

**Minutes of the Livingston Parish Council
Livingston, Louisiana
July 25, 2019**

The Livingston Parish Council met in a 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, July 25, 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	
Maurice “Scooter” Keen	Jeff Averett	Shane Mack

Absent: Tab Lobell
Layton Ricks, Parish President

Also present: Jennifer Meyers-Finance Director and DeeDee Delatte-Building and Permit Director: representing in the absence of the Parish President (as per Section 3-09(8) of the Livingston Parish Home Rule Charter)

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 7a, “Presentations: Brian Abels – Candidate for Judge, 21st Judicial District, Division “D”. The chair called upon Mr. Abels in the audience and invited him to come up to speak at the lectern.

Mr. Brian Abels introduced himself and advised that he was running for office in the October 12th election for the seat that had been vacated caused by Judge Doug Hughes’s retirement in the 21st Judicial District Court. He followed giving brief testimony of his qualifications and considerable experience that he possessed for the position.

The chair addressed agenda item 7b, “Review and Discussion of 2018 Audit–John Murray, LaPorte CPA & Business Advisors”, and invited the audit representative, Mr. John Murray, to speak and present his office’s report and findings to the Councilmembers.

Mr. John Murray introduced himself and advised that he was from LaPorte CPA and Business Advisors, the company that had performed the Parish’s year end audit for December 31st, 2018. He indicated that he had a big report handout to explain to them, but also had a summarization handout to speak about as well.

He briefly explained the handout advising the scope of the audit, their unmodified opinion on the primary governmental statements, their testing procedures, total revenues, expenses, net and losses, expenditures, income statements for various Parish funds, audit findings and deficient.

Jennifer Meyers, Parish Finance Director, explained in great detail the reason for the two (2) audit findings that Mr. Murray had presented.

Mr. Murray asked if the Councilmembers had any further questions. Having none, the chair thanked Mr. Murray for his attendance at their meeting and extended their appreciation for his presentation.

The chair addressed agenda item 8, “Adopt a Resolution granting approval to Fire Protection District No. 9 of the Parish of Livingston, State of Louisiana to call and hold an election on Saturday, November 16, 2019 to authorize the renewal of a service charge in an amount not to exceed \$32.00 per annum for each residential or commercial structure for a period of ten (10) years for the purpose of fire protection services” and called upon Jim Ryan, Parish Financial Advisor.

Mr. Ryan briefly explained the need for the resolution and the chair called any discussion from the audience and the Councilmembers. Having none, the chair called for a motion.

The following resolution was offered by John Wascom and seconded by Jeff Averett:

L.P. RESOLUTION NO. 19-238

A Resolution granting approval to Fire Protection District No. 9 of the Parish of Livingston, State of Louisiana to call and hold an election on Saturday, November 16, 2019 to authorize the renewal of a service charge in an amount not to exceed \$32.00 per annum for each residential or commercial structure for a period of ten (10) years for the purpose of fire protection services.

WHEREAS, Fire Protection District No. 9 of the Parish of Livingston, State of Louisiana (the “*District*”) adopted a Resolution on July 16, 2019 (the “*District Resolution*”) ordering and calling a special election to be held in the District on Saturday, November 16, 2019, for the purpose of renewing the levy and collection of a service charge in an amount not to exceed \$32.00 per annum for each residential or commercial structure for a period of ten (10) years for the purpose of fire protection services (the “*Service Charge*”), all in the manner conferred by Article VI, Sections 30 and 32 of the Louisiana Constitution of 1974, as amended, and La. R.S. 40:1502.1 and the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a copy of which is on file with the Parish Council of the Parish of Livingston, State of Louisiana, as governing authority of the Parish of Livingston, State of Louisiana (the “*Parish Council*”).

WHEREAS, the District has made application to the Parish Council for approval to call and hold such election on Saturday, November 16, 2019, as more fully set forth in the District Resolution.

WHEREAS, Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, grant power to the Parish Council to approve any proposal submitted by the District to levy a service charge.

