in court. He stated that this is located on 2.8 acres so it is not a small piece of property.

Councilman John Mangus spoke about the proposed ordinance that Councilman Ricky Goff would be proposing that would exempt named subdivisions before 1980 and this waiver request’s development date was from the year 1974. Councilman Watts called upon the Deputy clerk who advised that if Councilman Goff’s ordinance was in effect, it would not need to come to the Council for a waiver request.

Councilman Mangus called upon Mr. Steve Irving in the audience and stated that Mr. Fournier talked about if the Council enacted that proposed ordinance, it was not a bad piece of legislation.

Mr. Irving stated that he had looked at this, but it sounded like a subdivision that was actually created before Livingston Parish had a real development code. He advised that to him, this was just a subdivision of a piece of land that creates apparently no new street and a smaller number of lots. He explained that it would actually fall into a provision in the development code that allows that to happen.

Having no other discussion, the chair called for the vote.

LPR NO. 24-249

MOTION was made by Lonnie Watts and duly seconded by John Mangus to authorize a waiver to subdivide in a named subdivision, “Durango Estates”, for Marie Hidgen located at 36052 Reinninger Road, Denham Springs, 70726 in Council District 1.

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

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

NAYS: MR. CHAVERS

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

Councilman Dean Coates wished to quantify his “Yea” vote and stated that he wished to give a little disclaimer on his vote because Councilman Goff’s ordinance for named subdivisions has been facilitated through the Ordinance committee.

The chair addressed agenda item number 18, “Adopt a resolution to authorize a waiver to subdivide in a named subdivision, “Cain Market Farms”, for Joseph Heck located at 33831 Courtney Lane, Walker, La 70785 in Council District 3”, and called upon Councilman Billy Taylor.

Councilman Taylor explained that this item is the same thing that Councilman Lonnie Watts just had encountered. But in this instance, the grandmother that was the property owner had passed away and left it to the people that inherited it and they want to subdivide the property as 2.25 acres. He advised that it is located on a dead end street and there is nothing that can go past it, they are just splitting it in to.

Councilwoman Sandefur questioned how old was the named subdivision? Councilman Taylor stated that the grandmother had lived there for forty something years, so it’s old.

Councilman Coates asked if it was just a waiver to subdivide in a named subdivision? Councilman Taylor advised that it was not even a subdivision. It was a track of land of family and they divided it. It’s located on a single gravel road. Councilman Joe Erdey asked how many people were involved in that family? Councilman Taylor stated that there was two (2). Councilman John Mangus asked if they were asking for more addresses or anything like that? Councilman Taylor advised they were not at this point, they were just dividing it into two (2) pieces of land.

LPR NO. 24-250

MOTION was made by Billy Taylor and duly seconded by Ricky Goff to authorize a waiver to subdivide in a named subdivision, “Cain Market Farms”, for Joseph Heck located at 33831 Courtney Lane, Walker, LA 70785 in Council District 3.

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

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

NAYS: MR. CHAVERS

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 19, “Adopt a resolution to grant a waiver of Section 125-138, “Requirements and procedures for recreational vehicles (RV)” to allow a recreational vehicle (RV) for 6 months located at 13320 Alysha Drive in Council District 6”, and called upon Councilman John Mangus.

Councilman Mangus requested that Mr. Daryl Skipper come to the podium from the audience. He explained that Mr. Skipper had come to him this past January and asked that Mr. Skipper tell the other Council members about his mother.

Mr. Skipper addressed the Council members and explained that his mother was ninety-two (92) years old and she is not able to live on her own any longer and she needs his help. He advised that she is pretty independent and she wants to live on her own. He wanted to put the RV in his yard and hook the power up to it where he can be there and be able to watch her and take care of her and make sure that she takes her medication.

Councilman Mangus advised that Mr. Skipper is willing, if it would fit under a hardship, to obtain a six (6) month hardship waiver. He does not want the RV to stay after his mother has decided to not live there or passes, it will not stay as rental property, there would not be a mobile home that will take its place, this was just for a one-time life event to help his mother. Mr. Skipper also provided documentation for the sewer.

