

**Minutes of the Livingston Parish Council
Livingston, Louisiana
March 28, 2019**

The Livingston Parish Council met in regular session duly called, advertised, and convened at its regular meeting place, the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, March 28, 2019, at the hour of six-thirty (6:30) p.m. with the following Livingston Parish Council members present:

Jeff Ard	John Wascom	Tracy Girlinghouse
Garry "Frog" Talbert	R.C. "Bubba" Harris	Tab Lobell
Maurice "Scooter" Keen	Jeff Averett	Shane Mack

Also present: Layton Ricks, Parish President
Christopher Moody, Parish Legal Counsel

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.

The chair addressed agenda item 7, "Presentations:". Having no Presentations, the chair moved to agenda item number 8 a and b:

- a. March 14, 2019 Juban Crossing Community Development District
- b. March 14, 2019 regular meeting of the Council

LPR NO. 19-085

MOTION was made by Jeff Ard and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated March 14, 2019 for the Juban Crossing Community Development District and adopt as written.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 19-086

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated March 14, 2019 for the regular meeting of the Livingston Parish Council and adopt as written.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 9, “Correct and ratify LPR No. 19-045: Florida Parishes Human Services Authority board appointment expiration date from December 31, 2019 to December 31, 2021”. The Council clerk briefly explained the need for this agenda item.

LPR NO. 19-087

MOTION was made by Garry “Frog” Talbert and duly seconded by Jeff Averett to rescind LPR No. 19-045 adopted on February 7, 2019, and correct, and ratify the date of expiration of the board appointment of Cheryl Smith to the Florida Parishes Human Services Authority from December 31, 2019 to December 31, 2021 as follows:

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 19-045

MOTION was made by Tracy Girlinghouse and duly seconded by Tab Lobell to appoint Cheryl Smith to serve on the Executive Board for the Florida Parishes Human Services Authority as a resident of Livingston Parish, (Council District 8), per the mandates of Louisiana Revised Statute 28:853(a), filling the second Livingston Parish position that had been vacant, three (3) year term that is being filled will expire on December 31, 2021.

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

YEAS: MR. WASCOM, MR. TALBERT, MR. MACK, MR. AVERETT, MR. LOBELL, MR. HARRIS, MR. GIRLINGHOUSE, MR. ARD, MR. KEEN

NAYS: NONE

ABSENT: NONE

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. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 10, “Adopt resolution to approve MCM Plastics, Inc., located in Council District 9, for participation in the Louisiana Industrial Tax Exemption Program – David Bennett, Director of the Livingston Economic Development Council”.

The chair advised that he wished to speak on this agenda item as it was located within his district. He began by explaining the process that MCM Plastics uses to take downgraded plastic material that is run through their process to produce better material. He further explained that they have a market for that, and that market is growing, and now they would like to add on to their current facility. He further expounded that they qualify for the exemptions that they are requesting, and he believed that this was a good move for the people of Livingston Parish, and he was in favor of the project. He asked if there was anyone in the audience who wished to speak on this matter.

Public Input: Muriel Laws, resides in Council District 6: questioned if there was an issue with the environment and what are the ramifications of their plastic reduction? Has there been an environmental impact study for the exemption to be passed and what it the process for including the people in this district for this type of expansion? Questioned if there had been complaints of any smells coming from the area?

Councilman Shane Mack stated that Ms. Laws had some very difficult questions. He answered her by indicating that this company was a legal business and they follow all state requirements. He acknowledged that state agencies, DEQ and EPA do a good job of auditing to require that all industrial businesses follow all rules and regulations to protect the people of this country and of this state and this parish. He was certain that everything was in order and no one's health was at risk. Councilman Mack also wished to inform everyone that he had zero (0) complaints from surrounding neighbors. He advised that there were no smells coming from the area and no one had complained of smells coming from this business. He questioned if he had answered her questions. Ms. Laws indicated that her question had been what was the process in order to get this exemption, but because Councilman Mack had stated that he was sure that they went through everything-but that did not say that there was an actual process for this particular case. Councilman Garry "Frog" Talbert attempted to answer Ms. Laws's questions. He advised that he did not believe that the company was not required to obtain an air permit for that operation, and given that situation, they would not be having a hearing. He did not think that their process produced any type of discharge to require an air permit from DEQ, so consequently, there would be no hearing. If there is not a need for permitting, there would not be a need for DEQ to set up a hearing for people to comment. He advised that the Livingston Economic Development Council Director may be able to explain this further. Councilman Talbert further explained that he had attended the pre-meetings on this project, and if his recollection was correct, there was no need for a permit based on the discharge of the environmental end. She thanked the councilmen for addressing her questions.