NOW, THEREFORE, BE IT RESOLVED by the Parish Council, as the governing authority of the Parish of Livingston, State of Louisiana, that:

SECTION 1. Pursuant to a request submitted to this Parish Council by the District and in accordance with Article VI, Section 15 of the Louisiana Constitution of 1974, as amended and La. R.S. 33:1415, approval is hereby granted to the District to call and hold an election on Saturday, November 16, 2019, for the purpose of authorizing the renewal of the levy and collection of a service charge in an amount not to exceed \$32.00 per annum for each residential or commercial structure for a period of ten (10) years for the purpose of fire protection services (the “*Service Charge*”), in the manner conferred by Article VI, Section 32 of the Louisiana Constitution of 1974, as amended, La. R.S. 40:1502.1 and the applicable provisions of Chapter 6 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority and as more fully set forth in the District Resolution.

SECTION 2. In the event the foregoing propositions pass, approval, consent and authority are hereby granted to the District to levy and collect the Service Charge described in Section 1 hereof.

SECTION 3. This approval is granted in compliance with the provisions of Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

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

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

NAYS: NONE

ABSENT: MR. LOBELL

ABSTAIN: NONE

WHEREUPON, this Resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 25th day of July 2019.

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

/s/ Shane Mack
Shane Mack, Council Chairman

The chair addressed agenda item 9, "Adoption of the Minutes from the July 11, 2019 regular meeting of the Council".

LPR NO. 19-239

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated July 11, 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. HARRIS, MR. AVERETT, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD,
MR. MACK, MR. WASCOM, MR. TALBERT

NAYS: NONE

ABSENT: MR. LOBELL

ABSTAIN: NONE

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

The chair addressed agenda item 10, "Public Hearing and Adoption of L.P. Ordinance No. 19-20, Quitclaim/Servitude Revocation for Cheryl Andrepont: Lewis Road located in Council District 8". The chair opened the Public Hearing and asked the Council clerk to read ordinance by title.

The chair asked if there was any public input from the audience members. Having none, the chair requested if the Councilmembers had any input. The clerk informed the chair that the engineer had requested that this item be deferred until August 22, 2019.

The chair closed the Public Hearing and the Council clerk read the ordinance by title.

L.P. ORDINANCE 19-20

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF CHERYL LEWIS ANDREPONT AND JIMMY R. LEWIS, A 30' ALL PURPOSE SERVITUDE, IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN ON THE PRELIMINARY MAP SHOWING THE REVOCATION OF A 30' ALL PURPOSE SERVITUDE ACROSS A 2.00 ACRE TRACT, LOT B AND LOT 1, LOCATED IN SECTION 7, T9S-R6E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA, BY BRETT J. MARTIN, PROFESSIONAL LAND SURVEYOR, DATED MAY 6, 2019.

The chair announced that the Public Hearing and Adoption of L.P. Ordinance No. 19-20, for the Quitclaim/Servitude Revocation for Cheryl Andrepont: Lewis Road located in Council District 8 would be deferred until Thursday, August 22, 2019 at six-thirty (6:30) p.m.

The chair addressed agenda item 11, "Public Hearing and Adoption of L.P. Ordinance No. 19-23, Dissolve Mosquito Abatement District 2 and 3".

The chair opened the Public Hearing and asked the Council clerk to read the ordinance by title.

L.P. ORDINANCE NO. 19-23

AN ORDINANCE TO RESCIND L.P. ORDINANCE NO. 18-15, ADOPTED ON APRIL 26, 2018, PROVIDING FOR THE CREATION OF MOSQUITO ABATEMENT DISTRICT TWO AND THREE AND ESTABLISHING A

BOARD IN THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, AND
L.P. ORDINANCE NO. 19-07 ADOPTED ON MARCH 14, 2019, AMENDING
AND CLARIFYING THE BOUNDARIES OF MOSQUITO ABATEMENT
DISTRICT TWO AND THREE, COMPRISING ALL THAT TERRITORY IN
THE PARISH AS SET OUT HEREIN AND PROVIDING FOR OTHER
MATTERS IN CONNECTION THEREWITH.

The chair requested if there was anyone in the audience who wished to speak on this agenda item.

Public input: Shannon Sloane, resident of West Summerfield, Council District 3:
requested an update on the total costs of the program

Councilman Garry “Frog” advised that he wished to defer this item because they did not have all of the bills at that time.

Councilman John Wascom discussed his knowledge and research of the costs of the bills.

Jennifer Meyers, Parish Finance Director, explained her role in regard to the payment of bills for Mosquito Abatement District Two and Three.

The chair announced that the Public Hearing and Adoption of L.P. Ordinance No. 19-23, Dissolve Mosquito Abatement District 2 and 3 would be deferred until Thursday, August 8, 2019 at six-thirty (6:30) p.m.