Councilman Ricky Goff questioned if this was in a neighborhood? Mr. Skipper answered that it was not. Councilman Mangus advised that it was located on Alysha Drive and if it is in a named subdivision, it may possible that it dates back to the 1960s. He also stated that he is at the very end. Councilman Mangus also wished to point out that Mr. Skipper was located at the very end. Originally, South Haven subdivision was going to connect, but for some reason they decided not to. Furthermore, his neighbors have no problem with Mr. Skipper’s plans.

Councilman Dean Coates asked about the proposed time limit on it, or if something happens, would they remove the RV? Councilman Mangus answered in the affirmative and Mr. Skipper stated that if something happens with his mother within that six (6) month hardship period, everything will be gone. Councilman Coates said that he knew that they have some ordinances in place not to allow people living in campers because they are not Wind 2 Zoned rated.

Mr. Skipper addressed Councilman Coates’s questioning and stated that you can drive two (2) miles in any direction in this Parish and you will see a camper with someone living in it that has not come before he Council to ask permission. He looked at Councilman Coates and acknowledged that he loved his mother, he wanted to take care of her and he did not want to put her in a home. He advised that it was his property, he is not bothering anyone, and he is located at the end of the road. He further advised that everything will go once she passes and goes to The Lord. He stated that he will get rid of everything.

The next question that Councilman Coates said that he had was how will they know when that occurs? Councilman Mangus advised that he will check and make note. He has also spoken to Ms. Delatte’s office about this.

Mr. Skipper asked if he would have to do this every six (6) months? Councilman Mangus confirmed yes. Mr. Skipper then advised Councilman Coates, so then you will know.

LPR NO. 24-251

MOTION was made by John Mangus and duly seconded by Lonnie Watts to grant a hardship waiver for six (6) months of Section 125-138, “Requirements and procedures for recreational vehicles (RV)”, to allow a recreational vehicle (RV) that will be located on Mr. Daryl Skipper’s property addressed at 13320 Alysha Drive in Council District 6,

for his mother which will enable him to assist and be close to watch over and care for her, while maintaining her independence at ninety-one (91) years old.

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

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

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 20, “Adopt a resolution to name an unnamed road “Redemption Road,” located off La Highway 442, Holden, La 70744 in Council District 9 – Joseph “Joe” Erdey”.

LPR NO. 24-252

MOTION was made by Joe Erdey and duly seconded by Ryan Chavers to name an unnamed road “Redemption Road,” as approved in writing by the Livingston Parish Address Coordinator on June 20, 2024, being located off LA Highway 442, Holden, LA 70744 in Council District 9.

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

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

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 21, “Adopt a resolution to name an unnamed road “Wagon Wheel Drive,” located off George White Road, Holden, La 70744 in Council District 9 – Joseph “Joe” Erdey”.

LPR NO. 24-253

MOTION was made by Joe Erdey and duly seconded by Ryan Chavers to name an unnamed road “Wagon Wheel Drive,” as approved in writing by the Livingston Parish Address Coordinator on June 20, 2024, being located off George White Road, Holden, LA 70744 in Council District 9.

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

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

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 22, “Discussion of changing Council Meeting dates – Joseph “Joe” Erdey”.

Councilman Erdey stated that what he was asking for there is, he would like to see if they can agree to have a special meeting for next Wednesday night to discuss issues such as counsel and the

dates that the Council does meet, or getting their own counsel. He advised that they really need to have a discussion and a special meeting for six o'clock (6:00) p.m. next Wednesday night.

Councilman John Mangus asked Councilman Erdey if he was speaking of "counsel" or "council" or both. He clarified that he was changing the Council meeting dates but it's for counsel.

Councilman Erdey advised that there is somebody who is anxious or ready to pursue being our counsel. He stated that what he was saying at, is that he thinks in the betterment of Livingston Parish that all of us got elected for, he thought that it is only fair that they hear this man out and you be the judge of everything that he has to say and look at what he has to offer and there is no harm done in doing that by having this special meeting.

The chair asked if Councilman Erdey would wait and put this on the next Council meeting instead of having a special meeting? The chair asked if they had to have a special meeting for this?

Councilman Erdey advised that they had to have a special meeting because right now he's being retained on Thursday night by another parish.

