

**Minutes of the Livingston Parish Council
Livingston, Louisiana
September 26, 2019**

The Livingston Parish Council met in a regular session duly called, advertised, and convened at its regular meeting place, the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, September 26, 2019, at the hour of six-thirty (6:30) p.m. with the following Livingston Parish Council members present:

Jeff Ard	John Wascom	Tracy Girlinghouse
Garry “Frog” Talbert	R.C. “Bubba” Harris	Tab Lobell
Maurice “Scooter” Keen	Jeff Averett	Shane Mack

Absent: Layton Ricks, Parish President

Also, present: Christopher Moody, Parish Legal Counsel
Mark Harrell, Director of the Livingston Parish Office of Homeland Security and Emergency Preparedness: representing in the absence of the Parish President (as per Section 3-09(8) of the Livingston Parish Home Rule Charter)

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

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

The chair addressed agenda item 7, “Presentations:” and advised that Brandon Browning, “Candidate for Livingston Parish Tax Assessor”, had a last-minute engagement that he needed to attend and could not be at the Council meeting. The chair moved to the next presentation item, “Rachel Deaton – Recognition of the “Project River Cleanup”,” and called upon Councilmen Jeff Ard and Tracy Girlinghouse.

Councilmen Ard and Girlinghouse invited Ms. Rachel Deaton from the audience to come to the front to acknowledge her organizational efforts for “Project River Cleanup” and her positive impact on our community. They presented her with a certificate of achievement and asked if the other Councilmembers would come for a photo opportunity with Ms. Deaton.

Ms. Deaton requested to speak about another upcoming river clean up event that would be scheduled sometime next March. She advised that they would be focusing on getting logs and trees out of the waterways, as well as trash. The Councilmembers thanked Ms. Deaton for her efforts.

The chair addressed agenda item 8, “Adopt a resolution to approve the two (2) year appointment of the Chairman of the Parish Council as a Director to the Board of the Louisiana Local Government Environmental Facilities and Community Development Authority” and called upon Mr. Jim Ryan of Governmental Consultants and Parish Financial Advisor.

Mr. Ryan explained in depth what the Louisiana Local Government Environmental Facilities and Community Development Authority was about and how they helped in financing bonds. He continued and advised that some of their mandates had changed, one (1) being that they now required the chairman of the governing authority to be appointed as a director to the board.

PARISH COUNCIL OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA

The following resolution was offered by Tracy Girlinghouse and seconded by Garry “Frog” Talbert:

L.P. RESOLUTION NO. 19-303

A Resolution indicating the intention of the Parish of Livingston, State of Louisiana, to approve the two (2) year appointment of the Chairman of the Parish Council as a Director to the Board of the Louisiana Local Government Environmental Facilities and Community Development Authority as provided by Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

WHEREAS, Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of La. R.S. 33:4548.1 through 33:4548.16, inclusive, is known as the Louisiana Local Government Environmental Facilities and Community Development Authority Act (the “Act”); and

WHEREAS, the Act creates the Louisiana Local Government Environmental Facilities and Community Development Authority (the “Authority”) for the purpose of assisting political subdivisions, as defined in the Act, and other designated entities in acquiring, financing and constructing certain facilities, including environmental, public infrastructure, community and economic development purposes and to otherwise establish programs to aid in the financing of local government and economic development projects; and

WHEREAS, the Parish of Livingston, State of Louisiana (the “Parish”) previously passed a Resolution to become a participating political subdivision of the Authority in accordance with the Act; and

NOW THEREFORE, BE IT RESOLVED by the Parish Council, as the governing authority of the Parish, acting in such capacity:

SECTION 1. The Parish hereby approves the appointment of the Chairman of the Parish Council to serve as a Director of the Authority for a term of two (2) years from the date hereof.

SECTION 2. This resolution shall take effect immediately and a certified copy hereof shall be forwarded to the offices of the Authority.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

WHEREUPON, this Resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 26th day of September 2019.

