

MINUTES

**Livingston Parish**  
**May 23, 2023**

Pursuant to notice duly posted in the public lobby of the Livingston Parish Governmental Building, the Livingston Parish Ordinance Committee met on May 23, 2023, at the hour of five- thirty o'clock (5:30) p.m. in the Parish Council Chambers, located in the Livingston Parish Governmental Building, 20355 Governmental Boulevard, Livingston, Louisiana with the following members present:

Shane Mack- Chair  
Randy Delatte  
John Wascom  
Erin Sandefur

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The Chairman, Councilman Shane Mack, called the meeting to order.  
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The Council Clerk called roll. With everyone being present, **the Chair began by addressing item 3, Old Business:**

With no old business to discuss, the **Chair addressed item 4, New Business:**

**a Discussion and recommendation of Introduction of ordinance: Pink tax exemption for Livingston Parish – Garry Talbert**

The Chair asked Councilman Garry Talbert to come to the podium and explain this item more since he was the sponsor for this item.

Mr. Talbert reads what the definition of this item includes. He explained the state has exempted these items already and has given the option to local governments the options to exempt these items.

Mr. Delatte asked if Mr. Moody (legal counsel for the Council) said the one cent sales tax that was voted on can be exempt from this. Mr. Talbert answered saying the Council can exempt any sales tax that they collect. He then said M. Moody has yet to find any case law that allows them to exempt it from others, saying most of the sales tax is collected by the school board and they do not have authority over them.

Public Input: Marla Elzy

Ms. Elzy expressed her support of Mr. Talbert's proposed ordinance and then addressed Ms. Sandefur. She brought up a question Ms. Sandefur asked at the last meeting which was someone in her district wanted the same tax exemption on gun ammunition and asked what the difference was in the two. Ms. Elzy said the difference was people have the option to buy guns and women do not have the option to buy feminine products. She asked if the state is okay with sparing the little amount of money the tax would bring in, why couldn't the parish do the same?

Mr. Mack asked if there was a motion on this item. Mr. Delatte made a **motion** for an unfavorable recommendation with a **second** by John Wascom.

Mr. Delatte made the clarification, just because it is an unfavorable recommendation does not mean this ordinance cannot be introduced at the next Council meeting.

**b. Discussion and recommendation of Introduction of ordinance: Prohibition of biological males from competing in female sports in Livingston Parish – Garry Talbert**

Mr. Talbert explained this was a duplicate of state law. He said if a women's team had to play a team with biological males on the opposing team, their season could end a different way.

Mr. Delatte asked how this would be enforced in the parish. Mr. Talbert explained that it is the responsibility of the complex holding tournaments or events to enforce it. Mr. Delatte then asked what the penalty of not following this ordinance is. Mr. Talbert said there is no penalty other than they cannot do it, and if a team is caught breaking the rules, they must forfeit.

Mr. Wascom asked if the state removes the law in place, and all the other states are allowing biological males to compete in female sports, then Livingston Parish would not be able to compete? Mr. Talbert answered that would possibly happen.

Ms. Sandefur expressed that although she is against biological males competing in female sports, the Council does not have authority over the school system or LHSAA. Mr. Talbert answered that he asked the parish attorney about this ordinance already, and if she did not want to vote for it, she did not have to.

Mr. Mack asked if everyone could be respectful and professional, and asked if anyone else had any questions.

Public Input: Councilman Gerald McMorris

Mr. McMorris said he was against males competing in female sports, and he thinks this ordinance is a good idea.

Public Input: Marla Elzy

Ms. Elzy questioned the legality of this ordinance stating it is already state law so why would the parish need a law too? She also questioned if state law changed to allow it, does the parish have authority to create a law prohibiting it.

Mr. Talbert explained this is not the first time the Council has duplicated state law.

Public Input: James Camp

Mr. Camp said he is in support of the basic concept of preventing biological males competing on a female team. He also expressed that if the state law ever went away, then the Council could consider passing an ordinance then.

Ms. Sandefur wanted to go on the record saying she is against this, but she cannot vote for it due to her lack of authority.

A **motion** was made by Erin Sandefur for an unfavorable recommendation and **seconded** by John Wascom with everyone in favor except Mr. Delatte, he abstained from the vote.

