

**Minutes of the Livingston Parish Council
Livingston, Louisiana
September 10, 2020**

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, September 10, 2020, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Jeff Ard	R.C. "Bubba" Harris
Garry Talbert	Gerald McMorris
Maurice "Scooter" Keen	Tracy Girlinghouse
John Wascom	Randy Delatte
Shane Mack	

Absent: Layton Ricks, Parish President

Also present: Mr. Christopher Moody, Parish Legal Counsel
Sam Digirolamo, Planning and Department of Public Works Director

The chair asked the public to please mute or turn off their cell phones.

The chair announced that Public Input would be accepted from any member of the audience wishing to address an agenda item and explained the procedure to be called upon.

The chair called for a motion to adjourn the regular meeting to hold the Public Hearing(s) for:

L.P. ORDINANCE NO. 20-17:
AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR
THE TAX YEAR 2020.

L.P. ORDINANCE NO. 20-18:
AN ORDINANCE TO LEVY ADJUSTED MILLAGE RATES AFTER
REASSESSMENT AND ROLL FORWARD THE MILLAGE RATES NOT
TO EXCEED THE PRIOR YEARS MAXIMUM RATE FOR THE TAX
YEAR 2020.

LPR NO. 20-269

MOTION was made by Garry Talbert and duly seconded by Randy Delatte to adjourn the September 10, 2020 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair announced the Public Hearing(s) of the Livingston Parish Council dated September 10, 2020, and that stated that the hearing(s) were being held a few minutes after six o'clock (6:00) p.m.

The chair declared that the Public Hearing was open for:

L.P. ORDINANCE NO. 20-17:
AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR
THE TAX YEAR 2020.

The chair directed the Council clerk to read the ordinance by title. The chair then requested if anyone in the audience had any public input on this item. Having none, he asked if any of the Council members wished to have input and address this item. No one wished to speak on this item and the chair declared that the Public Hearing was closed.

The chair declared that the Public Hearing was open for:

L.P. ORDINANCE NO. 20-18:

AN ORDINANCE TO LEVY ADJUSTED MILLAGE RATES AFTER REASSESSMENT AND ROLL FORWARD THE MILLAGE RATES NOT TO EXCEED THE PRIOR YEARS MAXIMUM RATE FOR THE TAX YEAR 2020.

The chair read the ordinance by title and questioned if anyone was present who wished to speak on this item.

Having no public input from the audience or the Council members, the chair declared that the Public Hearing was closed.

LPR NO. 20-270

MOTION was made by Garry Talbert and duly seconded by Tracy Girlinghouse to adjourn the September 10, 2020 Public Hearing(s) of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 20-271

MOTION was made by Jeff Ard and duly seconded by Maurice “Scooter” Keen to re-enter the September 10, 2020 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 7, “Adoption of L.P. Ordinance No. 20-17: An Ordinance Setting The Millage Rates As Adjusted For The Tax Year 2020”.

LPR NO. 20-272

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on July 9, 2020, 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 September 10, 2020 on Motion of Garry Talbert and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 20-17

AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR THE TAX YEAR 2020.

TAX	MILLAGE
Parish General Alimony (Parish)	2.29
Exempted Municipalities (Parish/Local)	1.14
Road Equipment & Maintenance & Bridges	4.92
Library Bond	1.50
Health Unit	2.46

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 10th day of September 2020.

(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 8, "Adoption of L.P. Ordinance No. 20-18: An Ordinance To Levy Adjusted Millage Rates After Reassessment And Roll Forward The Millage Rates Not To Exceed The Prior Years Maximum Rate For The Tax Year 2020".

Councilman Randy Delatte requested to speak and stated that he wished to have some discussion before the vote.

He stated that he understood that the Council was adopting only what was available to adopt, not going over the highest rate, but he thought that the Council could roll back some of the rate of the money to give the people that have experienced Corona virus a break to the least minimum that they could. He stated that he wished to amend the motion. The chair stated that he was confused considering the previous vote that was made.

Councilman Garry Talbert asked to question the Parish's legal counselor, Mr. Christopher Moody, on the following:

Constitutionally, a Parish has the ability to assess five (5) mills and has the ability to assess two point five (2.5) mills inside municipalities without a vote of the people. The Police Juries and the Councils previous to the current members, rolled our assessment back to 2.32 and 1.16 before the new tax rates. However, because of that situation, that is the only tax that Livingston Parish receives to run the Parish. They receive five (5) mills for roads and three quarters of a cent for maintenance on roads and rebuilding them, there is a quarter cent that is dedicated to the jail and then there are some other dedicated taxes, but the only millage that is received for the operation of Parish government is the five (5) mills that was granted constitutionally, which has been rolled back to 2.32 mills.

Councilman Talbert continued and stated that his question was, if it is constitutionally granted the right of five (5) mills, and it was voted on by the people of the state of Louisiana to allow for municipalities to collect seven (7) and parishes to collect five (5) for the operation of government without a vote of the people, why are we limited to roll it up to 2.32 which was the previous year?

Mr. Moody stated that was a good question, and typically the ones that allow you to roll up, only allow you to do what was done the year before, because what they are computed for is to meet your bonded indebtedness. He explained that he would have to research whether or not that would apply to the constitutional measures.

Councilman Talbert stated that he was bringing this up because he wanted to address what Councilman Delatte had stated being that we are in a situation now that if you look at all of these little funds that the Parish has, that have dedicated taxes, there's always a transfer to Administration for the operation of government. So in essence, if they actually collect what they should collect for the operation of government, then we possibly could adjust the millage in some of the other funds, but because of the fact that the Parish has grown and new services are needed to be provided and we've given up millages that were constitutionally granted, that they are having to look for...