The chair addressed agenda item 12, “Parish President’s Report: Opioid Epidemic Presentation”.

Jennifer Meyers, Parish Finance Director, advised that she would be representing as designee on behalf of the Parish President (as per Section 3-09 (c) of the Home Rule Charter). She explained that the Parish President’s office was requesting that the Councilmembers adopt a resolution to approve the contract and engagement letter with Fayard and Honeycutt for Opioid Litigation and authorize the Parish President to sign the agreement. She called upon Mr. Blayne Honeycutt in the audience to make the presentation.

Mr. Blayne Honeycutt of Fayard and Honeycutt, APC came before the Councilmembers and introduced himself and his associate, Colt Fore. He gave a brief explanation of the services that they could provide.

Councilman Garry “Frog” Talbert asked Parish Legal Counsel, Chris Moody, if he had reviewed the contract. He concurred that he had. Mr. Moody stated that the contract was pretty standard. He testified that Fayard and Honeycutt did good work, they have a lot of experience in this type of work and are handling many of these cases for other entities. It was Mr. Moody’s recommendation for the Council to engage Fayard and Honeycutt and approve the contract.

LPR NO. 19-240

MOTION was made by Garry “Frog” Talbert and duly seconded by R.C. “Bubba” Harris to approve the contract and engagement agreement to employ Fayard and Honeycutt, APC to serve as legal counsel representing the Livingston Parish Council regarding Opioid Litigation, and further authorize the Parish President to sign the engagement agreement.

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

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

NAYS: NONE

ABSENT: MR. LOBELL

ABSTAIN: NONE

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

The chair advised that Councilman Garry “Frog” Talbert requested to move agenda item 15, “Discuss the commercial building located at 38108 LA Highway 16, Denham Springs, LA” up from its placement on the agenda, this being to which he did not meet any objection from anyone by proposing this action. He called upon Councilman Garry “Frog” Talbert to explain this item.

Councilman Talbert advised that on March 8th of 2019, it was brought to his attention that there had been an attempt to arrest two (2) individuals, by the Sheriff’s office, next to a concrete manufacture’s facility in Livingston Parish on Highway 16 and one (1) of those individuals had run up in this facility. He indicated that constituents around that location had called him over concern for a building that was being built there. Initially, he had done some investigation for a permit at that address, rode to the front and could not see it, rode up a gravel road on the side, and saw this big structure being built. He contacted the Director of Planning on March 11th to find out how this building was being built in his district and it had not been through the Planning Commission. There had been no sign posted out front, this had not been placed on the Planning agenda and sent to the Council for approval. Councilman Talbert had been told that there had been an affidavit signed back in September of 2018 requesting an additional address for a family partition for a residential structure. He continued to explain that a residential permit had been issued to this nine thousand (9,000+) plus square foot building, application made on November 2018, and then a permit issued at later date. He indicated that he was not sure what the date of the permit issuance was, as a date was not indicated, but his best guess was sometime in January of 2019. He thought that the Planning Director, the Parish President, the Fire Marshal and a representative of the Fire Marshal went out to the facility on March 12th and did an investigation and found plenty deficiencies and construction on the building was stopped. It was then, that the plans were submitted and corrected on the building and submitted to the Fire Marshal for approval as a commercial structure that would house forty-six (46) residents. However, there was no sign posted, there was no notice for the Planning Department to go before the Planning Commission, nothing coming before the Council, no drainage impact study, no traffic study, none of the normal things that would happen on a commercial building. Councilman Talbert continued to explain that the building was legally permitted, the permit was corrected, the Fire Marshal reviewed the plans, they were found to be adequate without deficiencies and the Permit Department issued a permit. However, the Planning Department has done nothing, there has been no advertisement to notify the residents around there of the commercial structure being built, there has been no review by the Planning Commission, there has been no item placed on the Council agenda allowing for the construction or movement forward of a normal commercial building. He further commented how a set of plans of a building does not address parking, the fence, it does not address retention, or any other associated items on a commercial building. He stated that it is unfair to the residents of Watson and Live Oak, the area that he represents, that they were unaware that this building existed and that the process has not been followed and due diligence done by the Parish government with respect to drainage and any other related things that may impact the citizens that reside around there.