1/2 Sandy C. Teal
Sandy C. Teal, Council Clerk

1/2 Shane Mack
Shane Mack, Council Chairman

APPOINTMENT OF DIRECTOR

I, Sandy C. Teal, Council Clerk, do hereby appoint the Chairman of the Parish Council, as a Member of the Board of Directors of the Louisiana Local Government Environmental Facilities and Community Development Authority representing the Parish of Livingston, State of Louisiana.

PARISH OF LIVINGSTON,
STATE OF LOUISIANA

By: 1/2 Sandy C. Teal
Sandy C. Teal, Council Clerk

Date: September 26, 2019

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

I, the undersigned Clerk of the Parish Council of the Parish of Livingston, State of Louisiana (the “Parish Council”) do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Parish Council on September 26, 2019, indicating the intention of the Parish of Livingston, State of Louisiana, to approve the two (2) year appointment of the

Chairman of the Parish Council as a Director to the Board of the Louisiana Local Government Environmental Facilities and Community Development Authority as provided by Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council of the Parish of Livingston, State of Louisiana on this 2nd day of October 2019.

 Sandy C. Teal
Sandy C. Teal, Council Clerk

The chair addressed agenda item number 9, “**Introduction of ordinance:** Authorization of \$17,000,000 Taxable Revenue Refunding Bonds for the Livingston Parish Courthouse”. Mr. Jim Ryan offered to read the ordinance by title.

Mr. Ryan explained that by refinancing these bonds being at a current rate of 4.61%, and by being able to refinance at a new rate of 3.31%, that will be a growth and net savings of one point three four (1.34) million dollars and an average annual savings of sixty-one thousand dollars (\$61,000.00) a year.

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

L.P. ORDINANCE NO. 19-30

An ordinance authorizing the Parish of Livingston, State of Louisiana to proceed with a not to exceed \$17,000,000 financing through the Louisiana Local Government Environmental Facilities and Community Development Authority; authorizing and ratifying the Parish of Livingston, State of Louisiana’s request of the Louisiana Local Government Environmental Facilities and Community Development Authority to issue its Taxable Revenue Refunding Bonds; authorizing the borrowing by the Parish of Livingston, State of Louisiana of the proceeds from the sale thereof; approving and ratifying within certain parameters the terms of the sale of the bonds; authorizing the form and execution of the Loan Agreement; authorizing the form of and execution of an agreement for the purchase of the bonds and ancillary financing documents; and otherwise providing with respect thereto.

LPR NO. 19-304

MOTION was offered by Jeff Averett and duly seconded by R.C. “Bubba” Harris to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, October 11, 2019 at the hour of six-thirty (6:30) 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. TALBERT, MR. MACK, MR. WASCOM, MR. LOBELL, MR. HARRIS,
MR. AVERETT, MR. ARD, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair advised that he wished to move up agenda item 16, “**Public Hearing and Adoption of L.P. Ordinance No. 19-29**, Servitude Revocation/Quit Claim: Carew Harris Road, Council District 5”, at the request of Councilman R.C. “Bubba” Harris. He asked if anyone objected to this request, to which it met no opposition.

The chair opened the Public Hearing and requested that the Council clerk read the ordinance by title.

The chair asked for public input from the audience.

Public input: Shane Sandifer, attorney for Livingston Holdings; supported the abandonment of this road and appreciated Councilman Harris's efforts in this matter

Councilman Harris answered several questions from Councilman Garry Talbert.

Having no other discussion or public input, the chair closed the Public Hearing.

LPR NO. 19-305

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on September 12, 2019, 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 26, 2019, on Motion of R.C. "Bubba" Harris and seconded by Jeff Averett:

L.P. ORDINANCE 19-29

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF LIVINGSTON HOLDINGS, A 2,095 LINEAR FEET SECTION OF CAREW HARRIS ROAD AS DETAILED PER (BLUE BOOK) FROM THE 7-YEAR CAPITAL OUTLAY LIST SUBMITTED UNDER THE OFFICIAL RECORDS OF THE LIVINGSTON PARISH COUNCIL UNDER LPR 02-479 ON SEPTEMBER 30, 2002.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of September 2019.

