

**Minutes of the Livingston Parish Council
Livingston, Louisiana
May 10, 2018**

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, May 10, 2018, at the hour of six (6:00) o'clock 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: Parish President Layton Ricks
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". The chair called upon Councilman Shane Mack, who in turn called upon Councilmen Jeff Ard and Tab Lobell to join him in front of the audience to welcome and honor the Holden Lady Rockets who won both the 2018 Class B Basketball and Softball state championships. Councilman Mack spoke of their accomplishments, gave an impassioned message to the young ladies and congratulated them on their outstanding performance. Councilman Mack presented them with a plaque for each of their championships and each young lady was called upon and to receive a certificate of achievement.

Councilman Tab Lobell requested to distribute the certificates of achievement for the Softball state championship and advised of his family's relationship with the some of the members of the Holden Lady Rockets softball team. He acknowledged team member, Olivia Barnes, and the adversity that she had to overcome due to an injury, to continue to play in a game that she loved.

The chair allowed time for a photo opportunity.

The chair addressed agenda item 8, "Adoption of the Minutes for the April 26, 2018 regular meeting of the Council".

LPR NO. 18-147

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris to dispense with the reading of the minutes dated April 26, 2018 of the regular meeting of the Council and adopt as written.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 9, "Adopt resolution to split Precinct 7B". The Council clerk briefly explained the need for the Council to adopt the resolution.

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

A RESOLUTION OF THE LIVINGSTON PARISH COUNCIL

NO. LPR 18-148

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

WHEREAS, upon the annual canvass of the voter registration rolls to verify residential addresses of all voters as required by state law, the current polling location for Precinct 7B located at South Walker Elementary School, 13745 Milton Lane in Walker, Louisiana 70785, has been determined to have over two thousand two hundred (2,200) registered voters; and

WHEREAS, the parish governing authority is responsible for dividing any precinct(s) with more than two thousand two hundred (2,200) active registered voters by a visible feature in accordance with La. R.S. 18:532.1; and

WHEREAS, in consideration of locale and convenience of the voting public and upon recommendation of the Livingston Parish Registrar of Voters and approval of the Legislature, a precinct split will be necessary to comply with state law, but will not change the location of the polling place of the newly divided precincts;

THEREFORE, BE IT RESOLVED by the Livingston Parish Council under the authority granted by Louisiana R.S. 18:534, pursuant to the recommendation(s) by the Livingston Parish Registrar of Voters that voting Precinct 7B is hereby divided as follows:

Legal Description Before Precinct Split:

PRECINCT 7B:

Beginning at the intersection of the centerline of LA 447 (Walker South Road) and the centerline of Buddy Ellis Road, proceed westerly to the centerline of John L. Lane; then southerly to the centerline of West Colyell Creek; then southeasterly to the centerline of Joe May Road; then northerly to the centerline of LA 447 (Walker South Road); and then northerly to the point of beginning.

Legal Description(s) After Precinct Split:

(New) Precinct 7B:

Beginning at the intersection of the centerline of LA 447 (Walker South Road) and the centerline of Buddy Ellis Road, proceed westerly to the centerline of West Colyell Creek; then South and Southeasterly to the centerline of Joe May Road; then northerly to the centerline of LA 447 (Walker South Road); and then northerly to the point of beginning.

Approximate # of Voters - 1750

(New) Precinct 7D:

Beginning at the intersection of Buddy Ellis Road and West Colyell Creek, proceed westerly to the centerline of John L. Lane; the southerly to a tributary of West Colyell Creek that is located south of Taylor Ray Lane; then proceed southeasterly along said tributary to its intersection with West Colyell Creek; then northerly along the centerline of West Colyell Creek to the point of beginning. **Approximate # of Voters - 600**

BE IT FURTHER RESOLVED by the Livingston Parish Council that the Council clerk is hereby directed to carry out the mandates of R.S. 18:535 et. seq. by giving such notice and taking such steps as required to adequately notify candidates and voters of said change.

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

YEAS: MR. LOBELL, MR. AVERETT, MR. MACK, MR. ARD, MR. WASCOM,
MR. GIRLINGHOUSE, MR. KEEN, HARRIS, MR. TALBERT
NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

Thereupon the Chair declared that the Resolution had carried and was adopted.