The chair invited Mr. Richard Morris, President of MCM Plastics, Inc. to the lectern to speak. Mr. Morris advised that his company had been located in Livingston Parish for eighteen (18) years. He added that the company was thirty-one (31) years old and educated everyone about their process. He advised that the PVC plastic is inert, is edible, it does not break down, they do not use any chemicals, they dry, screen and package the material to the desired specifications of their customers so that it may be reused as a raw material to make finished products. He further explained that there is no hazard with the material. The chair and Councilmembers thanked Mr. Morris for his answers. The chair called upon Mr. David Bennett, Director of the Livingston Economic Development District.

Mr. David Bennett thanked the Councilmembers and stated his name and position as the President of the Livingston Economic Development Council for the record. He explained their involvement when they learned of the company's expansion project and gave a brief history of the company, advising that MCM was founded in 1988, is headquartered in Houston, Texas, has an operation located in Holden, he reiterated what Mr. Morris had explained of the plastic recycling process that is sent out to a worldwide market which creates wealth and jobs here in Livingston Parish. He instructed that they planned to spend approximately two point eight million dollars (\$2,800,000.00) in their proposed expansion and add five (5) new employees to their existing fifteen (15) employees at the Holden facility. As part of the executive order from the Governor of Louisiana, it requires local input and local resolutions to approve the company for the industrial tax exemption program for a maximum of eighty percent (80%), for a maximum of ten (10) years. There is also a five (5) year renewal. Mr. Bennett reported that MCM Plastics, Inc. had already executed their Cooperative Endeavor with the state that holds them to the deliverables that the Council would be approving in their proposed resolution and their application had been reviewed and approved by the Louisiana Economic Development Council whereby the company's eligibility was additionally approved as well. The Board of Commerce and Industry has also reviewed the application and it had been approved at their February meeting. The Council has been provided with a letter of recommendation from the LEDC as well as a financial analysis. And with that, Mr. Bennett requested that the Councilmembers adopt a resolution to allow the company to participate in the industrial tax exemption program.

Councilman John Wascom commented that he appreciated how Mr. Bennett and the Livingston Economic Development Council worked closely with businesses to help get them tax exemptions. He remembered when Bass Pro came to the Parish and lots of people questioned the TIFF program and explained how it had paid off so well. He stated that anytime that you invest in local businesses, you may take a little cut at first on taxes, but in the long run, it well pays off. He wanted to encourage Mr. Bennett to continue, and he believed that this Council would support tax benefits for industrial growth and businesses. He instructed that he had seen in Denham Springs, and those bonds were about paid off, and the parish was about to see a lot more revenue, and Bass Pro sits on I-12 because of this. He advised that no government entity will receive any tax money unless it be for the businesses that work hard, spend money and pay taxes on it. Councilman Talbert added that as the increase in ad valorem taxes occurred, it will be a win-win for the residents of the Parish.

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

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 19-088

The following resolution was offered by Garry “Frog” Talbert and seconded by John Wascom:

RESOLUTION NO. LPR NO. 19-088

A RESOLUTION OF THE LIVINGSTON PARISH COUNCIL APPROVING MCM PLASTICS, INC. FOR PARTICIPATION IN THE LOUISIANA INDUSTRIAL TAX EXEMPTION PROGRAM

WHEREAS, MCM Plastics, Inc. is considering a multimillion-dollar expansion of the PVC Resin manufacturing facility near the town of Holden in Livingston Parish (“Project”); and

WHEREAS, MCM Plastics, Inc. will provide significant economic benefits to the Holden area and the Parish of Livingston through the spending and job creation related to this project; and