Mr. Moody interjected and advised that this had been looked at once before, and there was an answer, he couldn't answer at that time, and offered that they may be able to impose that millage.

Councilman Talbert expressed that he was not asking Mr. Moody to answer at that time, but given the financial situation that the Parish currently exists in, it would not be prudent to give up current millages that the Parish had. He discussed the renewal one percent (1%) sales and use tax renewal

election coming in November and if for some reason those things do not pass and the Council members give up a millage now, they would be putting themselves further behind for next year's budget.

Councilman Talbert questioned the original motion that was made and wished to clarify the status of Councilman Delatte's amendment to that motion.

Councilman Delatte advised that there had been a motion to adopt as is and he was in opposition. He wished to amend that motion in some type of way. He wished to quantify his opposition to the original motion and stated that businesses and people have heard that they have over a sixty-million-dollar budget, they have to make the tough decisions on behalf of their constituency. He discussed the feedback that he was receiving from the public and he felt that they could roll back or keep the same and not roll forward.

Councilman Talbert expressed that he knew what Councilman Delatte was saying and did not necessarily disagree, but if they look at what has happened typically in the past and what rolling back millages creates, it creates a situation in the future that causes problems. He stated that he would rather roll the millages back up to what they were previously and then if the economy continues to struggle then when government looks at the budget for 2021, they at that point and time can make adjustments to the budget and maybe adjust something in the future. He continued to discuss his reasoning why he felt that rolling forward at that time was justified.

Councilman Delatte stated that he wished to withdraw his motion for amendment and he would vote no against the current motion.

The chair stated that the motion was to roll forward not to exceed the prior year's and asked if there was any other discussion on this item. Having no other further discussion, the chair called for the vote.

LPR NO. 20-273

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on July 9, 2020, 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 September 10, 2020 on Motion of Jeff Ard and seconded by Maurice "Scooter" Keen:

L.P. ORDINANCE NO. 20-18

AN ORDINANCE TO LEVY ADJUSTED MILLAGE RATES AFTER REASSESSMENT AND ROLL FORWARD THE MILLAGE RATES NOT TO EXCEED THE PRIOR YEARS MAXIMUM RATE FOR THE TAX YEAR 2020.

TAX	MILL KEY	ADJUSTED MILLAGE RATES	2020 LEVY MILLS
General Alimony (Parish)	002	2.29	2.320
Exempted Municipalities (Parish/Local)	003	1.14	1.16
Road Equipment & Maintenance & Bridges	006	4.92	5.000
Health Unit	008	2.46	2.500

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

NAYS: MR. DELATTE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 10th day of September 2020.

(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 number 9, "Re-schedule Public Hearing and Adoption of L.P. Ordinance No. 20-23: Amend Chapter 125, Section 125-30, "Drainage Districts"."

The chair called upon the Council clerk to read the proposed ordinance by title. The Council clerk clarified that the reason the Council needed to reschedule the Public Hearing was because when this was originally scheduled, the meeting was cancelled due to Hurricane Laura. Therefore, the Public Hearing would need to be rescheduled and it would be published again in the Official Notice giving notice to the public.

The Council clerk read the ordinance by title and announced the time and date that the Public Hearing would take place as follows:

**PUBLIC HEARING RE-SCHEDULED
DUE TO THE CANCELLATION OF THE AUGUST 27, 2020
REGULAR MEETING OF THE LIVINGSTON PARISH COUNCIL
NOTICE OF INTRODUCTION OF ORDINANCE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on August 13, 2020, and laid over for publication of notice:

L.P. ORDINANCE 20-23

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE I, IN GENERAL, SECTION 125-30, "DRAINAGE DISTRICTS." AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, September 24, 2020, at six (6:00) o'clock p.m., at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy C. Teal
Sandy Teal, Council Clerk

Shane Mack
Shane Mack, Council Chair

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

LPR NO. 20-274

MOTION was made by Jeff Ard and duly seconded by Maurice "Scooter" Keen to re-schedule the Public Hearing and adoption of L.P. Ordinance No. 20-23: Amend Chapter 125, Section 125-30, "Drainage Districts", due to the cancellation of the August 27, 2020 regular meeting of the Council for the reason of Hurricane Laura, and whereby a legal notice will be published in the Official Journal that the Livingston Parish Council will meet on Thursday, September 24, 2020 at six o'clock (6:00) p.m. at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda number 10, "Re-schedule Public Hearing and Adoption of L.P. Ordinance No. 20-24: Amend Chapter 22, Article I, "Noise", Section 22-22, "Specific Prohibitions" and called upon the Council clerk to read the proposed ordinance by title.

PUBLIC HEARING RE-SCHEDULED
DUE TO THE CANCELLATION OF THE AUGUST 27, 2020
REGULAR MEETING OF THE LIVINGSTON PARISH COUNCIL
NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on August 13, 2020, and laid over for publication of notice:

L.P. ORDINANCE 20-24

AN ORDINANCE TO AMEND CHAPTER 22, "ENVIRONMENT," ARTICLE II, "NOISE," SECTION 22-22, "SPECIFIC PROHIBITIONS," PART (A) AND (B), OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON TO AMEND THE SPECIFIC PROHIBITIONS TO EXCLUDE PRIVATE PROPERTY.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, September 24, 2020, at six (6:00) o'clock p.m., at the Governmental Building, in the Livingston Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, 70754 at which time there will be a public hearing on the adoption of the aforesaid ordinance.