The chair addressed agenda item 10, "A resolution and proclamation acknowledging the notice of retirement filed with the Secretary of State by Thomas L Sullivan, Jr., Livingston Parish Clerk of Court, and calling for a special election to fill the unexpired term and otherwise providing with respect thereto". The Council clerk advised that the resolution was in the Councilmembers' meeting packet to which they concurred.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

L.P. RESOLUTION NO. 18-149

MOTION was made by John Wascom and duly seconded by Tracy Girlinghouse:

A resolution and proclamation acknowledging the notice of retirement filed with the Secretary of State by Thomas L. Sullivan, Jr., Livingston Parish Clerk of Court, and calling for a special election to fill the unexpired term and otherwise providing with respect thereto.

WHEREAS, Thomas L. Sullivan, Jr., Livingston Parish Clerk of Court, has filed his letter of notice of retirement with the Louisiana Secretary of State.

WHEREAS, the notice of retirement letter is dated April 25, 2018, giving notice of the retirement of Thomas L. Sullivan, Jr., effective December 31, 2018;

WHEREAS, the notice of anticipated retirement was formally delivered to the Louisiana Secretary of State on April 25, 2018;

WHEREAS, the notice of anticipated retirement is irrevocable pursuant to LSA - R.S. 18:654;

WHEREAS, the anticipated retirement creates a vacancy in the office of Livingston Parish Clerk of Court as provided in LSA - R.S. 18:581 (3);

WHEREAS, the current term of office for Thomas L. Sullivan, Jr. ends June 30, 2020;

WHEREAS, the Livingston Parish Council has determined that the unexpired term of office will exceed one year from the effective date of the vacancy;

WHEREAS, LSA - R.S. 18:583 (D) (2) and LSA - R.S. 18:602 (C) (2) (a) requires that the Parish Council call a special election to fill the unexpired term;

WHEREAS, LSA - R.S. 18:402 governs the call and holding of special elections to fill vacancies in office;

THEREFORE, BE IT RESOLVED, that the Livingston Parish Council formally and officially acknowledges the anticipated retirement of Thomas L. Sullivan, Jr., effective December 31, 2018;

AND FURTHER BE IT RESOLVED, that the Livingston Parish Council declares that a vacancy exist in the office of clerk of court effective December 31, 2018;

THEREFORE, BE IT FURTHER RESOLVED, that pursuant to LSA - R.S. 18:402 (E) the Livingston Parish Council does hereby authorize and call a special election to be held in Livingston Parish for the purpose of electing a Clerk of Court for the Parish of Livingston to fill the unexpired term of Thomas L. Sullivan, Jr.;

BE IT FURTHER RESOLVED, that in accordance with LSA - R.S. 18:467 - 468 that the qualifying period for said election shall be from July 18, 2018 to July 20, 2018 inclusive;

BE IT FURTHER RESOLVED, that in accordance with LSA - R.S. 18:402 (E) the primary election be held on November 6, 2018, with the general election, if necessary, to be held on

December 8, 2018, and that the said election be conducted pursuant to the election laws of the State of Louisiana;

BE IT FURTHER RESOLVED, that as mandated by LSA - R.S. 18:602 (E) (2) (b) and (c) the Livingston Parish Council, through its clerk, shall immediately affect the publication of this proclamation and resolution in the Official Journal for Livingston Parish; and within 24 hours transmit by registered or certified mail a certified copy of this proclamation to Thomas L. Sullivan Jr., Clerk of Court for Livingston Parish; and by registered or certified mail send a copy of this resolution to the Secretary of State for the State of Louisiana;

BE IT FURTHER RESOLVED, that the results of said special election shall be promulgated as required by law.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 11, "Parish President's Report" and advised that this item would be addressed when the Parish legal counsel, Mr. Christopher Moody, arrived.

The chair addressed agenda item 12a, Office of Homeland Security and Emergency Preparedness: Resolution authorizing the parish president to accept Amendment #2 of the RESTORE Act Direct Component Multi-Year Plan, which replaces the previously submitted Multi-Year Plan", and called upon Parish President Layton Ricks to address this item in the absence of Mark Harrell, Director of Livingston Parish Office of Homeland Security and Emergency Preparedness.

LPR NO. 18-150

MOTION was made by Tab Lobell and duly seconded by R.C. "Bubba" Harris to authorize the Parish President to accept Amendment #2 of the RESTORE Act Direct Component Multi-Year Plan, which replaces the previously submitted Multi-Year Plan.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 13, "Planning Department" and called upon Mr. Sam Digirolamo, Planning Director.

