

**Minutes of the Livingston Parish Council
Livingston, Louisiana
October 8, 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, October 8, 2020, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Jeff Ard
Garry Talbert
Maurice "Scooter" Keen
John Wascom

R.C. "Bubba" Harris
Gerald McMorris
Tracy Girlinghouse
Shane Mack

Absent: Councilman Randy Delatte

Also present: Layton Ricks, Parish President;
Brad Cascio, representing in the absence of Chris 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.

The chair addressed agenda item number 7, "Presentations", and advised that there were none and moved to the next agenda item.

The chair addressed agenda item 8, "Adoption of the Minutes from the September 24, 2020 regular meeting of the Livingston Parish Council".

LPR NO. 20-319

MOTION was made by Tracy Girlinghouse and duly seconded by Gerald McMorris to dispense with the reading of the minutes dated September 24, 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. TALBERT, MR. MACK, MR. WASCOM, MR. HARRIS, MR. MCMORRIS, MR. ARD, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item number 9, "Adopt resolution to (re)schedule the November 26, 2020, December 10, 2020 and December 24, 2020 regular meetings of the Council due to the Thanksgiving and Christmas holidays - Shane Mack"

LPR NO. 20-320

MOTION was made by Garry "Frog" Talbert and duly seconded by R.C. "Bubba" Harris to change the regularly scheduled meeting dates of the Livingston Parish Council for the months of November and December to accommodate for the upcoming holidays as follows:

NOVEMBER:

The regular meeting of the Livingston Parish Council scheduled on **Thursday, November 26, 2020** at six (6:00) p.m. **has been cancelled.**

DECEMBER:

The regular meeting of the Livingston Parish Council scheduled on **Thursday, December 10, 2020** at six (6:00) p.m. **has been rescheduled and changed to Thursday, December 3, 2020 at six (6:00) p.m.**

and

The regular meeting of the Livingston Parish Council scheduled on **Thursday, December 24, 2019** at six (6:00) p.m. **has been rescheduled and changed to Thursday, December 17, 2020 at six (6:00) p.m.**

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

LPR NO. 20-321

MOTION was made by Garry Talbert and duly seconded by Jeff Ard to lift the agenda to discuss the resolution about opening the parish.

The chair asked if all were in favor, but Councilman Garry Talbert asked for a roll call for a unanimous record due to the lifting of the agenda. The chair asked the Deputy Clerk, Angie Cornett, to call the roll.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Deputy Clerk, Lauren White read the title and parts of the resolution. The chair asked if there was any discussion. Councilman Garry Talbert spoke about the Council's concern that some of the businesses have been treated unfairly in respect to the Governor. He wanted to clarify that, despite council wishes, there are certain agencies in state government which regulate businesses that the Council has no control over. He wanted the public to understand that personal choices to move forward would still be subjecting themselves to risks and scrutiny by State Government. The chair asked for further comments from the audience or the council. Having none, he asked the Deputy Clerk, Angie Cornett, to call the roll.

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 20-322

The following resolution was offered by John Wascom and seconded by Tracy Girlinghouse:

RESOLUTION NO. 20-322

A RESOLUTION OF THE LIVINGSTON PARISH COUNCIL
CALLING FOR AN IMMEDIATE REOPENING OF ALL
LIVINGSTON PARISH BUSINESSES THUS AIDING IN

ELIMINATING ECONOMIC HARDSHIP WHILE ADHERING
TO CDC GUIDELINES IN AN EFFORT TO CURTAIL
CORONAVIRUS/COVID-19 RELATED ILLNESSES AND
DEATHS

WHEREAS, March 11, 2020 Governor John Bel Edwards declared a Public Health emergency in Louisiana resulting in the execution of significant measures to reduce the spread of COVID-19; and

WHEREAS, March 19, 2020 Governor John Bel Edwards signed an update to his Public Health Emergency declaration related to the COVID-19 outbreak, which waived some education requirements in the law and also suspended some laboratory requirements to speed the process of coronavirus testing; and