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

\s\ Shane Mack
Shane Mack, Council Chair

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

LPR NO. 20-274a

MOTION was made by Maurice "Scooter" Keen and duly seconded by Gerald McMorris to re-schedule the Public Hearing and adoption of L.P. Ordinance No. 20-24: Amend Chapter 22, Article I, "Noise", Section 22-22, "Specific Prohibitions", due to the cancellation of the August 27, 2020 regular meeting of the Council for the reason of Hurricane Laura, and whereby a legal notice will be published in the Official Journal that the Livingston Parish Council will meet on Thursday, September 24, 2020 at six o'clock (6:00) p.m. at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11, "Presentations:", and called upon Mr. Colt Fore, candidate for District Judge 21st Judicial District Court, Division F.

Mr. Colt Fore accepted the chair's invitation and came from the audience to the lectern to address the Councilmembers. He thanked them for allowing him to speak that evening and announced his candidacy for the open judgeship seat of Division F in the 21st Judicial District. He stated his qualifications for this position and his extensive courtroom experience.

The chair addressed agenda item 12, "Adoption of the Minutes from the August 13, 2020 regular meeting of the Livingston Parish Council".

LPR NO. 20-274b

MOTION was made by Jeff Ard and duly seconded by Maurice "Scooter" Keen to dispense with the reading of the minutes dated August 13, 2020 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. ARD, MR. KEEN, MR. GIRLINGHOUSE, MR. TALBERT, MR. MACK,
MR. WASCOM, MR. DELATTE, MR. HARRIS, MR. MCMORRIS

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, "Parish President's Report" and asked if there was anyone there to address this item as the Parish President was not in attendance. Having no response, the chair moved to the next agenda item, agenda item number 14, "Requested action from Administration to give a summary report on the working status of the three (3) grants for land reclamation at the mouths of Amite and Blind River along with the weir project in diversion canal – Randy Delatte" and called upon Mr. Chad Bacas, of Forte and Tablada and Parish Review Engineer.

Mr. Bacas addressed Councilman Delatte's questions. He stated that the Amite and Blind River were basically the same project being funded by GOMESA funding, both being in their preliminary design. (Surveys, title work and pre-permitting application.) The scope of funding may change, as determined by the permitting agency. The permitting process could take up to one (1) to two (2) years.

Mr. Bacas continued to report on the weir project in the Diversion Canal and stated that it had already been surveyed and they were in the bulk of the hydraulic modeling of it.

The chair allowed a very lengthy open discussion and Mr. Bacas answered many, many questions from the Councilmembers.

The chair thanked Mr. Bacas for his reporting and the information that he shared with the Councilmembers.

The chair addressed agenda item number 15, "Status report inquiry to Administration regarding LPR NO. 20-224 that requested grant application for Red Oak Road to receive broadband services – Randy Delatte" and asked if there was anyone present to speak on this particular agenda item.

Having no one present to speak on this agenda item from Administration, Councilman Randy Delatte advised that he had been seeking an update and information regarding this item and had been told that they do not qualify and his ideas did not work for whatever reason. He stated that the reason that he had requested that this be placed on the agenda was to have someone explain and show him documentation why CARES Act funding could not be applied for.

Councilman Delatte read from documentation in the CARES Act, statements from the Police Jury Association and also documentation from the Governor's office. He indicated that an attorney friend had reviewed this and agreed of the Parish's eligibility.

Councilman Garry Talbert discussed an email that Administration had distributed to the Councilmembers that stated the Parish of Livingston was not eligible to apply for CARES Act funding. The chair advised that it had been sent by Jennifer Meyers, Finance Director.

Councilman Delatte advised that he did not receive that email. He was informed that they were not eligible through a conversation with the Parish President. This conversation stemmed from the Parish President informing Jill Shoemaker, resident and spokesperson for the constituency on Red Oak Road who are seeking cable, internet and broadband services, that their request was not eligible. Ms. Shoemaker then called Councilman Delatte, who in turn called the Parish President for more information.

Councilman Delatte stated that he could not find where the Parish of Livingston had made application for this funding.

Councilman Talbert advised that Jennifer Meyers had sent the email on August 15, 2020 that stated that in her opinion, the internet deal did not pass the Cabela's test that the AG's office says you are required to have a three-prong test.

Councilman Delatte wished to answer this and reminded them that Mr. Chris Moody had given an opinion to advise the CARES Act is not a grant. It does not go through the same process when the Cabela's test is required for grant application. He discussed many facets of the CARES Act. Councilman Delatte also shared information that the state of Alabama had spent one hundred million dollars (\$100,000,000.00) on broadband connectivity in their state and was used exactly in the way that he was proposing.

Councilman Talbert wished to inquire of Mr. Moody about Jennifer Meyer's email which stated that the Parish was ineligible which appeared to be in contradiction with Councilman Delatte's information. Councilman Talbert asked if the members of the Livingston Parish Council could apply for CARES Act funding or did it have to go through Administration?

Mr. Moody advised that anything that is done in the name of the government must come through Administration, but they could authorize Administration to seek application through the CARES Act. Councilman Talbert stated that the Councilmembers had already done that and Administration advised that they were not eligible. He continued and asked Mr. Moody if the Councilmembers could seek an Attorney General's opinion to find out if they were eligible for CARES Act funding to improve broadband.

Mr. Moody advised that he would have to look and see what authority that Ms. Meyers was answering with in her email notification. He stated that no one had sought his opinion or asked him to review anything. Councilman Talbert told Mr. Moody that he would forward him the email for his review.

Councilman John Wascom asked Mr. Moody if that was something that the Councilmembers could authorize him to look into?