Mr. Wascom then thanked Mr. Talbert for coming and explaining this ordinance to everyone.

**c. Discussion and recommendation of Introduction of ordinance: Allocation of revenue to the Parish by DNR on monies generated on state CCS leases – Garry Talbert**

Mr. Talbert gave a brief history on what the ordinance is trying to accomplish. He explained that these funds could go to Gravity 8 and animal control.

Mr. Wascom proposed the question of maybe 70% of the funds go to Gravity district 8, and the other districts share the rest.

Mr. Delatte questioned why they are even discussing this if they (the current Council) aren't even going to be there after this year.

Public Input: Eric Harrell

Mr. Harrell explained that he thinks this is a bad idea. He says the taxes could go away so he thinks it is a waste of time. He thinks any money from this should go towards matching federal funds.

Public Input: Councilman Jeff Ard

Mr. Ard explained he was the one that was working with Councilman Talbert on this and that he wasn't sure if this could be done or not, but his thought process behind using the money to match funds is someone would have to find a grant to match, instead of just spending the money it generates.

Mr. Delatte said that it is non-binding and the only way to make it binding is by the vote of the people.

Mr. Talbert answered that this is why they brought this ordinance to the ordinance committee, to talk through the process and see what works best. He suggested putting it on a ballot for the vote of the people and let them decide what to do with the money. He pointed out that the original plan was to just create funds, but that could potentially go away with the next Council that comes in. So now they are saying it could go before a vote of the people and amend the Home Rule Charter to dedicate the funds. He explained that funding of Gravity 8 has been defeated multiple times when on the ballot, but now they have an opportunity to fund Gravity 8 with another source, and possibly Parish wide animal control.

Mr. Delatte expressed he thinks they should wait and let whoever oversees the Parish at the time that the money comes through, make the decision on what to do with it.

A **motion** was made by Randy Delatte to send this to the Council with an unfavorable recommendation, which was **seconded** by John Wascom.

Mr. Mack made a point to thank Mr. Talbert for coming to the meeting and his work put in on this ordinance. He also explained that he voted unfavorable for this ordinance was due to him not wanting to fund Gravity 8 from the wells going into Lake Maurepas.

The Chair then addressed item 4d:

**d. Discussion to amend LP Ordinance 15-18: Justice of the Peace and Constable Salary Provisions**

Mr. Delatte explained that Senator White did a one-time supplemental pay for all JP and Constables in Louisiana. The Parish has been collecting this money since October, but the ordinance that is in place currently does not allow the Parish to pay them more than what was listed in the ordinance. This ordinance amends the pay for JP and Constables to allow them to get their monthly pay plus any supplemental pay the Parish received from the state.

A motion was made by Randy Delatte and seconded by John Wascom to send this ordinance to the Council with a positive recommendation.

Moving onto item 4e:

**e. Discussion of bonding individual Councilmembers for legal matters**

Mr. Delatte explained that he requested information from the finance director about bonding the Councilmembers. The finance director is working on getting quotes for this. Mr. Delatte said since then, people have told him they could not be sued individually, but he would still like to move forward with this.

A **motion** was made by Randy Delatte and **seconded** by Erin Sandefur to ask the Council to pass a resolution to follow section 7-04, page 25, of the Home Rule Charter, to bond elected officials.

Public Input: James Camp

Mr. Camp stated his opinion that he does not think elected officials should be sued or be threatened to be sued by anyone for just wanting to do what they are elected to do.

Public Input: Councilman Jeff Ard

Mr. Ard explained that he was in favor of this, and when he was finance committee chair, he asked this same question. He said that Jennifer (finance chair) spoke at the meeting and told the committee as long as they vote with the majority, they were covered. He asks the question, if that is true, why does multiple councilmembers, including himself, need to hire a personal attorney for a lawsuit when they did vote with the majority?

A **MOTION** was offered by John Wascom and duly **SECONDED** by Erin Sandefur to adjourn the May 23, 2023, meeting of the Livingston Parish Ordinance Committee, with no further discussion and where none opposed.

*/s/ Caroline Lockhart*

Caroline Lockhart, Deputy Clerk

*/s/ Shane Mack*

Shane Mack, Chairman