

Minutes of the Livingston Parish Council  
Livingston, Louisiana  
December 15, 2016

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, December 15, 2016, 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, Mr. Layton Ricks  
Christopher Moody, Parish legal Counsel

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The chair called the meeting to order and asked the public to please mute or turn off their cell phones.  
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#### PUBLIC INPUT

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

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The chair addressed agenda item 8, "Adoption of Minutes of the December 1, 2016 regular meeting of the Council".

#### **LPR NO. 16-408**

MOTION was made by Garry "Frog" Talbert and duly seconded by Tab Lobell to dispense with the reading of the minutes dated December 1, 2016 of the regular meeting of the Livingston Parish Council and adopt as written.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 9a, "Authorization to execute and file an application for Council on Aging DOTD grant under 49 CFR 5311, Non-Urbanized Area Formula and/or 49 CFR 5309, Discretionary Capital Program – Leila Fauchaux, Executive Director of the Livingston Council on Aging". This item was deferred until the next regular meeting of the Council on Thursday, January 12, 2017 by request of Ms. Fauchaux who was unable to attend.  
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The chair addressed agenda item 9b, "Introduction of ordinance, Sale of Department of Public Works surplus equipment". Sam Digirolamo, Director of the Department of Public Works, explained the need for the ordinance and requested its introduction.

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

#### **L. P. ORDINANCE NO. 16-49**

AN ORDINANCE TO DECLARE CERTAIN MOVABLE PROPERTY (EQUIPMENT) NO LONGER NEEDED FOR PUBLIC PURPOSES; PROVIDE FOR ITS SALE BY INTERNET SALES AND/OR PUBLIC AUCTION, AND PROVIDE FOR TERMS OF SALE.

#### **LPR NO. 16-409**

MOTION was offered by Tracy Girlinghouse and duly seconded by Jeff Averett to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, January 12, 2017 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. MACK, MR. AVERETT, MR. LOBELL, MR. WASCOM, MR. ARD,  
MR. GIRLINGHOUSE, MR. HARRIS, MR. TALBERT, MR. KEEN

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 16-410**

MOTION was made by Garry “Frog” Talbert and duly seconded by Tracy Girlinghouse to accept the recommendation of the Finance committee and appoint LaPorte CPAs and Business Advisors as auditor of the Livingston Parish Council Financial Statements for the Fiscal Year ending December 31, 2016 to determine that the statements of the Council are in accordance with the generally accepted accounting principles (GAAP), the Governmental Accounting Standards Board (GASB) the provisions of the U.S. Office of Management and Budget (OMB) Circular A-133: *Audits of States Local Governments, and Non-Profit Organizations*, and OMB Circular A-87: *Cost Principles for State, Local, and Indian Tribal Governments*.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 16-411**

MOTION was made by Garry “Frog” Talbert and duly seconded by Maurice “Scooter” Keen to accept the recommendation of the Finance committee and appoint First Guaranty Bank as the fiscal agent for banking services for the Livingston Parish Council for the 2017 fiscal year.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair called upon Sam Digirolamo to explain agenda item 9e, “Accept Fuel Bid as presented by DPW Director, Sam Digirolamo”. Mr. Digirolamo advised that Lard Oil was the only bidder and that the Parish was currently using this company for their fuel needs.

**LPR NO. 16-412**

MOTION was made by R.C. “Bubba” Harris and duly seconded by Tracy Girlinghouse to accept the bid submitted to the Livingston Parish Council from Lard Oil for On-Site Consignment and Automated Fueling Program and be awarded a one (1) year contract from January 1, 2017 through December 31, 2017 for the fuel delivery of “HS (High-Sulphur) Diesel, LS (Low-Sulphur) Diesel, and Regular Unleaded Gasoline – Livingston, LA” to be delivered to the following location:

**Livingston Parish Department of Public Works  
28325 Charley Watts Road  
Livingston, Louisiana 70754**

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The Parish President wished to take an opportunity to wish the Councilmembers a Merry Christmas and a happy New Year. He also wanted to thank each one of them personally for the accomplishments of the past year and the relationships that have been built. He complimented their efforts and expressed how wonderful it had been to work together as a team. He sincerely expressed how it was truly a blessing to be working together and that he really, really meant that.