Councilman Talbert clarified that the reason he requested that this item be placed on the meeting agenda was that he wished for the Councilmembers to discuss what their options were in this situation. He lobbied Mr. Chris Moody, Parish Legal Counsel, with respect that the process was being followed. Councilman Talbert asked what can they do as a Council, when the process, such as relating to drainage impact, or planning, or traffic, or notification of the citizens around the property, is bypassed by the Administration?

Mr. Moody responded and advised that he was not familiar with the case at hand. He had seen the news piece that day after someone had brought his attention to it. He had not reviewed the various permits or what it had been permitted for, and had not reviewed the ordinance, but he advised that in general, the Council does not have the authority to enforce the violation of an ordinance, that would be the Administration or the Sheriff’s obligation to enforce the Council’s ordinances. He supposed that the Council could pass a resolution and ask Administration to take whatever steps necessary to remedy the lack of a permit. He wasn’t quite sure what beyond that what the Council could do.

Councilman Talbert opined that it almost seemed to him that they were setting a precedent that in this parish, it was easier to ask for forgiveness, than to ask for permission. Mr. Moody advised that without having looked at the details he could not know the answer to that. He did not know what kind of permit that they had, when it was issued, what it was issued for?

Councilman Talbert requested that DeeDee Delatte, Livingston Parish Building and Permit Director, located in the audience, come and address what type permit her office had issued and what had transpired.

Ms. Delatte advised that on November 14th they had issued a permit for a new home and then they had received a complaint once the home had started in construction and they treated that as they do as with all complaints. She advised that they sent people out and sent inspectors out to go and look, and that's when they found that the project had not been permitted correctly. So, at that time they did get with the owner of the property, along with the Planning Department, to try to get the person compliant. She explained that they have since got with the Fire Marshal, and got approval with the Fire Marshal, submitted plans for new commercial, advised that we got those plans approved and she did issue a permit on June 19th she thought for the new commercial.

Councilman John Wascom questioned if the owner turned in new plans? Ms. Delatte concurred that they did. She explained that part of trying to get them compliant was to make them go through the Fire Marshal and to submit corrected plans for a commercial development and she advised that they did do that. The Fire Marshal did give her office their Fire Review letter and they did get a set of plans. Mr. Wascom asked if that is what they require? Ms. Delatte repeated and said that is what they require. She advised that they typically try to do that if the person is non-compliant, and they have found out after the fact, they try to do whatever they can do to get them compliant, and that's what they have done on this project.

The chair questioned Ms. Delatte if they knew if the Parish Review Engineer had been out to the site and reviewed to see if anything needed to be addressed and did they feel confident?

Councilman Talbert questioned if Ms. Delatte knew what address the permit was issued on? He stated that the original permit application was issued on "38108". He asked if the permit was issued on 38108? Ms. Delatte agreed and advised that was the same information that she had. Councilman Talbert asked if it was a separate address than the original structure? She answered yes, that it was. Councilman Talbert verified that this is a new address, with its own boundaries, property wise? Ms. Delatte directed that she was not sure how it divided in the Planning Department because they approve the plats and division of properties. She did not know if it was legally a separate tract of land that was subdivided, or if this was "just cutten out" for allowance of a second or third address, or whatever on that property. Councilman Talbert stated that when he had looked on the Assessor's map, this particular piece of property is separate. He advised that the owner's daughter has a house up front and they have a family partition for the back address. He questioned about an affidavit that was done on September 26th? Ms. Delatte responded that she did not have that and did not know what affidavit that he was talking about. She asked if he could hold it up and advised that was from the Planning Department. She resolved that before they can issue addresses, part of the ordinance is the Planning Department has to approve to make sure that the addresses meet the criteria that the ordinances are. Councilman Talbert acknowledged that he understood.

Councilman Talbert addressed the Councilmembers and instructed them that he wanted everyone to understand that the building was permitted, and we've not been through the process and he stated his many concerns regarding his constituents that he represents.

Councilman Maurice "Scooter" Keen suggested that this should go back to Planning, have them place their sign up, and let it go through the Planning process.

The chair halted the discussion and asked which Planning they meant? The Planning Department or the Planning Commission? He discussed the differences of each of their duties between the two (2) and allowed the Councilmembers to have an open discussion.

Councilman Talbert requested for the Councilmembers to give consideration and would permit some of his constituents to be allowed to speak and voice their concerns. He also asked if Council would pass a resolution requesting that this thing go through the proper process and have it reviewed by the Parish Engineer.

The chair allowed open discussion regarding who and what agencies had reviewed and inspected the project development.