WHEREAS, MCM Plastics, Inc. filed Advance Notification Form #20190002-ITE for said Project with the Louisiana Department of Economic Development for participation in the Louisiana Industrial Tax Exemption Program; and

WHEREAS, MCM Plastics, Inc. is seeking property tax abatements available through participation in the Louisiana Industrial Property Tax Exemption Program to help induce MCM Plastics, Inc.’s decision to expand the PVC Resin manufacturing facility in the Holden, LA area; and

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

WHEREAS, MCM Plastics, Inc. filed a timely Application for Industrial Tax Exemption (“ITE”) participation with the Louisiana Department of Economic Development; and

WHEREAS, MCM Plastics, Inc.’s Application for participation in the ITE Program was reviewed and approved by the Louisiana Board of Commerce and Industry on February 27, 2019; and

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

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

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

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

AND the resolution was declared adopted on this 28th day of March 2019.

The chair addressed agenda item(s) 11, "Parish President's Report" and called upon Parish President Layton Ricks. Mr. Ricks advised that he had several proclamations to present.

The Parish President addressed agenda item 11a, "Families Helping Families – Autism Awareness Month Proclamation", and advised that Ms. Jamie Tindle, Executive Director, could not attend the Council meeting that evening but had sent Mr. Keith Keller in her place. He called upon Mr. Keller in the audience and also requested to read proclamation aloud. Mr. Keller came to the lectern and asked if he could be allowed to say a few words to address the Councilmembers. He briefly explained how autism affects everyone, and also wanted to remind everyone of the upcoming event that would be held on April 27th and invited everyone to come and participate in the 10th Annual Active for Autism 5K Run/Walk and Fun Fest benefiting Families Helping Families of Greater Baton Rouge.

The Parish President read the proclamation declaring the month of April as Autism Awareness Month in the Parish of Livingston:

PROCLAMATION
Autism Awareness Month

WHEREAS, autism is a lifelong developmental difference, associated with significant alteration of an individual's ability to learn in the same way as others, which may include differences in social behaviors and communication; and

WHEREAS, autism, also known as autism spectrum disorders, affects people regardless of race, religion, socio-economic status or geography; and

WHEREAS, the incidence of autism in the United States is approximately 1 in 68 according to the Centers of Disease Control and Prevention; and

WHEREAS, evidence suggests autism is the result of neurological anomalies affecting the functioning of the brain and few members of the general public understand this complex syndrome; and

WHEREAS, persons with autism can be helped to reach their greatest potential, and accurate, early diagnosis and the resulting appropriate education and interventions, as well as community acceptance and accommodations, are vital to the future growth and development of the individual; and

WHEREAS, autism is a complex set of differences that requires increased research to one day better understand it; and

WHEREAS, the greater recognition and understanding of autism can ensure that individuals with autism are accurately diagnosed and appropriately treated throughout their lives.

NOW, THEREFORE, I, Layton Ricks, Livingston Parish President, do hereby proclaim the month of April 2018 as

AUTISM AWARENESS MONTH

in Livingston Parish, and encourage all citizens to participate in the Families Helping Families of Greater Baton Rouge 10th Annual Active for Autism 5K Run/Walk & Fun Fest on April 27th, 2018 to bring awareness of autism.

In witness thereof, I have hereunto set my hand and caused the seal of Livingston Parish to be affixed this 26th day of April 2018.

/s/ Layton Ricks
Layton Ricks, Parish President

Councilman R.C. “Bubba” Harris requested to make a comment. He advised that he knew Ms. Jamie Tindle’s son, Alex, and encouraged anyone that may be going to Rouse’s to look for Alex as he works there three (3) days a week. He advised that although Alex may be in a wheel-chair, he really likes working there and enjoys what he’s doing. Councilman Harris says he looks for him every time that he goes in and speaks with him, shakes his hand and tells him what a fine job he is doing.

The chair then requested of the Councilmembers to please come to the front for a photo opportunity with the Parish President and Mr. Keller.

The Parish President addressed agenda item 11b, “Resolution proclaiming April 2019 as Organ Donation Awareness Month in Livingston Parish” and called upon Mr. Clarence Richardson in the audience. Mr. Richardson joined Mr. Ricks at the lectern as Mr. Ricks read the proclamation declaring the month of April as Organ Donation Awareness Month in the Parish of Livingston.