(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. 5)

The chair addressed agenda item 10 a and b, "Adoption of the Minutes:"

- a. September 12, 2019 Board of Review meeting
- b. September 12, 2019 regular meeting of the Council

LPR NO. 19-306

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to dispense with the reading of the minutes dated September 12, 2019 for the Board of Review meeting of the Livingston Parish Council and adopt as written.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The Council clerk requested that agenda item 10b, "September 12, 2019 regular meeting of the Council" be deferred until the next regular meeting of the Council on October 10, 2019.

The chair called upon Mark Harrell, representing in the absence of the Parish President and addressed agenda item(s) number 11:

Parish President's Report:

- a. Discussion of the amendment of, or action to rescind L.P. Resolution NO. 19-266 adopted on August 22, 2019 at a regular meeting of the Livingston Parish Council being a portion that states:

"WHEREAS, Parish President Layton Ricks has appointed a Complete Count Committee and has designated a Chairperson and Liaison to work with the community and the U.S. Census Bureau to ensure a complete and accurate count of all persons within Livingston Parish, Louisiana"

The Council clerk requested to explain this agenda item and why the opinion of the Parish's legal counsel was needed. Parish Legal Counselor, Mr. Christopher Moody advised that he would ask the Councilmembers to amend the prior resolution to change it to be relevant to state:

"WHEREAS, Parish President Layton Ricks ~~has~~ will appointed a Complete Count Committee and ~~has~~ will designated a Chairperson and Liaison to work with the community and the U.S. Census Bureau to ensure a complete and accurate count of all persons within Livingston Parish, Louisiana"

Mr. Moody asked with those changes he would ask that the Council change the prior resolution.

The chair asked if there was any public input from the audience or discussion from the Councilmembers.

Public input: Muriel Laws, resident of Council District 6: questioned the timeline of the committee appointments and wished to go on the record and emphasize how important it is because the census is happening in April and there is not much time to get that out

LPR NO. 19-307

MOTION was made by Maurice "Scooter" Keen and duly seconded by Garry "Frog" Talbert to amend LPR NO. 19-266, under the advisement of Parish Legal Counsel, that was adopted on August 22, 2019 at a regular meeting of the Council, to strike the words in this adopted resolution as noted below that indicate "*has appointed*" to be replaced with "*will appoint*" and strike the words "*has designated*" to be replaced with "*will designate*":

As noted: *"WHEREAS, Parish President Layton Ricks ~~has~~ will appointed a Complete Count Committee and ~~has~~ will designated a Chairperson and Liaison to work with the community and the U.S. Census Bureau to ensure a complete and accurate count of all persons within Livingston Parish, Louisiana "*

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The following resolution shall now read as follows:

PARISH COUNCIL OF THE PARISH OF LIVINGSTON, STATE OF LOUISIANA

The following resolution was offered by Tracy Girlinghouse and seconded by Maurice "Scooter" Keen:

L.P. RESOLUTION NO. 19-266

A RESOLUTION IN SUPPORT OF THE 2020 UNITED STATES CENSUS

WHEREAS, the Constitution of the United States of America requires that a census be taken every ten (10) years, with the first census having taken place in 1790, and the next census to take place in 2020; and

WHEREAS, Livingston Parish is committed to ensuring that every resident is counted; and

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data; and

WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for the accurate and fair redistricting of state legislative seats, parish and city Governments, and voting districts; and

WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

WHEREAS, the information collected by the census is confidential and protected by law; and

WHEREAS, Parish President Layton Ricks will appoint a Complete Count Committee and will designate a Chairperson and Liaison to work with the community and the U.S. Census Bureau to ensure a complete and accurate count of all persons within Livingston Parish, Louisiana;

NOW, THEREFORE, BE IT RESOLVED, that the Livingston Parish Government supports the goals and ideals of the 2020 Census, pledges support of the U.S. Census Bureau and Livingston Parish Administration efforts to disseminate 2020 Census information, and encourage all people in Livingston Parish to participate in events and initiatives that will raise awareness of the 2020 Census and increase participation among populations.