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The chair called upon Mr. Sam Digirolamo to address the agenda addendum items A-1, a through d, “Planning Commission Recommendations”.

Public Input: Joe Kocrowski, Planning Commission member

**LPR NO. 16-413**

MOTION was made by Tab Lobell and duly seconded by Shane Mack to grant one (1) waiver approving ten (10) lots on the servitude of property, thereby allowing the division of thirteen (13) lots of a tract of property within a two (2) year period; and also approving a second (2<sup>nd</sup>) waiver removing the requirement of a drainage impact study when subdividing ten (10) lots or more for VMK Enterprises, Sections 8 and 17, T7S R5E, located on Oliver Wheat Road, in Council District 8.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 16-414**

MOTION was made by Garry “Frog” Talbert and duly seconded by Jeff Averett to accept the recommendation of the Planning Commission and approve a waiver for additional lots that will allow seven (7) lots on the servitude of property for Tina Nadeau, Section 27, T5S R3E located on Louisiana Highway 1019, in Council District 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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**LPR NO. 16-415**

MOTION was made by R.C. “Bubba” Harris and duly seconded by Tracy Girlinghouse to accept the recommendation of the Planning Commission and approve the preliminary site plan for Lake After Hours, Section 7, T7S R3E located on Vincent Road, in Council District 5.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed addendum item A-1(d):

Lockhart Lake Mobile Homes	La. Land Engineering
Preliminary Site Plan	
Lockhart Road	Section 28, T6S R3E Council District 3

This item was deferred indefinitely.

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The chair addressed agenda item 10, “Office of Homeland Security and Emergency Preparedness – Mark Harrell”. Mr. Harrell had no agenda items and was not present, so the chair moved on to the next agenda item, Agenda item 11, “Appointment of interim City of Denham Springs Marshal – John Wascom”.

Councilman John Wascom called upon Deputy Marshal and interim City of Denham Springs Marshal, Joe Shumate and Judge-elect Jerry Denton to address the Councilmembers.

Mr. Shumate explained the area that his interim office would oversee, Wards 2 and 7. Mr. Denton concurred that his judgeship would encompass “the same footprint” of the area.

**LPR NO. 16-416**

MOTION was made by R.C. “Bubba” Harris and duly seconded by Tracy Girlinghouse to ratify the Louisiana Secretary of State’s appointment of Joe Shumate as interim City of Denham Springs Marshal to serve the areas of Ward 2 and Ward 7, due to the vacancy left by Marshal Jerry Denton who was elected as Judge on November 8, 2016 of the same region, until an election can be held for the permanent position of Marshal on March 25, 2017.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda item 12 and declared that a Public Hearing was opened for L.P. Ordinance No. 16-46, "Quitclaim/Servitude Revocation: Weiss Road – Harold Davidson". Having no comment from the public or the Councilmembers, the chair requested a motion to close the Public Hearing.

**LPR NO. 16-417**

MOTION was made by Garry "Frog" Talbert and duly seconded by Tracy Girlinghouse to close the Public Hearing for L.P. Ordinance No. 16-46, "Quitclaim/Servitude Revocation: Weiss Road – Harold Davidson".

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**LPR NO. 16-418**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on November 10, 2016 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 December 15, 2016 on Motion of Garry "Frog" Talbert and seconded by Jeff Ard to adopt the ordinance as amended:

**L.P. ORDINANCE 16-46**

MAP SHOWING REVOCATION OF A CERTAIN 60' RIGHT-OF-WAY ACROSS A CERTAIN 7.92 ACRE TRACT OF LAND LOCATED IN SECTION 1, T5S-R3E, G.L.D., LIVINGSTON PARISH, LOUISIANA FOR HAROLD DAVIDSON BEING MORE PARTICULARLY DESCRIBED HEREIN:

WHEREAS, by the official plat of MAP SHOWING REVOCATION OF A CERTAIN 60' RIGHT-OF-WAY ACROSS A CERTAIN 7.92 ACRE TRACT OF LAND LOCATED IN SECTION 1, T5S-R3E, G.L.D., LIVINGSTON PARISH, LOUISIANA FOR HAROLD DAVIDSON BEING MORE PARTICULARLY DESCRIBED HEREIN:

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

(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).