The chair asked if they needed him there to talk about this? Councilman Erdey thought that everyone wants to talk to this man, that's just general opinion. He stated that it was only fair that they got to see him and meet him and ask the questions that you want to ask him. Councilman Erdey advised that he thought that was the right way to do it, and it can't make them go backwards, but it can make them go forward in this Parish as they were elected to do. He was just trying to set up the meeting next Wednesday night because that is an availability for him, he's a busy man, but he was willing to take this on, and let him present himself to all of them. And let them decide.

The chair asked what are the thoughts of the Council members for a meeting next Wednesday, which is July the 3rd, the day before Independence Day.

The chair determined that five (5) Council members committed to attend the special meeting and he advised that according to their Home Rule Charter, a special meeting can be called either by the chairman or a majority of the Council. The chair established that there was five (5) members to his right who said they do want to have a meeting Wednesday, he was not sure that he would be able to make it. He advised Councilwoman Erin Sandefur that one of them might have to chair that meeting.

Councilman John Mangus asked what time? Councilman Erdey advised it would be at six o'clock (6:00) p.m.

There was an open discussion about scheduling the meeting so close to the holiday. Several dates were discussed to reschedule the meeting.

Councilman Erdey asked if six o'clock (6:00) p.m. on Monday, July 1st would be okay?

The chair asked who would be able to attend the new time and date? Six (6) Council members determined that they would be available on Monday, July 1, 2024 at six o'clock (6:00) p.m. to attend the special meeting. The chair advised that they would set a special meeting of the Council on Monday, July 1st at six o'clock (6:00) p.m.

The Council clerk requested help with what wording was needed to be placed on the special meeting agenda. She advised that the reason for the special meeting had to be indicated on that agenda. The chair directed her to get with Councilman Erdey for that wording.

The Council clerk asked Councilman Erdey if he wished to put changing the dates of the Council meetings on the special meeting agenda? He advised that he wanted to change the dates and possibly something else. The Council clerk informed him that the Parish had an ordinance setting the meeting dates of the second and fourth Thursday of each month. If he wished to change the day of the week that the Council meets, the ordinance would have to be amended. Councilman Erdey stated that it was not like they were going to change it that day, they were going to listen to

the man talk, and then see if they were satisfied with what they hear. He further stated that this is for discussion, the Council will need to proceed. He stated that reason for the special meeting that needed to be put on the agenda was “new counsel” and “changing the dates”. Councilman Erdey advised that this man is only asking to speak to present himself and then they could move forward with the rest.

Councilman Goff requested to ask a question. First and foremost, he did not think that they even voted to set a special meeting for Monday, July 1, 2024. He had been asked if he could be available for the first and he had raised his hand and stated that he could be available. He questioned if they were going to have a vote to see if they were going to have a special meeting or not?

Secondly, Councilman Goff stated that if the Council members were going to listen to this man, he wished to simply ask if anyone has reached out to the District Attorney and asked for his opinion on the Charter? And can we do this? He advised that if they have, that is great, he did not need a discussion. He stated that he would like to also request for the District Attorney to be at the special meeting. He further stated that he would like for the Council to get some kind of opinion from somebody, because he did not believe that the Council could do what they are trying to do.

Councilman Goff questioned who said that the Council can hire any attorney to do that? He asked if anyone had checked into that?

Councilman Ryan Chavers advised that there should be no action taken at the special meeting and there should be no reason to take a vote. He stated that this process is for this gentleman to come up and allow them to ask questions. He further stated that by the end of the meeting, you feel satisfied that he could represent them as their attorney then they can go to the next Council meeting to begin that process. Councilman Chavers advised that he has called Scott Perrilloux several times and he has not returned any of his phone calls. He stated that he agreed with Councilman Goff, he thought that it would mean a lot if he could come, but he has not returned any of his phone calls. He indicated that he had been calling Mr. Perrilloux for over two (2) months.

Councilman Goff stated that there was more than (1) attorney, and he surmised that the Council needed to make sure, somebody on this Council needed to get him some kind of information to state that the Council could even hire this guy. He asserted that he did not want to talk to this guy, he did not want to waste his time.

Councilwoman Erin Sandefur encouraged Councilman Goff to grab a Home Rule Charter and she would show him.

Councilman Goff advised that if the Council could not end up hiring him, why were they going to sit down and listen to this man, decide that he was a great attorney, he does a good job, he’s got a lot of history, but they can’t hire him.