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

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

NAYS: NONE

ABSENT: MR. WASCOM

ABSTAIN: NONE

WHEREUPON, this Resolution was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this, the 22nd day of August 2019.

1/2 *Sandy C. Teal*
Sandy C. Teal, Council Clerk

1/2 *Shane Mack*
Shane Mack, Council Chairman

CERTIFICATE

I, Sandy C. Teal, do hereby certify that I am the duly appointed Council Clerk of the Livingston Parish Council, State of Louisiana. I hereby further certify that the above and foregoing is a true and correct copy of a Motion adopted by the Livingston Parish Council at a regular meeting held on August 22, 2019 in which meeting a quorum was present.

WITNESS my official signature and seal of office at Livingston, Louisiana, this the 29th day of August 2019.

1/2 *Sandy C. Teal*
Sandy C. Teal, Council Clerk
Livingston Parish Council

Mr. Mark Harrell requested to speak and give some updates on behalf of the Parish President under his Report. Mr. Harrell introduced himself as their Director of Homeland Security and explained that he had both good news and bad news to report to the Council. The chair asked if he would begin with bad news first.

Mr. Harrell reported on the arbitration with FEMA on the inundated roads. He explained that it was not a good experience. He described the judges that heard their case and the sole reason that the case was lost. He advised that they ruled against them because of a policy that FEMA put in place in September of 2017 and noted that our Parish's disaster happened in August of 2016. He continued to advise that never in their history has a policy of FEMA been made retroactive. Mr. Harrell felt that the Parish made a very good case, while they had expressed that they would not base their decision based on policy but on law, and that in fact did not happen. He could not offer any options but could only instruct that our Congressional Delegation was aware of what had happened, and the Parish should be receiving the transcript in the next two (2) weeks and see what the Parish's next path forward is. He reiterated that our roads are damaged, they proved that our roads are damaged, and they ruled on a policy.

Parish Legal Counsel, Chris Moody echoed Mr. Harrell and stated that the case was strong and well-presented and had excellent experts from Louisiana State University and the Louisiana Department of Transportation and Development. There were volunteer experts that came from Bossier and also officials from the state of Texas that had similar problems. Mr. Moody advised that the Parish proved that FEMA had paid for these issues in prior storms. The experts proved beyond a doubt that these roads, even though they do not appear to be visibly damaged, have been damaged, and Mr. Moody believed that the court had accepted all of that. However, they based their decision on this policy that was adopted in 2017 and they claimed that it was put in place a month before the storm, but no one knew about it. Mr. Harrell also wished to state that in the court's ruling, they said September 2017. He compared what had transpired to the Council adopting an ordinance being put in place with no comment. Mr. Harrell answered questions from the Councilmembers with his hope in Congress will look at the ruling and allow a "do-over". It was said that the court was not given clear direction from Congress many times. Mr. Harrell stated that in fact, the arbitration bill gave them clear direction, as he was the author and wrote the bill and gave clear direction on everything.

Councilman Garry Talbert called on Mr. Moody and stated that he thought that once the ruling had been made, that was it over.

Mr. Moody concurred and advised that there were very limited chances now to appeal this and it was his opinion that it was over. He stated that their special counsel would be coming up with some options that he was waiting to hear, but his present understanding was that it was unappealable.

Mr. Harrell stated that arbitration was, but that he wished to see what Congress would be able to do for the final outcome. Councilman Keen concurred.

Mr. Harrell wished to move on and report on the good news: he reminded the Councilmembers of the substantial damage that has plagued the Parish of Livingston. He instructed that he had met with Region 6 for two (2) days. He originally thought that it would take seven to ten million dollars to fix the problem. He commended the team that met with him and their willingness to help them move forward. They will be sending teams to help the Parish after October, after their budget is reestablished and they have a travel budget once again. He explained that it will be a lot easier to move forward in compliance. He admitted that these mistakes cannot be made again and that his office would now be writing SOP's in detail and also how the permitting and inspection office operate day to day. There are two (2) different issues that are being dealt with and he felt confident that they would be found in compliance. He offered his help and assistance to the Councilmembers with any of their constituency wherein it was needed upon.