Ms. Delatte advised that the final permit to begin construction again under the commercial was last week. She further instructed that they met all the criteria last week and can start back.

Councilman Talbert discussed how much work was left to do that he was aware of on the facility's site and how important it was for the people in the community to have a voice.

Ms. Delatte advised that typically on commercial projects, signs are not required. Councilman Talbert disputed her statement and reported how this property was separate from the rest of the business and how that business's property had increased in size.

The chair asked if there was anyone in the audience who wished to speak and thanked Ms. Delatte for her input.

Public input: Stephen Muller, resident and next-door neighbor of concrete plant – Council District 2
Kevin Landreneau – attorney for Premiere Concrete
Muriel Laws – resident of Council District 6

The chair turned his duties over to the co-chair, Councilman Garry “Frog” Talbert and left the Council chambers.

Public input: Stephen Muller – resident of Council District 2

Councilman Talbert explained a self-reported issue on a commercial building that he co-owned and stated that any deficiencies found will be corrected. He further stated that this commercial building did not change the footprint of the community, it did not require additional notification of the neighbors, it did not require to go through Planning, it did not require coming to the Council and it did not require a drainage impact study.

Councilman Talbert asked the Councilmembers to support a resolution demanding, not asking, the Parish President, to send this thing through the Planning Commission, having the preliminary site plan submitted to the Council for approval and the Parish Engineer to review that site plan and a drainage impact study and the parking to make sure that it follows the Parish code and that the people of Watson will have their opportunity throughout that process to voice their opinion.

He further stated that since this seems to be such a politically motivated opinion, or opinion of Mr. Goss's attorney, Councilman Talbert instructed the audience to make no mistake, that on March 11th, he contacted the Livingston Parish government and he did not pick up an opponent until May 28th, he felt that his opponent was more politically motivated than what he wanted for the people of Watson.

Councilman Talbert declared that he would like to make that motion that the Council demand by resolution that the Parish President send this to the Planning Commission and then come before the Council and have their drainage impact study evaluated and any other ordinances that relate to commercial buildings be followed to the letter.

The chair returned back to the Council chambers to resume his duties and stated that there were others in the audience who wished to participate in Public Input.

Parish Legal Counsel, Chris Moody, inquired if anyone had made a second to Councilman Talbert's motion?

Councilman Tracy Girlinghouse questioned if this type of resolution was in the scope of the Livingston Parish Council's authority?

Mr. Moody advised that the Council could pass a resolution. Councilman Talbert interjected and acknowledged that resolutions are not binding, everyone knew that, but he felt that was the least that the Councilmembers could do for the residents of Watson.

Councilman R.C. “Bubba” Harris questioned if the wording in the resolution had to state that the Parish President “must” do it, and not “ask” him to do it? The chair allowed a brief discussion.

Mr. Moody called on the chairman and questioned if a second had been made to the motion? If not, then the motion to Councilman Talbert's resolution would die. Councilman Maurice “Scooter” Keen volunteered to make the second to that motion.

Public input: Cheryl Amarosa – resident of Live Oak and Council District 2

Councilman Talbert answered Ms. Amarosa's questions concerning the dormitory located on the property.

Public input: Kevin Landreneau – attorney for Premiere Concrete

Councilman Jeff Ard requested to ask Mr. Landreneau a question before he left the lectern after he spoke in Public input. Mr. Landreneau obliged and Councilman Ard inquired about his client's compliance requirements, questioning if the provisions for a fence had been met that commercial buildings require?

Mr. Landreneau did not know and asked what type of fence was Councilman Ard talking about? He and the chair both explained about the fence requirement and Mr. Landreneau advised that if that was a concern, then he would speak to his client about it.

Councilman Tracy Girlinghouse advised that it was not a concern, it was the rule, to which Councilman Talbert added that the fence requirement would come out in the site plan, and there is not site plan, there is only a floor plan approved by the Fire Marshal.

Mr. Landreneau explained the location of the building and advised that it was far back from the road and on a large tract of land. Councilman Talbert explained what the buffer zone and fence requirements were.

The chair allowed the Councilmembers and Mr. Landreneau to have an open discussion.

Councilman Girlinghouse wished to state that it felt like this Council was powerless at this point to do anything because of the process. He stated that all that they could do was offer a resolution. However, since they were just finding out about this issue, he suggested that the Council defer this issue until the next regular meeting of the Livingston Parish Council dated Thursday, August 8, 2019 at six-thirty (6:30) p.m. The Councilmembers would then be able to gather information and ask the Parish President to look at it.