Councilman Joe Erdey stated that the reason for that is, like he said, they have all been put up there to try and make this Parish go forward, and all they could do is gain by it, not lose by it, by listening to this man, they can only gain and not lose a drop, so he thought that they owe it to the people to listen to this man and give it a chance.

Councilman Goff stated that they had brought up something and he assumed that they were referring to Section 4-02(B) that states no special legal counsel shall be retained by the Parish government except by written contract for a specific purpose approved by the favorable vote of the majority of the authorized membership of the Council. Such authorization shall specify the compensation, if any, to be paid for such services. He questioned what was the specific? What do they want to hire this guy for? Because the Council’s attorney was the District Attorney, and he stated that if they continued to read that Charter, they would see that. He further advised that it would be until they change it in the Home Rule Charter.

Councilman John Mangus suggested that the plan might be to eventually put it on the ballot to the people and change the charter.

Councilman Joe Erdey stated that after Monday, if he meets their approval, yes, they would go from there. He further stated that there was no harm in that.

The chair asked if there was five (5) Council members who wanted to meet? He asked the Council members that if they wanted to meet on Monday, raise your hand. The chair counted six (6) Council members who wished to meet and have a special meeting on Monday, July 1st.

The chair requested that the Council clerk work with Councilman Erdey and he was assuming that it was going to be for informational purposes only, they would not be taking any action that day. He instructed that if Councilman Erdey decided to take action, they needed to put it on the agenda, specifically what they were going to do.

The chair addressed agenda item number 23, “Report and discussion of Solar Panels located on George White Road – Joseph “Joe” Erdey”.

The chair called upon Councilman Erdey and asked if he had something on solar panels?

Councilman Erdey thought that Councilwoman Sandefur was investigating it, and he did not know where she left off. He asked if she had anything that she wished to say, or did she want to chime in on this one?

Councilman Erdey addressed the audience members and advised that for those of you that do not know, solar panels have been down there forever and he had plenty of information that he went over many times. He advised that the highlight of this is that the other day, the reflection of the sun set the grass on fire in the solar field. He stated that the Springfield Fire Department had to go out there and put it out, and by the time that he got down there it was out.

Councilman Billy Taylor asked if that was because the grass was not being maintained? Councilman Erdey stated that the grass is not being maintained at all and it was taller than everybody in that room.

Councilman Taylor asked if that was something that they needed to address with compliance? That they need to start the process and find this person or whatever it is?

Councilman Erdey stated that he knew who the people are, he got names and phone numbers, he had that.

He advised that the strangest thing is that he goes that way all of the time and the grass is turning a yellowish green and it was a huge field. He stated that it is an issue, there are plenty acres of stuff that is dying everything is dying, however they wanted to address it.

Councilman John Mangus agreed with Councilman Taylor that this is a compliance issue.

There was a brief open discussion and the chair suggested that they could ask Administration to reach out to Compliance for them and go and investigate it?

Having no further comments, the chair wished to move to the next agenda item.

The chair addressed agenda item number(s) 24a through c:

“Board (re)appointment(s)/Resignation(s):

- a. Appoint a member to the Master Plan Review Committee – Lonnie Watts
- b. Appoint a member to the Personnel Board – John Wascom
- c. Ratify the Town of Albany’s appointment to Fire Protection District No. 1”

The chair called upon Councilman Lonnie Watts to address agenda item 24a, Councilman Watts advised that he would like to recommend Zach Thomason to fill the vacancy left by Council District 1’s appointment of Jason Inman who could no longer attend the meetings.

LPR NO. 24-254

MOTION was made by Lonnie Watts and duly seconded by John Mangus to appoint Zach Thomason to the Master Plan Review Committee as Council District No. 1's appointment whereby filling the vacancy left by Jason Inman (Council District 1) who could no longer attend meetings; this committee appointment does not expire and committee members serve at the pleasure of the Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 24b, "Appoint a member to the Personnel Board – John Wascom". He briefly explained that this is a three (3) person board. The Council had just recently appointed Mr. Robert Bergeron to fill the vacancy left by the passing of Mayor Jimmy Durbin. He further explained that another member that served on this board was Cary Carlin. Mr. Carlin had contacted him by phone and by email to advise that he was moving out of the Parish. He wished to thank Councilman Wascom and the other members of the Council for allowing him to serve on that board, but he was moving out of the Parish.