Councilman Delatte informed Mr. Moody that Administration stated that he had given a previous opinion on a similar matter and that it was his opinion that it was not allowed because you had tried it and lost the court case.

Mr. Moody stated that he would have to look into that and was not sure about their reference.

The chair dictated that there was obviously a disagreement and asked Mr. Moody what he could do to try and figure out if the Parish would qualify or not?

Mr. Moody stated that the Councilmembers could authorize him to look at it and report back to the Council, and/or see if it is viable to seek out an Attorney General's opinion.

Councilman Delatte predicted that there may be problems because of the timeline of this request because the CARES Act funding must be spent by December and feared that they may run out of time.

The Council clerk requested that the chair repeat the motion.

The chair allowed a lengthy open discussion and then called for the vote.

LPR NO. 20-274c

MOTION was made by Gerald McMorris and duly seconded by Maurice "Scooter" Keen to authorize Mr. Chris Moody, the Parish attorney, to look into the CARES Act funding to determine if the Parish of Livingston qualifies for broadband expansion on Red Oak Road and other areas of the Parish and report back his findings regarding this matter and also his research regarding the email that Jennifer Meyers distributed to some of the Councilmembers, as well as seeking viability of an Attorney General's opinion.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 16a:

Finance Department:

- a. Adopt Resolution authorizing the Parish President to execute the contract between the Livingston Parish Council and Roadwrxx, LLC, the low bidder for the State of Louisiana Department of Transportation and Development (DOTD) Holden Sidewalk Program at LA Highway 441 (State Project No. H.000470).

The chair indicated that at their previous Council meeting he had requested that this item be deferred so that he could have more time to research the details of the project. He also wished to address his constituents' questions. He stated that a meeting had taken place with Mr. Chad Bacas, who was very knowledgeable of the project, and they spent quite a bit of time with the people who own property that may be affected by the project addressing culvert issues, and any questions and concerns that they may have had. The chair declared that the meeting was a very positive experience and that he fully supported the project after speaking to each person that attended this meeting. He wished to thank Mr. Bacas for his help and input.

LPR NO. 20-275

MOTION was made by Randy Delatte and duly seconded by John Wascom to authorize the Parish President to execute the contract between the Livingston Parish Council and Roadwrxx, LLC, the low bidder for the State of Louisiana Department of Transportation and Development (DOTD) Holden Sidewalk Program at LA Highway 441 (State Project No. H.000470).

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

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

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

The chair addressed agenda item numbers 17a through 17h, "Planning Commission Recommendations:" and called upon Mr. Sam Digirolamo, Planning and Department of Public Works Director.

Mr. Digirolamo addressed the Councilmembers and answered their questions.

LPR NO. 20-276

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. "Bubba" Harris to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary plat for Dogwood Trace, WITHOUT the requested waiver to have a fifteen (15') feet setback on the back-property line,** located on Louisiana Highway 1025, Section 11, T6S R3E in Council District 7.

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

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

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

Mr. Digirolamo addressed agenda item 17b:

A & S Aggregates	Montoya Design
Preliminary Site Plan	
LA Highway 1019	Sections 61 & 64, T6S R2E
	Council District 3

He advised that it was the recommendation of the Livingston Parish Planning Commission to approve the preliminary site plan for A&S Aggregates contingent upon getting the drainage district's approval.

The chair called upon Councilman Maurice “Scooter” Keen who advised that this was located in his Council district. He stated that he and Councilman Garry Talbert both had received many calls and emails regarding this agenda item.

Public input: Robert Wiggee, resident of Paradise Lakes and Homeowner’s Association president
Bill Russell, resident of Paradise Lakes
Morgan Sanchez, Forte and Tablada
Chad Bacas, Forte and Tablada
Bernie Magee, resident of Paradise Lakes
A.W. “Buddy” Aucoin, Jr., “operator of operation”

The chair allowed a very, very lengthy question and answer open discussion.

Councilman Keen requested that this item be deferred until the next Council meeting scheduled on Thursday, September 24, 2020.

Mr. Digirolamo addressed agenda item number 17c:

Thomas Crotwell
Waiver - Subdivide within a Subdivision
James Street Section 18, T7S R3E Council District 5

Mr. Digirolamo advised that it was the recommendation of the Livingston Parish Planning Commission to deny the subdivide within a subdivision.

Public input: Thomas Crotwell, owner of property requesting waiver
Unidentified female speaker who was not recognized or acknowledged

Mr. Crotwell had handouts that he provided to the Councilmembers but did not include the Council clerk. Therefore, the handout is not included as part of the official record.

The chair allowed an open discussion.

Councilman Randy Delatte requested a legal opinion from Mr. Chris Moody, Parish Legal Advisor. He questioned if the Parish’s ordinance that prohibits subdividing within a named subdivision can supersede what they were told in their restrictions?

Mr. Moody advised that the Parish’s ordinance can basically trump anything to regulate any kind of subdivision, whether the subdivision allows it or not.

Councilman Keen questioned Mr. Moody if a previous resolution that was adopted allowing the authorization of a waiver to subdivide in a subdivision could be considered “apples to apples”?

Mr. Moody responded in the affirmative as they have always taken the position that if you grant a waiver for someone, then you have to grant it for all.

The chair allowed the open discussion to continue.

Councilman Keen again questioned Mr. Moody and asked if the Councilmembers voted to allow someone in May, and we draw a line in the sand and tell this gentleman no, he cannot divide, is that legal for them to do?

Mr. Moody explained that it was all subject to be challenged, but you are the ones who decide if it is the same or not the same. You need be able to distinguish why you are treating someone differently.

The open discussion continued.