Mr. Harrell stated that he wished to conclude with a report on the cleanup of the Little Natalbany River. He described the immense and considerable logs that were found in these waterways and their hope that the job would be complete in the next week to two weeks. He also reported that Hornsby Creek's waterway cleanup was almost complete. Once those were complete, they would begin at Blood River, starting at Highway 190 heading south. He advised that the crew that was in Hornsby would go to Camp Roderick located in Council Districts 6 and 8, once the NRCS approved the project and the contract was received.

Mr. Harrell directed the Councilmembers who had any bad erosion problems located in creeks located in their districts that was caused from the flood, please contact him and let him know. He described some to the locations that he was aware of.

Mr. Harrell answered several random questions from the Councilmembers. Thereupon, the chair allowed a lengthy open discussion.

Public input: Larry O’Neill, resident of Council District 8
 Vanessa Thompson, resident of North Doyle Road: Council District 9

Mr. Harrell discussed the previous cleanup of the Tickfaw River and problems that are encountered every time that area gets a hard rain, trees from St. Helena Parish come through and down our waterways clogging them back up again. He questioned if any of the Councilmembers would have an objection to obtaining approval to go into the Tickfaw again and start at the Parish line and go up about five (5) miles into St. Helena Parish. He indicated that they would not be able to go back into the part of the Tickfaw waterways that had already been cleaned. The chair allowed the Councilmembers and Mr. Moody to have a brief open discussion to answer Mr. Harrell’s proposal.

The chair questioned if there was any news regarding the grants to raise homes in the Parish? Mr. Harrell advised that they had received approval for over seventy (70) homes in the first group. If any of the homes are not approved that money will go back into elevations and acquisitions. He felt that once they started visiting property owners in their homes, people would start to take advantage of the elevations, where they would not have in the past. Councilman Keen concurred and advised of the many questions that the Councilmembers receive regarding this issue. Mr. Harrell described his negotiations with FEMA when a home is declared substantially damaged after a disaster, how they can immediately help the homeowner with elevation costs to get them back in their home as soon as possible.

Public input: Gerald McMorris, resident of Bill Wise Road: Candidate for Council District 6

Mr. McMorris’s questions were answered and the chair concluded the open discussion.

The chair addressed agenda item 12:

- Appoint U.S. Census Bureau “Complete Count Committee” Liaison(s) for the 2020 Census:
- a. Parish President’s chairperson and liaison
 - b. Livingston Parish Council’s liaison appointment

The chair briefly explained this agenda item and who would be appointed. He looked to Mr. Moody and requested if a resolution was needed for these appointments. Mr. Moody concurred and advised that a motion was needed for the appointments of agenda items a and b. The chair then called for the motion of these two (2) appointments.

LPR NO. 19-308

MOTION was made by Jeff Averett and duly seconded by R.C. “Bubba” Harris to appoint Susan Abels as the Parish President’s chairperson and liaison, in addition to appointing Lauren White as the Livingston Parish Council’s liaison for the U.S. Census Bureau’s “Complete Count Committee” for the 2020 Census that will work with the community and the U.S. Census Bureau to ensure a complete and accurate count of all persons within Livingston Parish, Louisiana.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 13, “**Public Hearing and Adoption of L.P. Ordinance No. 19-26**, Add Section to the Code of Ordinances establishing penalties and revocation of permits for falsifying and misrepresentation of Livingston Parish Permit applications”.

The chair opened the Public Hearing and requested that the Council clerk read the ordinance by title.

He then called upon Councilman Maurice “Scooter” Keen. Councilman Keen advised that he had been speaking with the Parish President about this ordinance for approximately six (6) weeks and he is in total agreement with the process to be put in place. He further explained that if someone is found to have falsified or misrepresented to receive a permit in any way, then this is what will happen. He felt that it would better Livingston Parish by having this ordinance in place. However, there was something that he wished to amend before the ordinance was adopted. He advised that he would like to remove the part in the violation section that states “thirty (30) days in jail” and add the verbiage “up to one thousand dollars (\$1,000.00) per violation”.