Mr. Digirolamo addressed agenda item 13a:

Dollar General
Preliminary Site Plan
Weiss Road

Sect. 16, T5S R4E

Alvin Fairburn

Council District 1

The chair advised that he had received a call on this agenda item regarding the fence requirement. Mr. Digirolamo advised that the Planning Commission had the same question at their meeting and the developer would have a fence around the development. Councilman Garry “Frog” Talbert questioned the preliminary site plan map that indicated the fence was built on one side of the development. Mr. Digirolamo explained that there was a residential property on that side. Chad Bacas, Parish Review Engineer of Forte and Tablada advised that if the other side of the property had a residence there, they would need to put up a fence on that side. Councilman Talbert had many questions that answered by Mr. Digirolamo. The chair allowed an open discussion regarding the lots around the property, zoning and the governing fence ordinance requirements.

Public Input: Chad Bacas, Forte and Tablada

The chair advised that he would prefer that a fence be placed around the three (3) sides of the development. Thomas Johnson, of Alvin Fairburn and Associates and engineer for the development, advised that Dollar General had plans in the works to buy the adjacent lot. He advised that if it was the Council’s wishes to place a fence on all three (3) sides of the development, then they would submit another preliminary plat map for their approval. The chair agreed to a contingency that if Dollar General acquired the property adjacent to the development, a fence would not be needed on that side of the property.

LPR NO. 18-151

MOTION was made by Tracy Girlinghouse and duly seconded by Maurice “Scooter” Keen to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary site plan** for Dollar General, located on Weiss Road, Section 16, T5S R4E, in Council District 1, with the contingency that a fence will not be required if Dollar General acquires the property that is joining one (1) side of the development, however, if Dollar General does not acquire the property, then the fence requirement must be met to continue fencing on all sides of the three (3) adjacent properties.

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

- YEAS: MR. LOBELL, MR. AVERETT, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS, MR. TALBERT
- NAYS: NONE
- ABSENT: NONE
- ABSTAIN: NONE

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

Mr. Digirolamo expressed his feelings on the need for fence requirements. The chair allowed an open discussion.

LPR NO. 18-152

MOTION was made by Maurice “Scooter” Keen and duly seconded by John Wascom to accept the recommendation of the Livingston Parish Planning Commission and **approve the preliminary site plan** for Cypress Landing Townhomes, located on Lockhart Road, Section 20, T6S R3E, in Council District 3.

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

- YEAS: MR. LOBELL, MR. AVERETT, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS, MR. TALBERT
- NAYS: NONE
- ABSENT: NONE
- ABSTAIN: NONE

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

The chair announced that agenda items 13b and c had been tabled.

Parish President Layton Ricks requested that the Council enter into Executive Session to discuss the latest potential litigation against Ascension Parish regarding the Laurel Ridge Levee.

LPR NO. 18-153

MOTION was made by Tracy Girlinghouse and duly seconded by Garry “Frog” Talbert to enter into executive session to discuss possible litigation against the parish of Ascension regarding the Laurel Ridge levee extension.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 18-154

MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry “Frog” Talbert to go back to the agenda and resume the regular order of business of the meeting.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair acknowledged that no action was taken in the course of the Executive Session.

The Parish President addressed the Councilmembers and advised that based on his conversations with the Parish Review Engineer, and two (2) studies that were done, the Laurel Levee extension project would have an adverse effect on Livingston Parish. He also stated that in no way did he want to hurt the people of Ascension Parish, but he has to do everything that he can to protect the citizens of Livingston Parish.

Chad Bacas, Parish Review Engineer, advised of the two (2) impact studies conducted for the new levee and the adverse effects that it would have on the Parish.

Councilman Shane Mack questioned if the Parish filed the injunction, would that stop any construction of the levee? Mr. Moody advised that the mere filing would not. He indicated that the Parish was requesting a hearing before a judge to consider a preliminary injunction. If determination is made that irreputable injury will occur, then a permanent injunction will stop the project. He explained that our hope was that Ascension Parish would work with our Parish and try to find a solution that would serve both parishes without hurting one. He further advised that we did not want to file litigation against our sister parish but felt that this needed to be put in place. He encouraged any negotiations, but it did not seem that Ascension intended to be stopping, and this was the only thing that could be done at this point.

The chair allowed a brief open discussion.

LPR NO. 18-155

MOTION was made by Jeff Averett and duly seconded by Tab Lobell to authorize the Parish President, through the Parish’s Legal Counsel, Christopher Moody, to move forward with filing an injunction against Ascension Parish and any other parties that Mr. Moody feels necessary, to stop the Laurel Levee Extension project.

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

- YEAS: MR. LOBELL, MR. AVERETT, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS, MR. TALBERT
- NAYS: NONE
- ABSENT: NONE
- ABSTAIN: NONE

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

The chair addressed agenda item 14, “Public Hearing and Adoption of L.P. Ordinance No. 18-16, Pond excavation criteria and regulations”, and opened the Public Hearing. The chair called upon the Council clerk to read the ordinance by title.