Mr. Clarence Richardson asked the Councilmembers to support the resolution proclaiming April 2019 as Organ Donation Awareness Month in Livingston Parish and explained that seventeen (17) years ago a young man died of a gunshot wound in San Antonio, Texas and his family made the decision to donate his organs and it saved eight (8) people’s lives, one (1) of those being himself, who received his heart, giving him seventeen (17) more years to be allowed to watch his grandchildren grow up. He advised of his involvement and volunteer work with the Louisiana Organ Procurement Agency (LOPA). He testified of the lives that he had seen changed through help of the organization, right here in the Parish of Livingston. He thanked the Councilmembers and the Parish President for their support in a cause that he truly believed in.

LPR NO. 19-089

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to proclaim the month of April 2019 as Organ Donation Awareness Month in Livingston Parish and concur with the Parish President’s Proclamation read aloud in the March 28, 2019 regular meeting of the Livingston Parish Council as follows:

PROCLAMATION

WHEREAS, *more than 110,000 people across the country are waiting on a life-saving organ transplant with more than 2,000 of those individuals residing in the great state of Louisiana;*

WHEREAS, *more than 61 patients can benefit from the gifts of one donor hero and donated organs such as heart, lungs, kidneys, pancreas and small intestines can potentially save nine lives; and*

WHEREAS, *donated corneas can restore sight to two recipients and recorded tissues can enhance more than 50 lives primarily through reconstructive surgeries; and*

WHEREAS, *listing your name in the Louisiana Donor Registry provides hope for those whose life or productivity depends on a transplant; and*

WHEREAS, *more than 2.5 million Louisiana residents have already registered as an organ donor at the Office of Motor Vehicles when applying or renewing a driver’s license while many also choose to sign up online; and*

WHEREAS, *the spirit of giving and the decision to donate are not restricted by age or medical condition; and*

WHEREAS, *the Louisiana Organ Procurement Agency and Donate Life Louisiana work together with volunteers, the private-sector, non-profits and media partners to bring awareness and inform the public of the life-saving potential of organ, eye and tissue donations.*

NOW, THEREFORE, I, Layton Ricks, duly elected Parish President of the Parish of Livingston, State of Louisiana, do hereby proclaim April 2019 as

ORGAN DONATION AWARENESS MONTH

in the Parish of Livingston.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the seal of Livingston Parish, Louisiana on this the 28th day of March 2019.

/s/ Layton Ricks
Layton Ricks
Livingston Parish President

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The Parish President addressed agenda item 11c, "Adopt resolution to oppose House Bill 57 which removes the authority of local governments to collect their own sales and use taxes and allows the State to collect these local tax dollars" and explained that the Police Jury Association has asked that parish entities support their opposition to House Bill 57 that would remove the authority of local governments collecting their own sales and use taxes. If implemented, local tax dollars would then be placed in a pile by the state, to be divided back out by the state, to local governments.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 19-090

The following resolution was offered by Garry "Frog" Talbert and seconded by John Wascom:

**A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION
THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF
LOCAL SALES & USE TAXES TO THE LOUISIANA DEPARTMENT OF
REVENUE.**

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes;

WHEREAS, there are several constitutional amendments and bills introduced in the 2019 Regular Legislative Session that would transfer collection responsibility of local sales and use tax levies to the state Department of Revenue; and

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

WHEREAS, the state of Louisiana's budget issues do not offer prospects for the Department of Revenue to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs and training of its employees on the specific application or local sales and use tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage locally adopted sales and use tax levies, collection of said levies the direct responsibility of local governments, and which transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

WHEREAS, the central local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary Revenue being an appointee of the Governor of the state, uncertainty exist as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of such critical local tax administration,

NOW THEREFORE, be it resolved that the Livingston Parish Council of Livingston, Louisiana as a local taxing authority and /or governing body, that each member of the legislative delegation for the Parish of Livingston is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes to the Louisiana Department of Revenue; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent forthwith to said legislators so that they will be made aware of our position on this matter,

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 12, “Office of Homeland Security and Emergency Preparedness – Mark Harrell”. The Parish President advised that he would be handling these items in Mark Harrell’s absence.