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The chair requested that the Councilmembers direct their attention to the agenda addendum item A-2, "Introduction of ordinance:

- a. Establish and name additional Livingston Parish Council full-time staff position and set salary":

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

**L. P. ORDINANCE NO. 16-50**

AN ORDINANCE AUTHORIZING THE HIRING OF ONE FULL-TIME EMPLOYEE FOR THE PARISH COUNCIL OFFICE AND SETTING SALARY RANGE FOR SAME.

**LPR NO. 16-419**

MOTION was offered by Tracy Girlinghouse and duly seconded by Shane Mack to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, January 12, 2017 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. MACK, MR. AVERETT, MR. LOBELL, MR. WASCOM, MR. ARD, MR. GIRLINGHOUSE, MR. HARRIS, MR. TALBERT, MR. KEEN

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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The chair addressed agenda addendum item A-3(a), "Discussion, establishment and appointment of new Livingston Parish Council office staff position".

**LPR NO. 16-420**

MOTION was offered by Tracy Girlinghouse and duly seconded by Maurice "Scooter" Keen to appoint Lauren White as the newly established position to the Livingston Parish Council staff (*per Section 2-10, Council Employees of the Home Rule Charter*) upon adoption of L.P. Ordinance No. 16-50, on January 12, 2017, to be titled "Executive Assistant" of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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Councilman Garry "Frog" Talbert left the meeting and did not return for the following four (4) votes.

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The chair addressed agenda addendum item A-3(b), "Fire Protection District No. 5 Board appointment – John Wascom".

**LPR NO. 16-421**

MOTION was made by Shane Mack and duly seconded by Tracy Girlinghouse to appoint David Drake to Fire Protection District No. 5, resident of Council District No. 4, to replace board member Woody Cutrer upon the expiration of his term on January 1, 2017, and newly appointed term of expiration for Mr. David Drake shall be January 1, 2019.

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

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

NAYS: NONE

ABSENT: MR. TALBERT

ABSTAIN: NONE

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

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**LPR NO. 16-422**

MOTION was made by R.C. "Bubba" Harris and duly seconded by Tracy Girlinghouse to reappoint Wesley Sorenson and Kurt Mikesell to Fire Protection District No. 5, resident(s) of Council District No. 5, term(s) to expire on January 1, 2019.

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

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

NAYS: NONE

ABSENT: MR. TALBERT

ABSTAIN: NONE

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

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**LPR NO. 16-423**

MOTION was offered by Shane Mack and duly seconded by Tracy Girlinghouse to correct and clarify multiple speed postings and set the speed limit on Mary Kinchen Road, located in Council District 9, as 35 mph, and also establish the speed limit in the curves of Mary Kinchen Road as 15 mph.

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

NAYS: NONE

ABSENT: MR. TALBERT

ABSTAIN: NONE

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

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The chair addressed agenda item 14, "District Attorney's Report". Mr. Moody advised that he had nothing to report to the Councilmembers at that time but wished to share the earlier heartfelt sentiments of the Parish President.

The chair recognized the Councilmembers' wives that were in attendance in the audience. He also expressed his good will and praises for the Councilmembers and the friendships that had been established throughout the first year of their term as elected officials.

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There being no further business, the chair requested a motion to adjourn until the next regular meeting scheduled for Thursday, January 12, 2017, at the hour of six (6:00) o'clock p.m. in Livingston, Louisiana.

**LPR NO. 16-424**

MOTION was offered by Jeff Averett and duly seconded by Tab Lobell to adjourn the December 15, 2016 regular meeting of the Livingston Parish Council.

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

NAYS: NONE

ABSENT: MR. TALBERT

ABSTAIN: NONE

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

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Sandy C. Teal, Council Clerk

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John Wascom, Council chairman