The chair asked for Public Input from the audience.

Public Input: Gordon Courtney, resident of Albany-Council District 9

Councilman Shane Mack answered Mr. Courtney’s questions. The chair allowed a brief open discussion.

Having no further comment from the audience, the chair closed the Public Hearing.

The chair questioned if the membership of the Council had any comment. Councilman Tracy Girlinghouse advised that he had received a few phone calls regarding this ordinance. He went over each stipulation of the ordinance and had favorable responses once the ordinance was explained. He expressed his opinion that the ordinance was reasonable and a very good ordinance. The chair requested a motion to adopt the ordinance.

LPR NO. 18-156

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on April 26, 2018, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on May 10, 2018 on Motion of Shane Mack and seconded by Garry “Frog” Talbert:

L.P. ORDINANCE NO. 18-16

AN ORDINANCE TO AMEND CHAPTER 4.5 BUILDING AND BUILDING REGULATIONS, ARTICLE I, “IN GENERAL” BY ADDING SECTION 4.5-7, “POND EXCAVATION CRITERIA AND REGULATIONS” TO 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. LOBELL, MR. AVERETT, MR. MACK, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS, MR. TALBERT
- NAYS: NONE
- ABSENT: NONE
- ABSTAIN: NONE

And the ordinance was declared adopted on the 10th day of May 2018.

(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 to create a no parking zone at the corner of Olivia Drive and Blades Drive" and called upon Councilman Garry "Frog" Talbert. Councilman Talbert advised that an ordinance was not needed. He explained that Mr. Moody consulted with him and advised that the Parish's current parking ordinance was sufficient to achieve what was needed. He further advised that the Council would need to adopt a resolution to identify a hundred (100) feet on Olivia Drive before the intersection of Blades and a hundred (100) feet past the intersection of Olivia. He explained that this is a corner that school buses leaving Live Oak Middle School come down Blades and make a turn onto Olivia, however, when cars in the car rider line are parked, the buses cannot make that turn without running into the yard of the person that lives on Olivia Drive. Mr. Talbert explained that if the Council created a buffer zone before and after the stop sign there would be enough room for the school bus to stay on the road and not run off in someone's yard. He indicated that a resolution would be needed for this and to ask the Department of Public Works to post no parking zone signs to create this buffer so that school buses will not have to run off road onto the man's personal property.

Mr. Moody requested to address the Council and advised as part of this research, it was puzzling as to why the Council must adopt an ordinance for every stop sign that was put up. Mr. Moody advised that he did not feel like the Council would need to continue doing this either because there is a sign ordinance in place that allows the government to put signs where they are needed. He denoted the amount of extensive work and expense that was involved in the adoption of an ordinance, and how the process takes up the Council's meeting time, and in his opinion, the need to introduce and adopt an ordinance for stop signs can be eliminated. He answered questions from the Councilmembers and advised that a resolution would be sufficient for stop sign placement in the Parish.

LPR NO. 18-157

MOTION was made by Garry "Frog" Talbert and duly seconded by Maurice "Scooter" Keen to designate and identify a "No Parking" area one hundred feet (100') on Olivia Drive before the intersection of Blades Drive and one hundred feet (100') on Blades Drive past the intersection of Olivia Drive and request that the Livingston Parish Department of Public Works place "No Parking Zone" signs at this site.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 16, "Introduction of Ordinance to regulate roadside seafood vendors" and called upon Councilman Garry "Frog" Talbert who advised that upon research, an ordinance was not needed. He explained that he was approached by a constituent that had a seafood shop who has a brick and mortar building, pays rent, pays insurance and has an occupational license and collects sales tax and all of the other things associated with running a business. He advised that when crawfish season comes, someone sets up around the corner of this

seafood shop’s business, selling for a cheaper price, having no occupational license and contribute nothing to the Parish’s coffers and that this was unfair. Upon Mr. Talbert’s research of other parishes and speaking with Mr. Curtis at the Livingston Parish School Board office, Mr. Curtis advised that what Mr. Talbert was proposing would be great, but it would need to apply to all vendors and gave examples of individuals selling tools and vegetables on the side of the road, and they do not contribute any sales taxes to the parish. He continued to explain that with talking with Mr. Moody, there was a peddler’s ordinance in place, and more research would need to be done to determine enforcement and some other things. He said that they were not trying to stop roadside selling but wanted them to remit their fair share to the Parish that they are collecting, and everybody would be happy. He stated that if you are not going to remit your fair share then you do not need to be in business. He concluded that more research would need to be done and would bring it back up at a different point and time.