Councilman R.C. “Bubba” Harris made a motion to deny the waiver. The open discussion resumed and became argumentative. The co-chair solicited a second to Councilman Harris’s motion. Councilman Tracy Girlinghouse offered to second Councilman Harris’s motion.

The chair wished to clarify the motion: the motion is to deny the waiver. A vote “yes” is to deny the waiver and a vote “no” is to not deny the waiver, but it does not grant the waiver either.

Councilman Tracy Girlinghouse requested to pause for a moment before the vote. He stated that the Council needed to “tweak” this ordinance. Councilman Talbert agreed.

Councilman Girlinghouse withdrew his second to the motion he had previously made.

The open discussion recommenced.

The chair ended the discussion and questioned if there was a second to Councilman Harris's motion to deny the waiver? Having no one second the motion, the chair declared that the motion to deny the waiver dies.

Councilman R.C. "Bubba" Harris solicited to make another motion, while they were on the subject, to do away with this ordinance completely.

The Councilmembers advised that would not be possible to do at that meeting. The chair petitioned if there was a motion on the floor to accept this division of property and grant the waiver?

The chair clarified the motion and explained that a "yes" vote would grant the waiver.

Councilman Girlinghouse advised that this ordinance was being presented to the Ordinance committee under a separate purpose, but he planned to address this issue being submitted for a waiver as well.

Councilman Keen suggested that he make a motion to defer this agenda item until then, but was met with much resistance from the Councilmembers.

The chair stopped the discussion and called for the Council clerk to call the roll for the vote. The Council clerk verified that the resolution being offered was to grant the waiver and allow the subdivision of a property within a subdivision, being Lot 15, in half.

Councilman Jeff Ard wished to quantify his vote and stated that because it was granting a waiver, he voted "no".

Councilman Gerald McMorris also wished to quantify his "no" vote and stated that due to previous reasons that an ordinance failed on his part where he had requested a waiver for his constituents, he could not vote "yes" for this resolution.

LPR NO. 20-277

MOTION was made by Garry Talbert and duly seconded by Tracy Girlinghouse to grant a waiver of Section 125-9, "Submittals", allowing the subdivision of property within a subdivision, being Lot 15, to Thomas Crotwell located on James Street, Section 18, T7S R3E in Council District 5.

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

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

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted.

The chair called upon Mr. Digirolamo to continue his report of the recommendations of the Livingston Parish Planning Commission.

LPR NO. 20-278

MOTION was made by Maurice "Scooter" Keen and duly seconded by Jeff Ard to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Cypress Hill Townhomes**, located on Lockhart Road, Section 39, T6S R3E in Council District 3.

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

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

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

LPR NO. 20-279

MOTION was made by Randy Delatte and duly seconded by Jeff Ard to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Beyond the Bayou**, located on Petite Drive, Section 17, T9S R5E in Council District 8.

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

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

NAYS: NONE

ABSENT: MR. GIRLINGHOUSE

ABSTAIN: NONE

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

LPR NO. 20-280

MOTION was made by John Wascom and duly seconded by Maurice “Scooter” Keen to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Magnolia Beach Road Development**, located on Magnolia Beach Road, Section 60, T6S R2E in Council District 4.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 20-281

MOTION was made by Jeff Ard and duly seconded by R.C. “Bubba” Harris to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Stumpf Waterproofing, contingent upon meeting the drainage ordinance**, located on Lard Road, Section 26, T6S R5E in Council District 1.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Mr. Digirolamo addressed agenda item number 17h:

Mildred Richardson

McLin Taylor

Servitude Revocation-Introduction of Ordinance

Richardson Drive Sections 15 & 48, T7S R6E Council District 8

He advised that it was the recommendation of the Livingston Parish Planning Commission to approve the servitude revocation for Mildred Richardson.

Councilman Garry Talbert inquired if all the required letters for this agenda item had been received. Mr. Digirolamo affirmed that all the letters were in and there were no disapprovals. He indicated that the owners were restructuring the property.

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

L.P. ORDINANCE 20-25

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF MILDRED RICHARDSON, A 40' SERVITUDE OF PASSAGE IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN ON THE MAP SHOWING REVOCATION OF A 40' PUBLIC ACCESS SERVITUDE LOCATED IN SECTIONS 15 & 48, T7S-R6E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA, BY LESTER A. McLIN, JR., PROFESSIONAL LAND SURVEYOR, DATED AUGUST 17, 2020.

LPR NO. 20-282

MOTION was offered by Randy Delatte seconded by Jeff Ard to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, September 24, 2020 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. ARD, MR. KEEN, MR. GIRLINGHOUSE, MR. TALBERT, MR. MACK, MR. DELATTE, MR. HARRIS, MR. MCMORRIS

NAYS: NONE

ABSENT: MR. WASCOM

ABSTAIN: NONE

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

The chair addressed agenda item number 18, "Discussion of Drainage/Flooding on Paradise Road in Maurepas located in Council District 8 – Randy Delatte/Micah Chaney".

The chair called upon Mr. Micah Chaney and requested that he please be mindful of the time of his presentation. Mr. Chaney thanked the Councilmembers and explained that he wished to address points that had been made before and new things as well. The chair allowed Mr. Chaney to give a very, very lengthy account of the drainage and flooding issues occurring on Paradise Road.

Councilman Randy Delatte asked Mr. Chaney to pause, and asked if he had an answer for what the Parish could do to alleviate their problems. Mr. Chaney continued and the chair requested if there were any recommendations. Mr. Chaney again persisted with his narrative.