The Parish President addressed agenda item 12a, “Resolution proclaiming April 2019 as Fair Housing Month for Livingston Parish”, and briefly explained the need for this proclamation and advised that it was mandated to be adopted annually.

LPR NO. 19-091

MOTION was made by Tracy Girlinghouse and duly seconded by Jeff Averett to proclaim the month of April of the year 2019 as Fair Housing Month in Livingston Parish and also concur with the adoption of the Parish President’s Proclamation read aloud in the March 28, 2019 regular meeting of the Livingston Parish Council as follows:

PROCLAMATION

WHEREAS, *the strength of our nation flows from the promise of individual equality and freedom of choice; and*

WHEREAS, *the fifty-first Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans - individually and collectively- to rededicate themselves to the principle of freedom from housing discrimination whenever it exists. This law guarantees for each citizen that critical, personal element of freedom of choice-selection of the home; and*

WHEREAS, *a fair housing law has been passed by the State of Louisiana; and implementation of that law requires the positive commitment, involvement and support of all our citizens; and*

WHEREAS, *the department and agencies of the State of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and*

WHEREAS, *barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all:*

NOW, THEREFORE, *I, Layton Ricks, President of the Livingston Parish Council, do hereby proclaim the month of April 2019, as:*

FAIR HOUSING MONTH

in Livingston Parish, Louisiana, and do hereby encourage all citizens to abide by the letter and spirit of the Fair Housing Law and ask the citizens of Livingston Parish to join in reaffirming the obligation and commitment to fair housing opportunities for all.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the seal of Livingston Parish, Louisiana on this the _____ day of April 2019.

/s/ Layton Ricks
Layton Ricks, Livingston Parish President

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The Parish President addressed agenda item 12b, "Resolution proclaiming April 22-26, 2019 as National Community Development Week for Livingston Parish" and requested that the Council members support a resolution to proclaim the week of April 22-26, 2019 as National Community Development Week for Livingston Parish. He advised that this was again something that was mandated to be adopted each year and read the proclamation.

The chair requested if there was anyone in the audience who had any public input.

Public input: Muriel Laws-resident of Council District 6: had several questions directed at the Parish President concerning block grants

The Parish President answered her many questions to the best of his ability.

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

LPR NO. 19-092

MOTION was made by R.C. "Bubba" Harris and duly seconded by Maurice "Scooter" Keen to proclaim the week of April 22-26, 2019 as National Community Development Week for Livingston Parish and concurred with the proclamation read aloud by the Parish President in the March 28, 2019 regular meeting of the Livingston Parish Council as follows:

PROCLAMATION

WHEREAS, *the Community Development Block Grant Program has operated since 1974 to provide local governments with the resources required to primarily meet the needs of low- and moderate-income persons; and*

WHEREAS, *the Community Development Block Grant Program is among the few remaining federal programs available to address the needs of low- and moderate-income persons and small cities; and*

WHEREAS, *the Community Development Block Grant Program has provided the state of Louisiana with important and flexible assistance to meet the needs of low- and moderate-income residents of small cities by funding*

sewer, water and street improvement projects, economic development projects and other public improvement projects; and

WHEREAS, *Congress and the nation acknowledge the critical value of the Community Development Block Grant Program and the significant projects that rely on its funds for support; and*

WHEREAS, *the week of April 22-26, 2019, has been reserved for recognition and appreciation of the Community Development Block Grant Program*

NOW, THEREFORE, *I, Layton Ricks, President of the Livingston Parish Council, do hereby proclaim the week of April 22-26, 2019, as:*

National Community Development Week

in Livingston Parish, Louisiana.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the seal of Livingston Parish, Louisiana on this the _____ day of April 2019.

/s/ Layton Ricks
Layton Ricks, Livingston Parish President

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 13, "Public Hearing and Adoption of L.P. Ordinance No. 19-06, Servitude Revocation: Melissa Martin Clark/South Frost Road".

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

The chair requested if anyone had any public input. Having none, the chair closed the Public Hearing.