Councilman Tracy Girlinghouse warned that they needed to be cognitive of situations where baseball teams would set up in parking lots to raise money for travel expenses, where it is the same situation, but not for profit and warned that they would need to be very careful. Mr. Talbert agreed and advised that they had taken that into consideration and gave other examples of organizations to be considered that should be exempt from this regulation. The chair and Mr. Talbert advised that this agenda item would be tabled until more research could be done.

 The chair addressed agenda item 17, “Add roads for consideration to the Priority Road List” and called upon Councilman John Wascom. Councilman Wascom advised that he had been contacted by the mayor of Denham Springs who made request for some roads to be evaluated that had been damaged during the flood to be added for consideration to the Priority Road list.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 18-158

MOTION was offered by John Wascom and duly seconded by Garry “Frog” Talbert **to add for consideration** the following streets, located in Council District No. 4, to the Capital Outlay/Priority Road List:

- Brookfield Drive
- Carolyn Avenue
- Summers Street
- Sharon Street

2018 LIVINGSTON PARISH ROAD IMPROVEMENT PROGRAM RECOMMENDATIONS ROAD ANALYSIS AND ASSESSMENT

<u>Road Name</u>	<u>Council District</u>	<u>Priority Rank</u>	<u>Priority Score</u>	<u>LP Resolution Number</u>	<u>Date Adopted</u>
Spring Lake Drive (South Section)	1	n/a	n/a	LPR NO. 17-396	December 14, 2017
Chapel Drive	2	n/a	n/a	LPR NO. 17-396	December 14, 2017
D’Evereaux Drive	2	n/a	n/a	LPR NO. 17-396	December 14, 2017
Norfolk Drive	2	n/a	n/a	LPR NO. 17-396	December 14, 2017
R. Dawes Drive	2	n/a	n/a	LPR NO. 17-396	December 14, 2017
Creek Haven Lane	2	n/a	n/a	LPR NO. 17-396	December 14, 2017
Creek Valley Drive	3	n/a	n/a	LPR NO. 17-396	December 14, 2017

Clear Creek Drive	3	n/a	n/a	LPR NO. 17-396	December 14, 2017
Creek Bend Avenue	3	n/a	n/a	LPR NO. 17-396	December 14, 2017
Dixie Street	4	n/a	n/a	LPR NO. 17-396	December 14, 2017
Woodland Street (North Section)	4	n/a	n/a	LPR NO. 17-396	December 14, 2017
Woodland Street (South Section)	4	n/a	n/a	LPR NO. 17-396	December 14, 2017
Springhill Drive	5	n/a	n/a	LPR NO. 17-396	December 14, 2017
Joe May Road (North Section)	6	n/a	n/a	LPR NO. 17-396	December 14, 2017
Briar Oak Drive	7	n/a	n/a	LPR NO. 17-396	December 14, 2017
Deerfield Drive	7	n/a	n/a	LPR NO. 17-396	December 14, 2017
Winter Ridge Drive	7	n/a	n/a	LPR NO. 17-396	December 14, 2017
Fawnwood Drive	7	n/a	n/a	LPR NO. 17-396	December 14, 2017
River Highlands Drive	8	n/a	n/a	LPR NO. 17-396	December 14, 2017
James Chapel Road (West Section)	9	n/a	n/a	LPR NO. 17-396	December 14, 2017
James Chapel Road (East Section)	9	n/a	n/a	LPR NO. 17-396	December 14, 2017

<u>Roads that are nominated for consideration to amend the Priority List</u>	Council District		Resolution Number	Resolution Date of Adoption
Henry Road	8		LPR No. 15-086	March 17, 2015
North Achord Road	1		LPR No. 15-167	June 11, 2015
Debbie Lane	5		LPR No. 15-305	December 3, 2015
Canyon Road	5		LPR No. 15-305	December 3, 2015
Greystone Drive	5		LPR NO. 15-305	December 3, 2015
Live Oak Village	2		LPR NO. 15-305	December 3, 2015
Hillon Hood Road	5		LPR NO. 16-044	January 28, 2016
Harris Road	5		LPR NO. 16-044	January 28, 2016
Bush Lane	2		LPR NO. 16-044	January 28, 2016
Chapel Hill Drive	2		LPR NO. 16-065	February 11, 2016
Destrehan Avenue	2		LPR NO. 16-065	February 11, 2016
Springlake Drive	1		LPR NO. 16-086	February 25, 2016
Nature's Way	1		LPR NO. 16-086	February 25, 2016
Old CC Road	9		LPR NO. 16-086	February 25, 2016
Sidney Woods	9		LPR NO. 16-086	February 25, 2016
Pete Smith	9		LPR NO. 16-086	February 25, 2016
Charles Holden	9		LPR NO. 16-086	February 25, 2016
Henry White	9		LPR NO. 16-086	February 25, 2016
George White Road	9		LPR NO. 16-086	February 25, 2016