WHEREAS, March 22, 2020 Governor John Bel Edwards issued a statewide Stay at Home order in effort to fight the spread of COVID-19 in Louisiana, as the number of confirmed cases topped 800 and spread to more than half of our parishes; and

WHEREAS, March 24, 2020 Governor John Bel Edwards requested a Major Disaster Declaration for the State of Louisiana as the number of cases of COVID-19 climbed. The declaration was approved by President Donald Trump and allowed the federal government to provide additional support for state and local agencies in dealing with this growing public health threat; and

WHEREAS, April 2, 2020 Governor John Bel Edwards formally extended his Stay at Home order until April 30, as Louisiana worked to slow the spread of COVID-19, which extended the length of time that schools and some businesses were closed and continued limiting the size of gatherings; and

WHEREAS, April 15, 2020 Governor John Bel Edwards signed a proclamation closing K-12 public schools in Louisiana to students until the end of the current school year, with students getting their education via remote learning; and

WHEREAS, April 30, 2020 Governor John Bel Edwards formally extended Louisiana's Stay at Home order until May 15; and

WHEREAS, June 4, 2020 Governor John Bel Edwards signed the order moving Louisiana to Phase Two of the White House plan for reopening, while cautioning members of the public and businesses to continue to take mitigation measures, like wearing masks when in public, to prevent the further spread of COVID-19 but announced on June 22nd that Louisiana would stay in Phase Two of reopening, as the number of COVID-19 cases and related hospitalizations had started to rise in several regions across the state; and

WHEREAS, July 11, 2020 Governor John Bel Edwards announced a mandatory mask requirement for Louisiana and ordered bars in the state closed to on-premises consumption. Additionally, indoor social gatherings like wedding receptions, class reunions and parties were limited to 50 people; and

WHEREAS, July 21, 2020 Governor John Bel Edwards extended Louisiana's Phase Two order, which included a statewide mask mandate and limited indoor social gatherings to 50 people in addition to prohibiting on-premises consumption of alcohol at bars; and

WHEREAS, September 11, 2020 Governor John Bel Edwards issued Proclamation Number 129 JBE 2020 which moved Louisiana into Phase 3 allowing some businesses to increase occupancy, and the reopening of bars only in parishes with less than a 5% COVID-19 positivity rate for two consecutive weeks and only in the event that local governments chose to opt in; and

WHEREAS, it is the opinion of the Livingston Parish Council that Governor John Bel Edwards' *Roadmap for a Resilient Louisiana* fails to consider family hardships, economic impacts, testing deficiencies, and the true spirit of our citizens in Livingston Parish. Our resiliency was proven after the Great Flood of 2016 with the assistance of our President, Governor, and elected officials; and

THEREFORE, BE IT RESOLVED, the Livingston Parish Council submitted correspondence on October 2, 2020 to Governor John Bel Edwards petitioning his reconsideration to allow all businesses of Livingston Parish to return back to their normal business hours and to be treated in a nondiscriminatory manner regardless of the type of business; and

THEREFORE, BE IT FURTHER RESOLVED, the Livingston Parish Council opposes the current mandates of Governor John Bel Edwards as outlined in Phase 3 relative to business operation regarding penalties for failure to enforce and abide by Pandemic restrictions. The Livingston Parish Council calls for the immediate reopening of all businesses with adherence to CDC guidelines with respect to COVID-19 safeguards specific to handwashing, face masks and social distancing.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

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 8th day of October 2020.

The chair asked the Deputy Clerk, Angie Cornett, to call for the vote to return to the regular council meeting.