LPR NO. 19-093

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 14, 2019, 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 March 28, 2019 on Motion of Tab Lobell and seconded by Garry "Frog" Talbert:

L.P. ORDINANCE NO. 19-06

AN ORDINANCE REVOKING A CERTAIN 60' PRIVATE ALL PURPOSE SERVITUDE, LOCATED IN SECTION 20, T7S-R3E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA, IN FAVOR OF THE LAND OWNER, BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED SURVEY:

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 28th day of March 2019.

(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. 4).

The chair addressed agenda item number 14, “Public Hearing and Adoption of L.P. Ordinance No. 19-08, Amend Section 14.3-1, “Safety regulations”, by revising file distribution specifications in the Livingston Parish Regulations Booklet, “Operations and Activities/Commercial Building/Hazardous Materials Operations” Section 2(a) “Requirements”.

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

The chair requested if anyone had any public input. Having none, the chair closed the Public Hearing.

LPR NO. 19-094

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 14, 2019, 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 March 28, 2019 on Motion of Garry “Frog” Talbert and seconded by Maurice “Scooter” Keen:

L.P. ORDINANCE 19-08

AN ORDINANCE TO AMEND CHAPTER 14.3, SECTION 14.3-1, “SAFETY REGULATIONS,” TO INCLUDE REVISIONS TO THE LIVINGSTON PARISH REGULATIONS BOOKLET, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 28th day of March 2019.

(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. 4).

The chair addressed agenda item 15, “Introduction of Ordinance, Amend L.P. No. 17-43, “Streets, Quitclaims, Servitude and Rights-of-Way Revocation Procedure” and requested the Deputy clerk to read the proposed ordinance by title.

The chair called upon Ordinance committee chair, Councilman Garry “Frog” Talbert, to explain this introduction. Councilman Talbert explained that this ordinance was originated and presented to him by the Council clerk. He advised that there were two (2) parts to this ordinance, the first being a requirement that the survey map be submitted in PDF format. Some maps are being submitted in paper format, then scanned, and after being emailed and copied, they are losing their

legibility. The second part to be considered is, currently the filing fee for a quitclaim is two hundred and fifty dollars (\$250.00). That money is used by Planning to offset the cost of research, gathering the necessary paperwork, waivers, letters of objection, etc. He further explained that once the ordinance has been approved, the Council is spending on average two hundred and fifty dollars (\$250.00) in filing fees. Councilman Talbert verified this from the Planning office, who indicated that this amount covered their time and efforts based on the amount of work that they do. By raising the total costs with the additional amount, the costs to the Parish will be zero (0), and the total costs will be to those individuals who are receiving the benefit of the quitclaimed property being returned to them.

The chair asked if there was anyone who had any public input or questions on this matter. Having none, he called for the vote to introduce this ordinance.

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

L.P. ORDINANCE NO. 19-09

AN ORDINANCE TO AMEND CHAPTER 13, "PLANNING AND DEVELOPMENT," ARTICLE I, "IN GENERAL," SECTION 13-3, "STREETS, QUITCLAIMS, SERVITUDE AND RIGHTS-OF-WAY REVOCATION PROCEDURE," THAT COMBINES THE PARISH PLANNING DEPARTMENT'S FILING FEE, OFFICIAL JOURNAL PUBLICATION FEES AND CLERK OF COURT FILING FEES AND ALSO ADDS PDF REQUIREMENTS FOR THE SURVEY MAP INDICATING THE AREA TO BE REVOCATED, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

LPR NO. 19-095

MOTION was offered by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, April 11, 2019 at the hour of six-thirty (6:30) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

The chair addressed agenda item number 16, "Requests for waiver(s) intended for the allowance of permitting due to the restrictions of L.P. No. 17-22, "Section 13-46.1, Prohibitions and Restrictions of Use" for mobile/manufactured homes to be placed in a named subdivision for the intent of onsite, custom built, single family homes, located at 7872 Henry O'Neal Drive, Denham Springs, LA 70706, O'Neal Place" and called upon Councilman Maurice "Scooter" Keen.