John Barber	9		LPR NO. 16-086	February 25, 2016
Pine Street	9		LPR NO. 16-199	May 26, 2016
Bonnie Bleu	6		LPR NO. 16-266	July 14, 2016
Desert Willow	4		LPR NO. 17-016	January 12, 2017
Gum Swamp Road	8		LPR NO. 17-052	January 26, 2017
Leader Road (off of Highway 22)	8		LPR NO. 17-052	January 26, 2017
River Highlands Drive	8		LPR NO. 17-052	January 26, 2017
Bull Run Road	8		LPR NO. 17-052	January 26, 2017
Christopher Drive	7		LPR NO. 17-052	January 26, 2017
West Anne Drive	7		LPR NO. 17-052	January 26, 2017
South Anne Drive	7		LPR NO. 17-052	January 26, 2017
Sandra Lane	7		LPR NO. 17-052	January 26, 2017
Luke Lane	7		LPR NO. 17-052	January 26, 2017
Maxwell Drive	7		LPR NO. 17-052	January 26, 2017
Crain Road	9		LPR NO. 17-052	January 26, 2017
Wagner Road	9		LPR NO. 17-052	January 26, 2017
Ollah Lane	9		LPR NO. 17-052	January 26, 2017
Pine Bluff Road	4		LPR NO. 17-052	January 26, 2017
Jason Drive	4		LPR NO. 17-052	January 26, 2017
Kingfisher Street	2		LPR NO. 17-055	February 9, 2017
R. Dawes Drive	2		LPR NO. 17-055	February 9, 2017
Cottonwood	4		LPR NO. 17-092	March 9, 2017
Palmer Road	8		LPR NO. 17-092	March 9, 2017
North Doyle Road	1		LPR NO. 17-092	March 9, 2017
McLin Road	1		LPR NO. 17-092	March 9, 2017
Sims Road	2		LPR NO. 17-266	August 10, 2017
Dunn Road	3		LPR NO. 17-275	August 24, 2017
Canterbury Avenue	6		LPR NO. 18-015	January 11, 2018
New Port Drive	6		LPR NO. 18-015	January 11, 2018
Balmoral Drive	6		LPR NO. 18-015	January 11, 2018
Timberlake Drive	6		LPR NO. 18-015	January 11, 2018
Shady Hollow Drive	6		LPR NO. 18-015	January 11, 2018
Timber Ridge Drive	6		LPR NO. 18-015	January 11, 2018
Alder Drive	6		LPR NO. 18-015	January 11, 2018
Cedar Street	1		LPR NO. 18-041	February 8, 2018
Brookfield Drive	4		LPR NO. 18-158	May 10, 2018
Carolyn Avenue	4		LPR NO. 18-158	May 10, 2018
Summers Street	4		LPR NO. 18-158	May 10, 2018
Sharon Street	4		LPR NO. 18-158	May 10, 2018

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 18, "Request the Department of Public Works to place and restore prior stop signs and street signs on Plantation Avenue from Vincent Road to Laurel Court" and questioned if this agenda item had tabled. He called upon Councilman R.C. "Bubba" Harris who advised the president of the Home Owner's Association had called him and to request if this item could be pulled from the agenda. They will be taking a different avenue to achieve what they need.

The chair addressed agenda item 19, "Request the Department of Public Works to carry out culvert work and maintenance within Oakview Mobile Home Park" and called upon Councilman R.C. "Bubba" Harris who explained that he had met with Sam Digirolamo and the owners of the mobile home park to work out a solution to meet their needs.

A motion was made by R.C. "Bubba" Harris and seconded by Shane Mack to Request the Department of Public Works to carry out culvert work and maintenance within Oakview Mobile Home Park.

Councilman Garry "Frog" Talbert had issue with this proposed resolution and gave a very, very lengthy discussion and opinion of his views regarding this matter.