A discussion was held on how much the fine should be: five hundred dollars (\$500.00) versus one thousand dollars (\$1,000.00).

After a very lengthy open discussion and input from the Parish Legal Counsel, Mr. Moody, it was determined that the last paragraph of the ordinance regarding the penalty phase should be amended to read as follows:

“Any violation of this ordinance is subject to a fine up to five hundred dollars (\$500.00) per violation.”

Before the motion and second was placed, the Council clerk requested that clarification be made from an accusation made in a previous meeting in Public Input by a citizen, James Camp, that the placement and codification of this ordinance should be in a different section of the Code of Ordinances that he provided in a handout to the Councilmembers at that previous meeting.

The chair questioned what happens when people use shed permits to build their homes? A lengthy open discussion followed.

Public input: Gueydan Smith, resident of North Street: questioned what constitutes a shed?

The chair and Councilman Garry Talbert offered to answer Mr. Smith’s regarding his shed questions. Councilman Keen suggested rescinding all shed permitting and implementing a shop permit with certain sizing, that offered electrical and plumbing in them. The chair and Councilman Talbert both recommended that Councilman Keen bring that to the Ordinance committee.

Having no other public input from the audience or the Councilmembers, the chair closed the Public Hearing.

The chair discussed what the first vote should be, amending the ordinance. The Council clerk clarified what verbiage was being removed from the ordinance and what was being added. She asked for erudition from the Councilmembers and Mr. Moody to answer Mr. Camp’s legal opinion where he advised this ordinance should be codified.

Mr. Moody evaluated the section that Mr. Camp suggested and advised that it related to commercial permits only. The ordinance section number that was currently being proposed as an addition to the Code of Ordinances would apply to all permitting in the Parish of Livingston, and not limit it to just the commercial permitting process.

Councilman Keen and other Councilmembers suggested that they keep it where it had been originally proposed and praised the Council clerk’s opus.

LPR NO. 19-309

MOTION was made by Maurice “Scooter” Keen and duly seconded by Garry “Frog” Talbert to amend the last sentence in proposed ordinance L.P. Number 19-26, “Add Section to the Code of Ordinances establishing penalties and revocation of permits for falsifying and misrepresentation of Livingston Parish Permit applications”, to read as follows:

“Any violation of this ordinance is subject to a fine up to five hundred dollars (\$500.00) per violation.”

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 19-310

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 8, 2019, 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 26, 2019 on Motion of Maurice “Scooter” Keen and seconded by Garry “Frog” Talbert:

L.P. ORDINANCE NO. 19-26

AN ORDINANCE TO AMEND ARTICLE I, “IN GENERAL”, OF CHAPTER 2, “ADMINISTRATION”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 2-25, “FALSIFYING AND MISREPRESENTATION OF PERMIT APPLICATIONS”, BY ESTABLISHING PENALTIES AND REVOCATION THEREOF.

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

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

NAYS: MR. WASCOM

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted as amended on the 26th day of September 2019.

(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. 5).

The chair addressed agenda item 14, “**Public Hearing and Adoption of L.P. Ordinance No. 19-27**, Adopt “Envision Livingston” Comprehensive Master Plan for the Parish of Livingston” and opened the Public Hearing and requested that the Council clerk read the ordinance by title.

The chair asked for Public input from the audience.

Public input: Cheryl Amaro, resident of Gravesbriar: Council District 2: questioned if they would get a list of the sections of what they all mean...?

The chair explained that the Comprehensive Master Plan was a “guidance document” and does not mean that if it is adopted, that zoning is taking effect in the Parish.

Ms. Amaro wanted to know if this Council was for or against, because the other Council was against? She also questioned if they would have self-determination areas?

The Councilmembers asked for clarification on her definition of self-determination areas.