The chair reached out to the former Police Chief of the City of Denham Springs, Mr. Jeff Wesley. Mr. Wesley serves on the City of Denham Springs Council, he's dealt with Personnel issues for years, he advised that he is just a great guy and he thought that he would be a great person to serve on the Personnel Board. He stated that he would like to recommend to get a motion to appoint Mr. Jeff Wesley to the Personnel Board.

LPR NO. 24-255

MOTION was made by Lonnie Watts and was duly seconded by Ricky Goff to appoint Mr. Jeff Wesley (Council District 4) to the Personnel Board as per Section 4-05(d), "Personnel Policies and Procedures", of the Livingston Parish Home Rule Charter, to fill the vacancy left upon by Mr. Cary Carlin (District 4) who moved out of the Parish of Livingston; whereupon, Mr. Wesley will serve the remainder of Mr. Carlin's four (4) year board appointment that will expire on September 11, 2027.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 24c, "Ratify the Town of Albany's appointment to Fire Protection District No. 1".

LPR NO. 24-256

MOTION was made by Ricky Goff and was duly seconded by Joe Erdey to ratify the reappointment of James Chisholm (Town of Albany Appointment) to Fire Protection District No. 1 (Albany Volunteer Fire Department) whose two (2) year term will expire on January 1, 2026.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair advised that Fire Protection District No. 1 had an additional appointment that the Fire board appoints and it is their wishes to reappoint Rodney Russell. The chair requested that the Council combine those two (2) appointments and let Councilman Goff and Councilman Erdey's motions be for both of those board members.

There was no opposition. Therefore, LPR No. 24-256 will reflect both appointments.

LPR NO. 24-256

MOTION was made by Ricky Goff and was duly seconded by Joe Erdey to ratify the reappointment of Rodney Russell (Board's Appointment) to Fire Protection District No. 1 (Albany Volunteer Fire Department) and in addition ratify the reappointment of James Chisholm (Town of Albany Appointment) both two (2) year terms will expire on January 1, 2026.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair addressed agenda item number 25, "Committee Report(s):

- a. Finance Committee
- b. Ordinance Committee: **Recommendation(s) of Ordinance introduction(s)**"

The chair called upon Councilman John Mangus to address agenda item number 25a, "Finance Report".

Councilman Mangus called upon Mr. Mickey McMorris, Parish Finance Director.

Mr. McMorris reported that earlier that evening at the Finance committee, Mr. Tommy LeJeune with Faulke and Winkler presented that the audit could not be completed by June the 30th as required. A request was made for an extension until August 15th, but Mr. LeJeune felt confident that the audit would be completed by the third week in July. Mr. McMorris explained that the delay was caused by the change in Administration and the books needed to be caught up, there was additional work.

Councilman Mangus wished to advise, just for the record, that there had been nothing that the current Administration did that caused the delay, it was previous Administration transferring information. He also reported that it will not cost the Parish any additional fees for this extension.

The chair called upon Councilman Coates to address agenda item number 25b, "Ordinance Committee".

Councilman Coates advised that the Ordinance committee had been very busy.

In addition, Councilman Joe Erdey requested to be removed from the Ordinance committee to be replaced by Councilman Billy Taylor.

The chair asked Councilman Erdey if that was his wishes to which he affirmed.

The chair proclaimed that he hereby removes Councilman Joe Erdey as a member of the Ordinance committee and appointed Councilman Billy Taylor to fill that vacancy.

The chair addressed agenda item number 26, "District Attorney's Report:", and stated that there was no report at that time.