Councilman John Wascom stated that he wished to make a motion to adopt a resolution to ask the Parish President to install a bigger drainage pipe. Mr. Chaney resumed his narrative and a lengthy open discussion ensued.

The chair asked Mr. Chaney to pause, and requested what his purpose was for appearing at the Council meeting that night? Mr. Chaney passionately explained that he needed help with drainage. The chair advised that the Councilmembers would take action to go and look at this situation and speak with Administration to see if there is a reasonable solution and a reasonable way to fix this problem and then they would communicate back with Mr. Chaney

The chair addressed agenda item number 19, "Waiver request of Section 125-12, "Requirements for Minor subdivisions" located off of James Chapel Road, Albany for Brian Bickford in Council District 9 – Shane Mack".

The chair indicated that this item was located in his district and invited Mr. Brian Bickford to address the Councilmembers. He continued to explain that Mr. Bickford had purchase eight (8) acres of land and wished to move his family on this property. Mr. Bickford is requesting a waiver because there are more than five (5) lots on the servitude. He explained that there are currently nine (9) lots on their servitude. Mr. Bickford wants to divide this property and that would create eleven (11) lots on the servitude. Councilman Mack submitted a brief history of Mr. Bickford's property request and stated that he was in support of this agenda item.

Councilman Maurice "Scooter" Keen made a motion and Councilman John Wascom made the second to grant the waiver.

Councilman Tracy Girlinghouse requested for the waiver to be explained. The chair advised that the waiver was for the Minor Subdivision ordinance, and it states that you cannot have more than five (5) lots on a servitude. Mr. Bickford bought approximately eight (8) acres that had already been subdivided many times, many years ago, and that now had nine (9) lots on the servitude. Mr. Bickford wants to move his family onto the property and subdivide the property into two (2) more lots, making it eleven (11) lots on the servitude, that way everyone can use the land as collateral and build their homes. The chair was in support of this, and did not see it as a problem.

Councilman Garry Talbert questioned who made the motion. Councilman Keen acknowledged that he made the motion. Councilman Talbert questioned the way that he had voted in a previous resolution regarding a waiver. The chair allow a brief open discussion.

Public input: Brian Bickford, property owner who was requesting the waiver-Council District 9

The chair clarified the resolution presented:

"The motion on the floor is to grant this waiver to allow this man to subdivide his eight (8) acres to be subdivided under the Minor Subdivision ordinance."

LPR NO. 20-283

MOTION was made by Maurice "Scooter" Keen and duly seconded by John Wascom to approve the waiver request of Section 125-12, "Requirements for Minor subdivisions" located off of James Chapel Road, Albany for Brian Bickford in Council District 9.

YEAS: MR. KEEN, MR. MACK, MR. WASCOM, MR. DELATTE

NAYS: MR. ARD, MR. GIRLINGHOUSE, MR. TALBERT, MR. HARRIS,
MR. MCMORRIS

ABSENT: NONE

ABSTAIN: NONE

Councilman Gerald McMorris wished to quantify his "NO" vote and explained that due to previous meetings, the Council members had stuck to the ordinances.

Thereupon the chair declared that the Motion had **FAILED** and was **NOT** adopted.

Mr. Bickford asked what did this failure of this resolution mean for him? He pleaded with Councilmembers and stated his case. The chair allowed a very passionate and lengthy open discussion.

The chair advised Mr. Bickford that he had two (2) options:

- Mr. Bickford could have this placed again on the next meeting agenda and call the Councilmembers to try and persuade them to hear his plea and vote in favor of granting the waiver
- Follow the ordinance that allows him to request more addresses

Public input: Brian Bickford, advised that he wished to put this back on the next agenda

Mr. Bickford requested that the Council please open this back up for discussion that night to consider granting him the waiver that he needed.

The chair advised that it was too late and the vote had been taken.

Councilman Gerald McMorris requested to reconsider his vote.

The chair explained that Councilman McMorris would need to make a motion to reconsider his vote to which he did. Councilman Maurice “Scooter” Keen wished to second to his motion.

LPR NO. 20-284

MOTION was made by Gerald McMorris and duly seconded by Maurice “Scooter” Keen to reconsider the denial of the waiver made in the previous vote for Mr. Brian Bickford to be allowed to subdivide his property with more than five (5) lots on a servitude in a Minor Subdivision.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair announced that they would now vote to adopt a resolution that would approve the waiver and explained that a vote “yes” would approve the waiver and a vote “no” would be against allowing the waiver.

LPR NO. 20-285

MOTION was made by Maurice “Scooter” Keen and duly seconded by John Wascom to approve the waiver of Section 125-12, “Requirements for Minor subdivisions” and allow Mr. Brian Bickford to subdivide his property located off of James Chapel Road in Council District 9 that would allow more than five (5) lots on a servitude in a Minor Subdivision.

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

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

NAYS: MR. ARD, MR. GIRLINGHOUSE, MR. HARRIS

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Maurice “Scooter” Keen stated that he would like to reconsider his vote for agenda item number 17c:

Thomas Crotwell
Waiver - Subdivide within a Subdivision
James Street Section 18, T7S R3E Council District 5

Councilman Keen advised that he had received new information and had thought about it, and wished to change his vote.

The chair allowed the Councilmembers to discuss their reasons why they felt the resolution to allow the waiver should be granted.

Councilman Randy Delatte requested a legal opinion from Mr. Moody. He stated that the Councilmembers are not bonded individually, and because of this, he asked if this case were to go to court, can they be sued as individuals? Would they have to get their own attorneys?

Mr. Moody advised that no, they could be provided with a defense. He felt that the worst that could happen if he would sue, would be the court would give you permission to do it.