Garry "Frog" Talbert made a substitute motion and Maurice "Scooter" Keen to remove Oakview Drive and Woodward Lane out of the parish maintenance system and Oakview Circle if it is located within Oakview Mobile Home park. Councilman Maurice "Scooter" Keen advised that there were many, many roads that needed to come off of the parish maintenance list

The chair allowed a very, very, very long open discussion. Councilman Shane Mack explained why he seconded the original motion made by Councilman R.C. "Bubba" Harris.

Mr. Digirolamo was called upon to answer questions made by Councilman Garry "Frog" Talbert.

The chair called for the vote of the substitute motion.

LPR NO. 18-159

MOTION was made by Garry "Frog" Talbert and duly seconded by Maurice "Scooter" Keen to remove Oakview Drive and Woodward Lane from the parish maintenance system.

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

YEAS: MR. KEEN, MR. TALBERT

NAYS: MR. LOBELL, MR. AVERETT, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE,
MR. HARRIS

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion FAILED and was NOT adopted.

The chair called upon the Council to vote on the original motion and discussed the purpose of the culverts and drainage established in Oakview Mobile Home Park. Councilman Harris explained some of the history of culvert work that had been done in the past. The chair allowed an open discussion.

LPR NO. 18-160

MOTION was made by R.C. “Bubba” Harris and duly seconded by Shane Mack to Request the Department of Public Works to carry out culvert work and maintenance within Oakview Mobile Home Park.

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

YEAS: MR. LOBELL, MR. AVERETT, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. HARRIS

NAYS: MR. KEEN, MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

Thereupon the chair declared the Motion passed and was adopted.

The chair addressed agenda item 20, “Adopt resolution to authorize a waiver for the allowance of a second address to be issued for a mobile home for a direct ascending/descending heir on a lot that is 15,429.776 square feet short of the requirement, located at 32120 Avants Road” and called upon Tracy Girlinghouse. Councilman Girlinghouse requested that this agenda item be pulled and possibly brought up at a later date.

The chair addressed agenda item 21, “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”. Having none, the chair moved to the next agenda item.

The chair addressed agenda item 22, “**Introduction of ordinance** to amend Section 13-46.1, to establish ways and means for the Permit Department to verify if a mobile home is in a named subdivision, eliminating the need to request waivers – Jeff Ard”.

The chair explained the need for the proposed ordinance and called upon Councilman Garry “Frog” Talbert. Councilman Talbert advised that he had attended a meeting at the Planning office that Ms. DeeDee Delatte was in attendance of. Ms. Delatte informed Mr. Talbert that she knew of the proposed ordinance giving guidance to her office to check the Livingston Parish Assessor’s office to determine if an address was located in a named subdivision. She advised Mr. Talbert that the Assessor’s office website was not up to date and should not be used to make that determination and that new subdivisions were not updated on that site.

The chair allowed an open discussion. A determination was made to strike part one (1) of the proposed ordinance and keep the rest for introduction.

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

L.P. ORDINANCE 18-17

AN ORDINANCE TO AMEND CHAPTER 13, “PLANNING AND DEVELOPMENT,” SECTION 13-46.1, “PROHIBITIONS AND RESTRICTIONS OF USE”, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON, BY ADDING PROVISIONS IDENTIFYING SUBDIVISIONS.

LPR NO. 18-162

MOTION was offered by Maurice “Scooter” Keen and duly seconded by Garry “Frog” Talbert to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, May 24, 2018 at the hour of six o'clock (6:00) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 23, "Discuss Burial Exemption for St. Margaret Church" and called upon Councilman Shane Mack.

Councilman Shane Mack recalled the Parish's involvement with reinterment after the 2016 Flood event, and because of this, there were multiple reasons why the burial ordinance was put in place. He continued that he felt that it was a good ordinance, but with all ordinances, he wasn't sure that it fit all cemeteries. He explained that St. Margaret Church was a historical monument and advised of their cemetery board that cares deeply for this beautiful church cemetery. He asked the Councilmembers to grant a waiver to this particular cemetery based on: they have never flooded, they are a historical monument, if anything did happen, their board would help with any reinterment. He advised that their board meets routinely and have many, many rules and diligently maintain this beautiful cemetery.

Public input: Alex Prokop, St. Margaret committee secretary

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

Councilman John Wascom called for the question. The chair ended the discussion and stated that a motion and a second had been made. Councilman Garry "Frog" Talbert stated that he had been interrupted and wanted to finish his statement. The chair advised that the question had been called and if the discussion continued, a motion would need to be made to continue the discussion.

LPR NO. 18-163

MOTION was made by Jeff Averett and duly seconded by Tracy Girlinghouse to continue the discussion.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Garry "Frog" Talbert continued his statements and the chair allowed the Councilmembers to continue with their open discussion after Mr. Talbert's statements.