Councilman Girlinghouse wished to make a counter motion to Councilman Talbert's previous motion to allow everyone time to educate themselves on this. The chair allowed an open discussion.

Mr. Moody advised that the motion was non-debatable and encouraged the chair to call for a second to Councilman Girlinghouse's counter motion.

The chair clarified that this was a substitute motion being made to defer and table this agenda time seconded by Councilman Jeff Averett and called for the vote.

LPR NO. 19-241

SUBMOTION was made by Tracy Girlinghouse and duly seconded by Jeff Averett to defer and table agenda item 15, "Discuss the commercial building located at 38108 LA Highway 16, Denham Springs, LA – Garry "Frog" Talbert", to be placed on the agenda for the next regular meeting of the Livingston Parish Council dated Thursday, August 8, 2019 at six-thirty (6:30) p.m.

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

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

NAYS: MR. TALBERT

ABSENT: MR. LOBELL

ABSTAIN: NONE

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

The chair addressed agenda item number 13, "Office of Homeland Security and Emergency Preparedness – Mark Harrell, Resolution approving close-out of the Hurricane Isaac Livingston Parish Waterway Debris Removal Project – 32VPRP3401".

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

LPR NO. 19-242

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris:

**LIVINGSTON PARISH URGENT NEED RESOLUTION
(WITH LOCAL FUNDS COMMITTED TO PROJECT)**

WHEREAS, the Livingston Parish Department of Homeland Security & Emergency Preparedness has submitted an application for funding under the Community Development Block Grant Disaster Recovery (CDBG-DR) Infrastructure Program; and

WHEREAS, the Department of Housing & Urban Development regulations require that the Livingston Parish Council certify that these activities for which CDBG funds are being requested are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; which are of recent origin or which recently became urgent, and that the Livingston Parish Council is able to commit local funding in the amount of \$67,958.33 for the activity on its own, and that no other funds are available; and,

NOW, THEREFORE BE IT RESOLVED, that the Livingston Parish Council hereby certifies that the activities for which CDBG funds are being requested for the Livingston Parish Waterway Debris Removal-32VPRP3401 project are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; are of recent origin or which recently became urgent and that the Livingston Parish Council is able to commit local funding in the amount of \$67,958.33 for the activity on its own, and there are no other funds available.

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

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

NAYS: NONE

ABSENT: MR. LOBELL

ABSTAIN: NONE

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

The chair addressed agenda item 14, "Discussion of grinder pumps located in Serene Acres subdivision and possible legislation to require a disclosure statement upon the sale of property that uses grinder pump systems" and called upon Councilman R.C. "Bubba" Harris.

Councilman Harris requested that the chair allow Mr. Eric Harrell, resident and constituent of his Council District, to be allowed to address the Councilmembers.

Mr. Harrell explained that he resided on Serene Road in Denham Springs. He wanted the Councilmembers to know that he had lived at this address and had bought it brand new. He gave a history of his subdivision's grinder pump malfunctions.

Councilman Tracy Girlinghouse shared his own similar experiences at his residence in Walker and he understood the problems that Mr. Harrell was enduring.

The chair allowed the Councilmembers to question Mr. Harrell and thereupon a very lengthy open discussion ensued.

Public input: Jodi Carter Huffman – neighbor of Mr. Harrell on Serene Road and realtor

Councilman John Wascom left the Council chambers and did not return to the meeting.

The very lengthy discussion continued and many resolutions to the grinder pump problems were discussed.

Mr. Moody addressed the chairman and wished to remind everyone that the Parish is not in the sewer business. Ms. Huffman acknowledged that they knew that. Mr. Moody explained that the Parish Council creates sewer districts, which are sub-agencies of the Parish, but the Council has no control over how they do their business. Ms. Huffman stated that she agreed with Mr. Moody's statements. Mr. Moody tried to continue and explain a long-term solution but was abruptly

interrupted by Mr. Harrell who had not been recognized to speak. Mr. Moody asked Mr. Harrell if he could finish? Mr. Harrell curtly told the Parish's Legal Counselor: "Yeah--Go ahead, go ahead". Mr. Moody opined that the long term solution is for them to make an ordinance that would make the standards more clear and then also make that part also of the inspection before there could be any occupancy given and have the inspectors also check that whatever sewer system is being put in place meets your ordinance. He explained that he did not know what they could craft to help solve the problems of these people now tonight or in that subdivision, but it could help reduce the problem in the future.