LPR NO. 20-286

MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry Talbert to reconsider the denial of the waiver made in the previous vote for agenda item number 17c, “Thomas

Crotwell, Waiver - Subdivide within a Subdivision, James Street, Section 18, T7S R3E, Council District 5”.

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

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

NAYS: MR. ARD, MR. HARRIS, MR. MCMORRIS

ABSENT: NONE

ABSTAIN: NONE

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

The chair wished to clarify that the next resolution proposed would be to grant the waiver of agenda item 17c, “Thomas Crotwell, Waiver - Subdivide within a Subdivision, James Street, Section 18, T7S R3E, Council District 5”. He explained that a vote “yes” would be to grant the waiver and called for the vote.

LPR NO. 20-287

MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry Talbert to grant a waiver of Section 125-9, “Submittals”, allowing the subdivision of property within a subdivision, to Thomas Crotwell located on James Street, Section 18, T7S R3E in Council District 5.

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

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

NAYS: MR. ARD, MR. HARRIS

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item(s) number 20a through 20d, Waiver request(s) of Section 125-27, “Driveway culverts and/or Subsurface Drainage”, to allow subsurface drainage in a subdivision:

LPR NO. 20-288

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to authorize and approve the waiver request of Section 125-27, “Driveway culverts and/or Subsurface Drainage”, to allow subsurface drainage in a subdivision for Catherine St. Pierre, addressed at 24230 Millican Drive, Denham Springs, LA 70726 located in West Colyell subdivision in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 20-289

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to authorize and approve the waiver request of Section 125-27, “Driveway culverts and/or Subsurface Drainage”, to allow subsurface drainage in a subdivision for Kimberly Wadenpfohl and

Mark Stinson addressed at 27160 Woods Edge Lane, Walker, LA 70785 located in Country Acres Subdivision in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 20-290

MOTION was made by John Wascom and duly seconded by Randy Delatte to authorize and approve the waiver request of Section 125-27, "Driveway culverts and/or Subsurface Drainage", to allow subsurface drainage in a subdivision for Charles K. McDonald, Jr. addressed at 30754 Arlington Avenue, Denham Springs, LA 70726 located in Arlington Place Subdivision in Council District 4.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair advised that agenda item number 20d, "Dr. Ripple: Request for a catch basin in Shadow Springs Subdivision located in Council District 5 – R.C. "Bubba" Harris" had been tabled.

The chair addressed agenda item 21, "Accept Rangeline Road into the parish maintenance system under "Type D Roads" located off of LA Highway 42 in Council District 6" and called upon Councilman Gerald McMorris.

Councilman McMorris gave a brief history of the road. Councilman Garry Talbert asked if all of the requirements had been met. Councilman McMorris confirmed that everything had been submitted to the Council office. Councilman Tracy Girlinghouse also had questions that the criteria had been met of the ordinance. Councilman McMorris reacted in the affirmative.

LPR NO. 20-291

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to accept Rangeline Road located off of Louisiana Highway 42 into the Parish maintenance system having met the requirements under the provisions of Section 58-6.2, "Type D Roads" of the Code of Ordinances of Livingston Parish being located in Council District 6.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 22, "Discussion and recommendations for blighted properties located in Plantation Estates in Council District 5" and called upon Councilman R.C. "Bubba" Harris.

Councilman Harris explained that this has been a problem for quite a while. He had been receiving many email complaints and phone calls about blighted properties in Plantation Estates. He drove out to the properties and investigated and he saw firsthand how terrible these blighted properties were.

Councilman Garry Talbert and Councilman Maurice "Scooter" Keen both had questions for Councilman Harris.

Councilman Keen wanted to know if Councilman Harris had been in contact with Steve Kistler from Administration. He advised that yes, he had. Councilman Keen explained that Mr. Kistler had communicated with him and advised that the Parish would not be able to take any action on the blighted properties that Councilman Keen had submitted with resolutions from the Council.

Councilman Keen wished to ask Mr. Moody if they were able to take this on as a Council and start proceedings against these houses?

Mr. Moody questioned what person would go out and do it?

Councilman Randy Delatte asked to be called upon and wished to make a suggestion. He stated that Administration had certified inspectors, and if they could make certified inspections to verify that the properties are blighted, then the Council should be able to take Legislative action.

Mr. Moody advised that there was a whole process in place, but someone has to start the process.

The chair stated that Administration is responsible for the process and asked for clarification from Mr. Moody. Mr. Moody confirmed this.

The chair allowed an open discussion.

LPR NO. 20-292

MOTION was made by Randy Delatte and duly seconded by R.C. "Bubba" Harris to direct this resolution to Administration requesting that they get the process started on the blighted properties that Councilman R.C. "Bubba" Harris submits to the Council clerk to be known as "Exhibit A".

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Exhibit A:

Subdivision: Plantation Estates South
Owner: June K. Olah ET ALS Frank L. Koles III
Parcel Number: 0087783
Parcel Address: 7945 Evergreen Drive, Denham Springs, LA 70726

Subdivision: Plantation Estates South
Owner: Nathan and Tonya Songy
Parcel Number: 0099747
Parcel Address: 8327 Hermitage Drive, Denham Springs, LA 70726

The chair addressed agenda item number(s) 23a and b:

Board (re)appointment(s):

- a. Livingston Parish Recreation District No. 3 – John Wascom
- b. Gravity Drainage District No. 1 – Maurice "Scooter" Keen

LPR NO. 20-293

MOTION was made by John Wascom and duly seconded by Maurice “Scooter” Keen to appoint D.J. Ramirez (resident of Council District 3) as a board member to Recreation District No. 3 to replace the vacancy of Arthur Perkins due to his untimely passing, and will serve out the remainder of the five (5) year term which will expire on February 23, 2021.