The chair addressed agenda addendum item number(s):

A-1:

- a. Discussion, including possible Executive Session, to discuss *Ascension Properties, Inc. v. Livingston Parish Government*, Case 3:24-cv-00171-SDD-SDJ, United States District Court, Middle District of Louisiana, which is presently set for trial on July 29, 2024 in Baton Rouge, LA before the Honorable Shelly D. Dick, United States District Judge, Middle District of Louisiana.
- b. Discussion, including possible Executive Session, to discuss *Ascension Properties, Inc. v. Livingston Parish Government*, Case 3:24-cv-00171-SDD-SDJ, United States District Court, Middle District of Louisiana, which is presently set for a mandatory court settlement conference with the Honorable Scott D. Johnson, United States Magistrate Judge, Middle District of Louisiana on July 10, 2024.
- c. Discussion, including possible Executive Session, to authorize Livingston Parish President Randy Delatte to both attend the July 10, 2024 mandatory court settlement conference and to negotiate with authority before, during, and potentially after the settlement conference for a settlement (potentially involving a payment by the Parish in excess of \$10,000) on behalf of Livingston Parish Government re: *Ascension Properties, Inc. v. Livingston Parish Government*, Case 3:24-cv-00171-SDD-SDJ, United States District Court, Middle District of Louisiana, pursuant to the requirements of the June 5, 2024 Order of the Honorable Scott D. Johnson, United States Magistrate Judge, Middle District of Louisiana.

The chair advised that the Council would be going into executive session.

Public input: Martin Maley, attorney: advised that the executive session would be to discuss pending litigation

Mr. Maley advised that they needed to invite Mr. Delatte, Ms. Delatte and Ms. Morgan Sanchez to attend the executive session to provide details and any supplemental administrative information.

LPR NO. 24-257

MOTION was made by Ricky Goff and duly seconded by John Mangus to go into executive session to discuss pending litigation against the Parish.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

All recording devices were turned off at this time.

The chair called the meeting to order and asked for a motion to go back into regular session.

The chair advised that no action was taken in executive session.

LPR NO. 24-258

MOTION was made by John Mangus and duly seconded by Dean Coates to go back to the regular order of business of the June 27, 2024 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair called upon Mr. Martin Maley to give them a frame of where they were and what needed to be done.

Mr. Maley stated that he and Mr. Irving were in the back with the Council members in executive session and it was about the topics that were listed on the back of the meeting agenda, listed as notice of addendum to the agenda A1, a, b and c and it is about the case involving Ascension Properties, Inc. against Livingston Parish Government filed in federal court. He advised that they had a very vigorous discussion about the case and about many aspects of the case.

He believed that at this point someone needed to entertain a motion to appoint a three (3) person panel to have authority to go to the settlement conference on July 10th and if they could get it settled that group would have the ability to negotiate on behalf of the Council and the Parish to resolve the case. He said in failing that, it would go to trial on July 29th.

Councilman John Mangus stated that he wished to make a motion that they, as the Parish Council, form a group to be a legislative body to approve hopefully a settlement to prevent trial on July 29th.

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

Councilman Lonnie Watts made the second to Councilman Mangus's motion.

The chair asked if there were any discussion from the Council on that motion? Having none, the chair called for the vote.

An audience member asked if the chair was going to have public discussion? The chair stated yes, that he would have public discussion and invited Mr. Hugh Harris to speak at the podium.

Mr. Maley wished to advise that part of Councilman Mangus's motion would need to be negotiate and have the authority to come to a final resolution.

Councilman Mangus asked the Council clerk if she could add that verbiage to his motion that he had just offered.

Public input: Henry "Hugh" Harris: resident of Holden, Louisiana and also the holder of a deed of the property that they were discussing that is in Livingston Parish conveyance book 1520, page 717.

The chair stated that they were there to discuss a lawsuit that someone has filed against the Parish. This was because of a stop work order that the Parish had implemented.

Mr. Harris stated that the land was in dispute.

Councilman John Mangus requested for input from their two (2) attorneys, Mr. Marty Maley and Mr. Steve Irving, relating to Mr. Harris's allegations. Mr. Maley discussed the history that he had with Mr. Harris. He stated that the only thing that he had to say about this, and it was not against Mr. Harris, he thought of him as a fine gentleman and he has his right to assert any claims that he wants to assert, but he made these arguments in our lawsuit and the federal judge, Judge Dick, or it may have been the Magistrate Judge, dismissed his claims from that lawsuit. Mr. Maley acknowledged that Mr. Harris may go and file somewhere else and try to assert whatever he wanted to assert, but he is not in the lawsuit that the Parish is dealing with. He also addressed the issue of the title, that is a very, very complex issue that goes back to the 1800's in the United States Supreme Court and what happened years and years and years after that. Mr. Maley did not know what some judge would do with that. On the issue of opening the Council members up to personal liability, he begged to differ with Mr. Harris on that topic.