Councilman Garry Talbert asked the chair if he could answer Ms. Amaroso's questions. Councilman R.C. "Bubba" Harris and Councilman Jeff Averett also gave input to answer her questions.

Councilman Tracy Girlinghouse explained why zoning will be a good thing for the Parish and answered Ms. Amaroso's questions.

The chair allowed a very lengthy open discussion.

Public input: Gerald Burns, resident of Council District 7, Planning Commission member and Master Plan Review Committee chairman
Dalton Sims, resident of Lod Stafford Road: questioned if the entire Parish would be zoned at one time?

The chair requested if there were any other Public input? Having none, he closed the Public Hearing and called for the vote.

LPR NO. 19-311

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 22, 2019, 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 26, 2019 on Motion of Tracy Girlinghouse and seconded by R.C. "Bubba" Harris:

L.P. ORDINANCE NO. 19-27

AN ORDINANCE TO AMEND ARTICLE I, "IN GENERAL", OF CHAPTER 2, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING SECTION 2-26, "THE LIVINGSTON PARISH COMPREHENSIVE MASTER PLAN ENTITLED ENVISION LIVINGSTON", BY ESTABLISHING A COMPREHENSIVE MASTER PLAN IN AND FOR THE PARISH OF LIVINGSTON.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted as amended on the 26th day of September 2019.

(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. 5).

The chair addressed agenda item 15, "**Public Hearing and Adoption of L.P. Ordinance No. 19-28, Declaration of DPW Surplus Equipment**", and opened the Public Hearing. He called upon the Council clerk to read the ordinance by title.

The chair called for Public input from the audience members. Having none, the chair closed the Public hearing.

LPR NO. 19-312

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on September 12, 2019, 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 26, 2019 on Motion of Tracy Girlinghouse and seconded by Jeff Averett:

L.P. ORDINANCE NO. 19-28

AN ORDINANCE TO DECLARE CERTAIN SURPLUS 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.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted as amended on the 26th day of September 2019.

(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. 5).

The chair addressed agenda item 17, "**Introduction of ordinance:** New language for the Disclosure and Notification of pump/grinder sewerage installation" and called upon Councilman R.C. "Bubba" Harris.

Councilman Harris requested that the Councilmembers consider deferring this agenda item for four (4) weeks and bring it back up on the agenda at that time.

There was no objection to this request, and it was determined that a vote to defer was not needed.

The chair addressed agenda item 18, "Request setback waiver(s) intended for allowance of permitting due to the restrictions of L.P. No. 17-30, "Section 125-23. Building Lines", for an ascending heir to reside at a second address on the same property located at 8663 Forrest Delatte Road, Denham Springs" and called upon Councilman R.C. "Bubba" Harris who explained why the waiver was needed.

LPR NO. 19-313

MOTION was made by R.C. "Bubba" Harris and duly seconded by Garry "Frog" Talbert to authorize a setback waiver(s) intended for allowance of permitting due to the restrictions of L.P. No. 17-30, "Section 125-23. Building Lines", for an ascending heir to reside at a second address on the same property located at 8663 Forrest Delatte Road, Denham Springs for property owner Jamie Tindle.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 19, "Update on Master Plan Review Committee" and called upon Mr. Gerald Burns, chairman of the Master Plan Review committee.

Mr. Burns gave a very informative report on the latest meeting held by the committee. He had many questions and asked for direction from the Council. Councilman Tracy Girlinghouse answered his questions and advised that he would enjoy meeting with Mr. Burns to continue their conversation.

Councilman John Wascom requested to speak and advised that he had found a representative from his district to take his position on the Master Plan Review Committee. He wished to step down and appoint Ms. Julie Norris. Councilman Wascom petitioned the Councilmembers to adopt a resolution at the meeting that night to appoint Ms. Norris to this board.

Some of the Councilmembers vocally challenged this as it was not listed on the agenda and requested a legal opinion from Mr. Chris Moody. It was determined by an open discussion that it would be best to lift the agenda to meet the request of Councilman John Wascom.