LPR NO. 20-323

MOTION was made by Jeff Ard and duly seconded by Maurice “Scooter” Keen to go back to the regular agenda.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item number 10, “Discuss and take action upon L.P. No. 20-13, Section 70-235, “Responsibility for Grinder Pump System Maintenance”, of the Code Of Ordinances of Livingston Parish by Mandating Community Sewer Systems to Maintain Grinder Pumps Connected to that System” – John Wascom”. Councilman Wascom stated that he attended the September 29, 2020 meeting of the Livingston Parish Ordinance Committee where the recent grinder pump ordinance that was passed by the Council was discussed. He felt that each member of the Ordinance Committee supported that the ordinance needed modifications and that it should be addressed by the whole council during the next meeting. He spoke of a question that was addressed during the committee meeting being “Can public entities, like sewer treatment facilities legally and constitutionally maintain, repair and replace private owned individual grinder pumps without executing any kind of act of donation or contract between these private entities, homeowners, and utility companies?” In addition, he questioned enforcement, action or recourse that could be taken by the homeowner if the sewer collection and treatment facilities, due to unforeseen cost or lack of contract, were unable to comply. He felt that the current ordinance would lead to litigation involving the parish. The chair allowed a lengthy discussion which included the timeframe for the ordinance suspension. Councilman Girlinghouse shared an email statement from constituent Eric Harrell which had been sent at an earlier date to the whole Council. The Deputy Clerk, Angie Cornett asked for clarification on the resolution wording and Councilman Wascom obliged. Before calling for the vote, the chair recommended that the individuals who worked on the ordinance enhancements would attend council ordinance committee meetings to update progress in light of the sixty-day deadline.

Public Input: Michael Simoneaux, Secretary of Board of Supervisors for Carter Plantation Community Development District

STATE OF LOUISIANA

PARISH OF LIVINGSTON

LPR NO. 20-324

The following resolution was offered by John Wascom and seconded by R.C. "Bubba" Harris:

L.P. RESOLUTION NO. 20-324

A RESOLUTION TO TEMPORARILY SUSPEND SECTION 70-235, "RESPONSIBILITY FOR GRINDER PUMP SYSTEM MAINTENANCE", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH.

WHEREAS, the Parish Council has received complaints and a notice of legal and constitutional challenges to L.P.O. 20-13 which amends the Code of Ordinances of the Parish Of Livingston, Louisiana by adding Section 70-235, "Responsibility for Grinder Pump System Maintenance" mandating community sewer systems to maintain grinder pumps that are connected to that system; and

WHEREAS, the Parish Council is considering amendments to L.P.O. 20-13, Section 70-235, "Responsibility for Grinder Pump System Maintenance" and is requesting the parish sewer companies/districts to draft an agreement/contract to address individually private owned grinder pumps within their service area; and

THEREFORE, BE IT RESOLVED that the enforcement of L.P.O. 20-13 be suspended for 60 days pending possible amendments; and

FINALLY, FURTHERMORE, BE IT ORDAINED BY THE PARISH COUNCIL OF LIVINGSTON PARISH, LOUISIANA: The Code of Ordinances of the Parish of Livingston, Louisiana hereby temporarily suspends Section 70-235, "Responsibility for Grinder Pump System Maintenance", which Section currently reads as follows:

Section 70-235. Responsibility for Grinder Pump System Maintenance

The operation, maintenance, and/or replacement of grinder pump systems, including those in existence prior to the effective date of this ordinance, will be the responsibility of the Community Sewer System that it is connected to.

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

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

NAYS: MR. TALBERT, MR. GIRLINGHOUSE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item number 11, "Parish President's Report" and asked if the Parish President had anything to report. Mr. Layton Ricks advised that he had no report at that time, and he left the meeting.

The chair addressed agenda item numbers 12a through 12g, "Planning Commission Recommendations:" and called upon Mr. Sam Digirolamo, Planning and Department of Public Works Director.

LPR NO. 20-325

MOTION was made by Gerald McMorris and duly seconded by Tracy Girlinghouse to accept the recommendation of the Livingston Parish Planning Commission **to approve the final site plan of the Snowball Stand located on Louisiana Hwy 42**, Section 36 T7S R4E in Council District 6.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Public Input: Morgan Sanchez, of Forte and Tablada, Parish Review Engineer

LPR NO. 20-326

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 revised preliminary plat for Allen Trails, with the requested waiver of an "L" turnaround instead of a "T" turnaround**, located on Louisiana Highway 16, Section 76 T6S R2E in Council District 4.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Public Input: Billy Taylor, engineer for the development gave some background and stated that Councilman Randy Delatte was unable to attend the council meeting, but that he fully supported the project.