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

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

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

LPR NO. 20-294

MOTION was made by Maurice “Scooter” Keen and duly seconded by Tracy Girlinghouse to reappoint Robert Borne (resident of Council District 3) to Gravity Drainage District No. 1 to serve a four (4) year board appointment, whose term will expire on November 22, 2023.

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

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

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

The chair addressed agenda item number 24:

Committee Report(s):

a. Ordinance Committee

- i. Introduction of Ordinance:** Chapter 125, Section 125-25, “Drainage impact study/drainage design requirements”

Councilman Tracy Girlinghouse, Ordinance committee chairman, explained the proposed ordinance and called upon Councilman Garry Talbert to elaborate.

Councilman Talbert gave a detailed account of why this ordinance was necessary and answered questions from the Councilmembers.

The chair called upon the Council clerk to read the ordinance by title for introduction.

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

L.P. ORDINANCE 20-26

AN ORDINANCE TO AMEND CHAPTER 125, “SUBDIVISION REGULATIONS,” ARTICLE I., “IN GENERAL”, SECTION 125-25., “DRAINAGE IMPACT STUDY/DRAINAGE DESIGN REQUIREMENTS.”, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

LPR NO. 20-295

MOTION was offered by Garry Talbert seconded by Tracy Girlinghouse to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, September 24, 2020 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. ARD, MR. KEEN, MR. GIRLINGHOUSE, MR. TALBERT, MR. MACK,
MR. WASCOM, MR. DELATTE, MR. HARRIS, MR. MCMORRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

Councilman Girlinghouse continued with his Ordinance committee report and discussed the two (2) ordinances that were rescheduled earlier in the meeting, L.P. Ordinance No. 20-23: Amend Chapter 125, Section 125-30, "Drainage Districts" and L.P. Ordinance No. 20-24: Amend Chapter 125, Section 125-30, "Drainage Districts" giving a summary of why the ordinances were being amended. He also advised that the committee would be looking at the ordinance that prohibits subdividing in a subdivision and the grinder pumps ordinance.

Councilman Jeff Ard stated that the Finance committee did not meet and had nothing to report at that time.

The chair addressed agenda item number 24c, "Creation of Animal Control Committee". He advised that he and Councilman Randy Delatte had been in discussion and they both felt that it was important to begin some type of committee to begin communicating and working on a game plan to see if there was any possible way that the current animal control could be enhanced. The chair called upon Councilman Randy Delatte for more comment. Councilman Delatte advised that he had met with the Livingston Parish Sheriff. He stated that the Sheriff spends a lot of resources on animal control and was willing to help a lot on it. Councilman Delatte indicated that funding is naturally the biggest issue and where it will come from. His personal opinion was that there are monies out there that are not being collected for occupational licenses and suggested that the Council may adopt an ordinance for collection of these fees annually from everyone that should be obtaining an occupational license. He would like to form the committee and get some ideas going, see what we are doing now and get the Sheriff involved with them and possibly get a program started at the first part of the year when the new budget comes out.

Councilman Garry Talbert stated that he did not disagree with Councilman Delatte and further stated that the Parish has a great ordinance for animal control. There was only one problem with it, and that was that it stated that it does not go into effect until it is funded. He advised that if the Council was serious about animal control, then in December, they needed to strike that out of the ordinance and then put it in the budget. The chair allowed a brief open discussion on funding animal control.

Councilman Talbert declared that he would like to nominate Councilman Delatte as the chairman of the Animal Control committee. Councilman Delatte accepted and Councilman Tracy Girlinghouse stated that he wished to make the second to that motion.

The chair requested that they modify the motion to indicate the creation of the committee along with making Councilman Delatte the committee chairman.

Councilman Jeff Ard advised that he had been approached by Ms. Desiree Green who is employed by the Parish at the shelter now and she had requested to be on the newly formed committee. Councilman Ard advised that she would be really good for the committee.

Councilman Delatte stated that he was looking to form a committee from the Councilmembers, not an advisory committee to address the issues of funding. Councilman Ard acknowledged who better than to have on the committee than someone who is there working and trying to make it work now to find out about funding?

Councilman Delatte did not think that you could mix those type of committees and asked Mr. Chris Moody if that were possible? Mr. Moody stated that you could make them non-voting members. The Councilmembers concurred on this.

The chair stated that he would like to have Mr. Charles McDonald also to be considered for the committee. He declared that Mr. McDonald would be a very valuable asset to this committee.

The chair clarified the motion and stated that it would be a six (6) member committee, being four (4) Councilmembers and two (2) Administrative advisors that were to be non-voting.

LPR NO. 20-296

MOTION was made by Garry Talbert and duly seconded by Tracy Girlinghouse to create an Animal Control committee consisting of four (4) members of the Livingston Parish Council and two (2) Administrative non-voting members and to nominate Councilman Randy Delatte as the committee chairman; and also appointing Desiree Green and Charles McDonald as the two (2) Administrative non-voting committee members.

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

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

NAYS: MR. HARRIS

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 25, "District Attorney's Report" and called upon Mr. Chris Moody. Mr. Moody advised that he had nothing to report at that time.

Having no further business, a motion to adjourn was requested until the next regular meeting that was scheduled on Thursday, September 24, 2020, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 20-297

MOTION was offered by John Wascom and duly seconded by Tracy Girlinghouse to adjourn the September 10, 2020 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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

\s\ Shane Mack
Shane Mack, Council Chairman