Public input: Alex Prokop, St. Margaret Church committee secretary
Gordon Courtney, resident of Albany, Council District 9 – Against the burial ordinance from the beginning

The chair requested Mr. Moody to state his thoughts on this matter. Mr. Moody advised the members of the Council, just like he has stated in the past, if you grant a waiver for this one, you will have to grant a waiver for others, unless you can find some way to distinguish that this is different and needs special consideration. He also reminded the Council that the state of Louisiana

requested that the Parish adopt this ordinance and that the Parish was lucky enough to receive funds from the state and FEMA to go back and re-inter all of the caskets displaced from the 2016 Flood event. He opined that the Parish may not get those funds again if they do not follow the ordinance. He advised of the tremendous costs for reinterment of caskets from the 2016 Flood event. He recommended coming up with a level (i.e. above sea level, above flood base elevation, etc.) and the Council could consider a variance if it meets a certain level. Councilman Tracy Girlinghouse offered another option of sealing the normal vault, adding that it was not one thousand percent (1000%) effective, but it does work most of the time. He added that a funeral home might do this procedure from time to time when it rained and something would float at ground level, they would seal it and it did work. He continued and stated that it was not in the ordinance, but it is something else that the Council could consider. He offered to consult with Councilman Mack and amend the ordinance. He cautioned the Councilmembers on granting this waiver.

LPR NO. 18-163

MOTION was made by Shane Mack and duly seconded by R.C. “Bubba” Harris to grant a waiver of Section 9-223, “Identification of caskets; Interment; Promulgation of Rules” to St. Margaret, Queen of Scotland, St. Thomas Chapel Church located on the southwest corner of Livingston Parish, south of I-12, off of the Albany exit towards Springfield, waiver to be based on: they have never flooded, they are a historical monument on the east side of Livingston Parish, this particular cemetery board meets routinely and administrate many rules that govern the cemetery.

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

YEAS: MR. LOBELL, MR. MACK, MR. WASCOM, MR. KEEN, MR. HARRIS

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

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Tab Lobell requested to address Mr. Courtney in the audience about something that Mr. Courtney had said earlier in the meeting. The chair obliged. Councilman Lobell advised that the Parish had presented the option of having the entire parish covered with Gravity Drainage Districts in an election last November and it failed. Several Councilmembers advised that they would continue to work and to make that happen.

The chair addressed agenda item 24, “District Attorney Report(s):”and called upon Mr. Christopher Moody who advised that he had nothing to report at this time.

The chair addressed agenda items 25 a and b, Committee Report(s):

- Ordinance Committee – Shane Mack, Chair
Councilman Shane Mack explained that there were multiple ordinances that needed work. The committee was working very hard to introduce a houseboat ordinance and a wrecker/junk car ordinance and ordinances that were mentioned by the Councilmembers. Councilman Talbert questioned if the wrecker ordinance was ready. Councilman Mack advised that he would like to put it on the next agenda for introduction. Councilman Talbert discussed in great detail the proposed wrecker/junk car ordinance.

- Finance Committee – Tracy Girlinghouse, chair
Councilman Girlinghouse advised that the committee had met earlier and discussed the Finance projections of the Parish and that were above what they had expected post flood. He continued and stated that everything looked fairly good in that regard.

Councilmen’s Comments:

- Councilman Jeff Ard wished to make everyone aware that next Saturday, May 19th, there would be two (2) very important fund raisers taking place in our parish. The first, being at

Greystone, was for Deputy Nick Tullier. He explained that it was for a crawfish cookoff and that tickets would cost fifty dollars (\$50.00) a person, that would include all you could eat crawfish. All of the proceeds would be going to Nick Tullier's family to help Nick Tullier. The second benefit taking place that day would be for a young lady that had leukemia and would be located at Crazy Dave's. He continued that the proceeds from this benefit would go to the young lady and St. Jude. He encouraged everyone to go out and support these events. Councilman Maurice "Scooter" Keen interjected to advise that the Livingston Parish Council would have a team participating in the competition at the Nick Tullier crawfish cookout benefit.

Having no further business, the chair requested a motion to adjourn until the next regular meeting scheduled on Thursday, May 24, 2018, at the hour of six (6:00) o'clock p.m. in Livingston, Louisiana.

LPR NO. 18-165

MOTION was offered by Tab Lobell and duly seconded by Jeff Averett to adjourn the May 10, 2018 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Sandy C. Teal, Council Clerk

Jeff Ard, Council Chairman