Mr. Gerald Burns concluded his statements and highly recommended Ms. Julie Norris as a member for their committee.

LPR NO. 19-314

MOTION was made by Garry “Frog” Talbert and duly seconded by Jeff Averett to lift the agenda in order to address a time sensitive matter regarding the appointment of a board member to the Master Plan Review Committee.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 19-315

MOTION was made by John Wascom and duly seconded by Garry “Frog” Talbert to appoint Julie Dyason-Norris (resident of Council District 4) as a board member to the Master Plan Review Committee to take the place of Council John Wascom’s standing, open position; whereby this term and board appointment serves upon the pleasure of the appointing Councilmember District.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

LPR NO. 19-316

MOTION was made by Jeff Ard and duly seconded by Tracy Girlinghouse to go back to the regular order of business of the September 26, 2019 agenda of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed standing agenda item 20, "Discussion and adoption of a resolution to authorize waiver(s) and variance(s) for L.P. 19-03, adopted on January 24, 2019, Amending Section 13-57 "Drainage/Drainage impact study" of the Code of Ordinances that prohibits subsurface drainage" and advised that there were no items at that time to discuss.

The chair addressed the addendum of the September 26, 2019 regular meeting of the Livingston Parish Council requested by Councilman Tab Lobell:

A-1: Request for a waiver intended for the allowance of permitting due to the restrictions of L.P. No. 18-16, "Section 110-11. Pond excavation criteria and regulations", to dig a pond within twenty (20) feet of a neighbor's (family member) property line with written consent from the neighboring property owners located in Council District 8 – Tab Lobell

Councilman Lobell advised that his constituent, Mr. Tim Fontenot located on Highway 444, had equipment there running on the property and didn't realize that he needed a permit. He indicated that there is somewhat a sense of urgency, hence the addendum request, and both neighbors have submitted letters that they do not oppose the pond's close proximity to their property lines that will not meet the ordinance mandates.

LPR NO. 19-317

MOTION was made by Tab Lobell and duly seconded by John Wascom to authorize a waiver intended for the allowance of permitting due to the restrictions of L.P. No. 18-16, "Section 110-11. Pond excavation criteria and regulations", to Tim Fontenot, to dig a pond within twenty (20) feet of a neighbor's (family member) property line with written consent from the neighboring property owners located in Council District 8, property location of pond being situated at 18608 LA Highway 444, Livingston, LA 70754.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item 21, "District Attorney's Report", and called upon Mr. Christopher Moody. Mr. Moody advised that he did not have anything at that time to report.

The chair called upon Councilman Garry Talbert to report on agenda item 22a, Ordinance committee that had met earlier that evening. The committee discussed Councilman Shane Mack's proposed ordinance regarding speed humps. There were several questions and they wished to defer these questions to Mr. Moody and reach out to the Sheriff's office and the School board.

Councilman Girlinghouse advised that it was the Finance committee's "off week" so there was nothing to report.

The chair addressed agenda item 23, "Councilmen's comments:" and called upon Councilman R.C. "Bubba" Harris.

Councilman Harris discussed the upcoming Trunk-or-Treat event to be held at South Park in Denham Springs. He advised that he had a lot of the businesses on board and hoped for lots of children to show.

Councilman Maurice “Scooter” Keen announced that Saturday, September 28th, was the first day of early voting and encouraged everyone to go and vote.

Councilman Jeff Averett advised that the annual Livingston Parish Fair was coming up.

Councilman Keen also wished to remind everyone that Laine Hardy had an upcoming concert at North Park.

Councilman Tracy Girlinghouse announced that he was recently given the title of grandfather.

Having no further business, a motion to adjourn was requested until the next regular meeting scheduled on Thursday, October 10, 2019, at the hour of six-thirty (6:30) p.m. in Livingston, Louisiana.

LPR NO. 19-318

MOTION was offered by Jeff Averett and duly seconded by R.C. “Bubba” Harris to adjourn the September 26, 2019 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

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

/s/ Shane Mack
Shane Mack, Council Chairman