Councilman Keen advised that he had been contacted by the Council office and the Planning Department indicating that there was a person who wanted to buy a piece of property and questioned if he would be allowed to place on mobile home on the property before he purchased the land. Councilman Keen explained that he knew the area very well from the 2016 Flood event and there was a mixture of both site-built homes and mobile homes throughout the entirety of the neighborhood. He further explained that there had been a mobile home previously located on this same lot, and it had been torn down. The prospective purchaser would be placing a mobile home right where one (1) used to be.

Councilman Tracy Girlinghouse questioned Councilman Keen on the other mobile homes that were located in the named subdivision.

Councilman Garry “Frog” Talbert questioned if this should have been brought before the Council, since a mobile home had already been in existence at the same spot.

Many answered him in the definitive and advised that the previous mobile home had been removed/torn down prior to the ordinance being in place.

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

LPR NO. 19-096

MOTION was made by Maurice “Scooter” Keen and duly seconded by John Wascom to approve the following:

Requests for waiver(s) intended for the allowance of permitting due to the restrictions of L.P. No. 17-22, “Section 13-46.1, Prohibitions and Restrictions of Use” for mobile/manufactured homes to be placed in a named subdivision for the intent of onsite, custom built, single family homes:

**Michael Abadie - Councilman Maurice “Scooter” Keen, District 3
O’Neal Place Subdivision
7872 Henry O’Neal Drive
Denham Springs, LA 70706**

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 17, “Request for a variance for a (ascending/descending heir) family member for a fifth address situated on a 29-acre lot located at 16740 Davidson Road, Springfield, LA in Council District 8” and called upon Councilman Tab Lobell. Councilman Lobell explained that he been contacted by this constituent who wished to keep his family all in together on “the hill”, to which he was in total agreement with, as he had grew up in the same fashion.

Councilman Tracy Girlinghouse questioned if Carthage Lane, which ran through the property, was a parish-maintained road?

Councilman Lobell requested that Mr. Stephen Davidson come to the lectern and address the Councilmembers’ questions.

Public input: Stephen Davidson-is requesting the waiver and resides on Davidson Road in Council District 8

Mr. Davidson explained that they reside on Davidson Road, but for some reason if you are using a GPS system, it will send people looking for Carthage Road, to Davidson Road... Mr. Davidson further explained that he had purchased a mobile home for his daughter, and he was under a time restraint to have the mobile home moved from the sales lot to the property.

LPR NO. 19-097

MOTION was made by Tab Lobell and duly seconded by Jeff Averett to approve a variance/waiver for Stephen Davidson that would allow an ascending/descending heir (family member) to have a fifth address issued on property that is situated on a twenty-nine (29) acre lot located at 16740 Davidson Road, Springfield, LA in Council District 8.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 18, "Rename road called "Vanlandingham Lane" to "Priester Drive" which is located in Council District 6" and called upon Councilman Jeff Averett.

Councilman Jeff Averett advised that there is only one (1) home/property owner located on this on this road. The Councilmembers talked amongst themselves about the need for the name change.

Having no other comment from the audience or the Councilmembers, the chair called for the vote.

LPR NO. 19-098

MOTION was made by Jeff Averett and duly seconded by R.C. "Bubba" Harris to rename "Vanlandingham Lane" to "Priester Drive" located off of Joe May Road in Council District No. 6, approved in writing on March 27, 2019 by Wendy Bouilly, Assistant Permit Director/Address Coordinator.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item(s) 19a through d, "Board (re)appointment(s):" and called upon Councilman Jeff Ard to address 19a, "Recreation District No. 7".

Councilman Jeff Ard advised that he needed the Council's support to remove a board member from Recreation District No. 7 for non-attendance to the board meetings. This board has been trying to finalize the leftover funds from this district and cannot conduct business because there is not a quorum present.

LPR NO. 19-099

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to remove Michael Kilcrease, Jr. (resident of Council District 1) as a board member from Recreation District No. 7 and appoint Brandon Johnson (resides in Council District 1) in the vacated position, term to expire on May 21, 2021.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 19b, “Board (re)appointment: Fire Protection District No. 1”. He advised that this was a very successful fire district led by a great fire chief and explained that a board member, whose appointment had belonged to the Town of Albany, had submitted a letter of resignation. The chair asked for a motion to remove Debbie Arceneaux and appoint Derwin Miley. The chair wished to comment on Ms. Debbie Arceneaux’s reason for resigning from the board. He stated that Ms. Arceneaux is a wonderful person who does a lot of volunteer work at church and does awesome things for the people of Albany but has become too busy and has decided to resign from the fire board. The chair advised that the Council needed to accept her resignation and replace her with Derwin Miley.