Mr. Steve Irving stated that the only thing that he would add to that is, it might well be possible that if they do reach an agreement, advising that they will be negotiating with Ascension Properties, but Livingston Holdings is actually the applicant and the people who say and claim that they are the owner of the property. The Council could potentially put in an agreement a provision that says that if there is a final judgement from a court of record that states that they do not own the property, then the deal fails.

The chair reiterated that basically if the Council does go in and speak with them, they could make that stipulation that if Mr. Harris is the rightful owner, then the whole thing is off in regard to the settlement.

Mr. Irving stated that there's an adjudication on the property that they don't own the property and they do not have the authority, then the deal fails. He advised that he thought that they could put that in the agreement and he did not think that there would be a problem with getting it and they certainly would try to do that.

Mr. Harris advised that he was in three (3) different lawsuits dealing with this property.

The chair allowed the Council members to ask Mr. Harris questions. He answered their questions in depth.

Councilman Ricky Goff addressed Mr. Harris and explained that the Council could not thumb their nose at a federal court. The Council has to respond based on what that court gives to them. Councilman Goff advised that Mr. Harris has reached out to that court and tried to be heard as well and put a halt to this. The Council would have loved for that to have happened. The Council would love for Mr. Harris to become the new owner of it, but unfortunately they are where they are. He also agreed with Mr. Irving and he was correct to try and put some provisions in this settlement that helps from Mr. Harris's stand point. Mr. Goff continued to explain that the Council could not help from Mr. Harris's stand point because they have no judgement that states that it is his deed. The Council must respond as a body to this lawsuit and move forward with it. He advised that the Council would not be able to do anything with that.

**Councilman Billy Taylor left the Council chambers at 9:35 p.m. and did not return.*

There was very, very lengthy open discussion.

Mr. Maley addressed the question of extending the Council's federal court date. He advised that he wished to clear some things up. Mr. Harris made some of these arguments to the federal court and the magistrate judge didn't let him intervene, removed him from the case that they had been discussing for the last hour. Mr. Maley stated that Mr. Harris certainly had a right to litigate his issues and try to prove up his title. However, they would not be able to stop the federal judge from setting the deadlines that she has set. He warned that they were under time constraints to move forward, very strict time constraints that they had discussed earlier that evening. He indicated that

was why they were in the process of appointing the three (3) member panel to go to the settlement conference on the date that the court set. He stated that if it gets resolved, it gets resolved. If it doesn't get resolved, then it will go to trial on July 29th.

Mr. Maley stated that was where they are with regard to the federal procedure and the federal lawsuit. He directed that Mr. Harris's claims have nothing to do about the nature of this lawsuit. He conveyed that the nature of this lawsuit was over a stop work order, it's about an injunction and it's about Ascension Properties and actions taken by this Parish, being the Council members and the Parish President. He summarized that was the framework of this lawsuit. The lawsuit has got to move forward, and it has to move forward on the federal judge's timeline which is set by the judge.

Mr. Harris continued with his arguments.

Public input: Jamey Sandefur, spoke about the Master Plan

LPR NO. 24-259

MOTION was made by John Mangus and duly seconded by Lonnie Watts to allocate authority to the Livingston Parish Council chairman to form a three (3) panel committee to negotiate with the other side at the settlement hearing scheduled in federal court on July 10th, 2024; and to grant the authority, if it is prudent and the terms are right, to settle the case to prevent trial that has been set on July 29th, 2024.

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

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

NAYS: NONE

ABSENT: MR. TAYLOR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on June 27, 2024.

The chair stated that he would like to appoint three (3) Council members to the three (3) panel committee:

- Councilwoman Erin Sandefur, Council District 5
- Councilman Ricky Goff, Council District 7
- Councilman John Wascom, Council District 4

Having no further business, a motion to adjourn was requested until the next regular meeting of the Livingston Parish Council scheduled on Thursday, July 11, 2024 at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 24-260

MOTION was offered by Dean Coates and duly seconded by John Mangus to adjourn the June 27, 2024 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: MR. TAYLOR

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=63NY7iQ3JDI>

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.