The open discussion picked back up and Councilman R.C. "Bubba" Harris suggested that an ordinance be drafted and brought back up again at the next meeting. Councilman Girlinghouse offered his help to work on this ordinance with Councilman Harris.

Public input: Carl "Bo" Spears – resident on Serene Road and employee of Coburn's

LPR NO. 19-243

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to send agenda item 14, "Discussion of grinder pumps located in Serene Acres subdivision and possible legislation to require a disclosure statement upon the sale of property that uses grinder pump systems", to the Ordinance committee to develop an ordinance.

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

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

NAYS: NONE

ABSENT: MR. WASCOM, MR. LOBELL

ABSTAIN: NONE

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

The chair addressed agenda item 16, "Gravity Drainage District No. 5 Board (re)appointment" and called upon Councilman Jeff Ard who explained that board member, Mr. Robert Huffman, passed away unexpectedly and needed to be replaced. He stated that he wished to replace him with Mr. Chance Ballard and stated the qualifications that Mr. Ballard had to be placed on this board.

Councilman Tracy Girlinghouse described Mr. Huffman's passion and dedication to the Gravity Drainage District and his loss will be felt by their community. He also knew Mr. Ballard personally, and agreed that he would bring wonderful attributes and talent to this Gravity Drainage District.

LPR NO. 19-244

MOTION was made by Jeff Ard and duly seconded by Jeff Averett to appoint Chance Ballard (resident of Council District 1) as a board member to Gravity Drainage District No. 5, whereby replacing the vacancy left by the untimely death of Robert Huffman (resident of Council District 6) whose four (4) year term will expire upon February 26, 2022.

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

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

NAYS: NONE

ABSENT: MR. WASCOM, MR. LOBELL

ABSTAIN: NONE

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

The chair addressed agenda item 17, "Discussion and adoption of a resolution to authorize waivers and variances for L.P. 19-03, adopted on January 24, 2019, Amending Section 13-57

“Drainage/Drainage impact study” of the Code of Ordinances that prohibits subsurface drainage”. Having no items to discuss under this standing agenda item, the chair moved to the next item.

The chair addressed agenda item 18, “District Attorney’s Report”. Mr. Moody advised that he did not have anything to report at this time.

The chair called upon Councilman Garry “Frog” Talbert, Ordinance committee chairman. Mr. Talbert advised that the committee had met earlier that evening and discussed the new proposed sewer ordinance.

Councilman Tracy Girlinghouse addressed agenda item 19b, “Finance Committee” and advised that there really wasn’t anything to report other than the audit had come in and was discussed.

The chair recognized an audience member requesting to address the Councilmembers.

Public input: Doug Lamalie, resident of Herman Hutchinson Road, Holden

Mr. Lamalie advised that he was told to appear at the Livingston Parish Council meeting that evening but did not see his name on the agenda. He was told to appear that night because he had applied for gas utilities to be installed at his household to power his new generator. He was informed that due to the distance of the main from the distance to his house, he would have to come before the Council. It was determined that Mr. Lamalie should have been directed elsewhere and the Council office staff would obtain he and his wife’s address and contact number so that an investigation could begin as to who it was that directed Mr. Lamalie to the Livingston Parish Council and then also, how to help direct him to where he actually needs to go for the installation of his gas utilities.

The chair asked if there were any comments from the Councilmen:

Councilman Jeff Averett wished to address agenda item 20a, “Discuss the August 10, 2019 Amite River clean-up”, and advised that the dumpster location sites would be established at Fred’s, Hilltop and Diversion Canal. Councilman Maurice “Scooter” Keen also offered input and stated that the Livingston chapter of CCA would be sending volunteers to help for the cleanup as well. The chair suggested that the Council bring this item back up at the next regular meeting of the Council on Thursday, August 8, 2019 to remind everyone one (1) more time and also state the dumpster location sites as well.

Having no further business, a motion to adjourn was requested until the next regular meeting scheduled on Thursday, August 8, 2019, at the hour of six-thirty (6:30) p.m. in Livingston, Louisiana.

LPR NO. 19-245

MOTION was offered by Jeff Averett and duly seconded by Jeff Ard to adjourn the July 25, 2019 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: MR. WASCOM, MR. LOBELL

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