LPR NO. 19-100

MOTION was made by Garry “Frog” Talbert and duly seconded by Jeff Averett to accept the resignation of Debbie Arceneaux (Town of Albany board appointment) from Fire Protection District No. 1 and appoint Derwin Miley (Town of Albany appointment and resident of Council District 9) in the vacated position, term to expire on January 1, 2021.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 19c, “Board (re)appointment(s): Recreation District No. 3” and called upon Councilman R.C. “Bubba” Harris.

Councilman Harris requested that this item be tabled. He received a phone call the night before from his intended appointment who had thought the matter over and felt that they would not have the time to fulfill this duty adequately and declined the nomination. Councilman Harris advised that he would come back at a later date with another appointment for this board position.

LPR NO. 19-101

MOTION was made by John Wascom and duly seconded by Maurice “Scooter” Keen to accept the resignation of Thomas “Tommy” Jarreau (resident of Council District 4) from the Livingston Parish Sewer District and appoint Harry Wells (resident of Council District 6) in the vacated position, the term of this board appointment does not expire.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT,
MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 20, “District Attorney Report(s):” and asked if Mr. Moody, Parish Legal Counsel, had anything to report? Mr. Moody advised that he had nothing to report at this time.

The chair moved on and addressed agenda item 21, “Committee Report(s): Ordinance Committee and called upon Councilman Garry “Frog” Talbert, Committee chairman.

Councilman Talbert advised that the committee had discussed the proposed fill ordinance. He indicated that he and the Parish Review Engineer representative, Morgan, would be meeting in the following week to discuss some of the wording and it would be brought up again in two (2) weeks. He also instructed that there were a couple of items that had been deferred and be brought back up again in two (2) weeks.

The chair called upon Councilman Tracy Girlinghouse to report on the Finance Committee: Councilman Tracy Girlinghouse advised that the committee had not met, and there was nothing to report at that time.

The chair asked if there were any comments from the Councilmen? Councilman Talbert advised that there would be a community informational meeting on April 18th at seven o'clock (7:00) p.m. at Live Oak High School in the cafeteria to provide information on Mosquito Abatement District in Districts Two and Three.

Councilman Jeff Ard wanted to make everyone aware that Clo Fontenot had an accident, where he fell and hit his head and had been in the hospital for three (3) to four (4) weeks. He advised that a blood drive was being conducted at the Sheriff's office on April 8th from nine o'clock (9:00) a.m. until two o'clock (2:00) p.m. in the afternoon. There will also be a deer hunt and a cook-off at Crazy Dave's. Councilman Ard and many of the Councilmen joined in, praising the many things that Mr. Clo Fontenot has done for the Parish of Livingston.

Councilman R.C. "Bubba" Harris commended the earlier proclamation made on behalf of Families Helping Families proclaiming April as Autism Awareness month, but he wished to also remind everyone that there were many other handicapped children throughout the parish that needed recognition as well that were in need of help too.

Councilman Tracy Girlinghouse advised that it still needed to go to publication, but the Master Plan Review Committee will tentatively be meeting on April 8th at the Planning facility, where the Parish Planning Commission meets. It had not been discussed, but he thought that they would be meeting at six o'clock (6:00) p.m.? He stated that it would be posted, but that *tentatively*, they would be meeting on April 8th at six o'clock (6:00) p.m. at Planning.

Having no further business, a motion to adjourn was requested until the next regular meeting scheduled on Thursday, April 11, 2019, at the hour of six-thirty (6:30) p.m. in Livingston, Louisiana.

LPR NO. 19-102

MOTION was offered by Tracy Girlinghouse and duly seconded by Jeff Averett to adjourn the March 28, 2019 regular meeting of the Livingston Parish Council.

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

YEAS: MR. MACK, MR. WASCOM, MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

/s/ Sandy C. Teal
Sandy C. Teal, Council Clerk

/s/ Shane Mack
Shane Mack, Council Chairman