LPR NO. 20-327

MOTION was made by Garry Talbert and duly seconded by Gerald McMorris to **reject the recommendation** of the Livingston Parish Planning Commission and **to approve the preliminary site plan for Bridgeside RV & Storage, WITH the requested waivers to have a fence on all three sides, a 25' buffer zone and setback requirements (5' instead of 7' setback on the side)**, located on Louisiana Highway 22, Section 37 T8S R7E in Council District 8.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Public Input: Brian Hutchinson, LA Hwy 16 Denham Springs;
Thomas Johnson, Alvin Fairburn & Associates, LLC

LPR NO. 20-328

MOTION was made by Garry Talbert and duly seconded by R.C. “Bubba” Harris to **reject the recommendation** of the Livingston Parish Planning Commission to approve the preliminary site plan for Belmont, located on Pete’s Highway, Section 48, T7S R3E in Council District 5, **and to send it back to planning due to sign requirements.**

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Mr. Digirolamo advised that agenda item 12e, “TRC Timber & Development, LLC, Juban Road, Section 16, T7S R3E, Council District 5”, had been pulled.

LPR NO. 20-329

MOTION was made by Maurice “Scooter” Keen 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 Denham Townhomes,** located on Louisiana Highway 16, Sections 40 & 46, T6S R3 & 2 in Council District 3.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

LPR NO. 20-330

MOTION was made by R.C. “Bubba” Harris and duly seconded by Maurice “Scooter” Keen to accept the recommendation of the Livingston Parish Planning Commission **to approve the preliminary site plan for Seventh Ward Elementary School** located on Louisiana Highway 16, Section 20 & 50, T7S R3E in Council District 5.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item number 13, “Planning Department: Hunter’s Ridge, 1st Filing:

- i. Accept roads & improvements into the Parish Maintenance System
- ii. Release \$157,545.84 maintenance bond

Joe May Road Sections 25 & 26, T7S R3E Council District 6

LPR NO. 20-331

MOTION was made by Garry Talbert and duly seconded by Gerald McMorris to accept the roads and improvements into the Parish Maintenance System for Hunter's Ridge, 1st Filing, located on Joe May Road Section 25 & 26, T7S R3E in Council District 6.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

LPR NO. 20-332

MOTION was made by Gerald McMorris and duly seconded by Garry Talbert to release the maintenance bond in the amount of one hundred fifty- seven thousand, five hundred forty-five dollars and eighty four cents (\$157,545.84) for Hunter's Ridge, 1st Filing, located on Joe May Road Section 25 & 26, T7S R3E in Council District 6.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item 14, "Public Hearing and Adoption of L.P. Ordinance No.20-27: Declaration of Surplus property and authorize the sale of to Joshua Irvine in the sum of \$23,000.00 located at 23400 Boss McNabb Road, Livingston, LA 70754, Lot 5, Union Landing Estates Subdivision and authorize the Parish President to execute any and all documents necessary to convey the property to Joshua Irvine".

The chair declared that the Public Hearing was open after he read the agenda item aloud.

The chair asked for public input from the audience. Having no public input, the chair closed the public hearing.

Councilman Keen asked if the money would go back into the General Fund and wondered if it could be dedicated to purchase no littering signs across the parish. Councilman Wascom replied that it could be added when the budget is amended. The chair then asked that the ordinance be read by title.

LPR NO. 20-333

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on September 24, 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 October 8, 2020 on Motion of Maurice "Scooter" Keen and seconded by Gerald McMorris:

L.P. ORDINANCE 20-27

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE:

- 1) A CERTAIN LOT OR PARCEL OF LAND TOGETHER WITH ALL IMPROVEMENTS THEREON, LOCATED IN THE PARISH OF LIVINGSTON,

STATE OF LOUISIANA, AS SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC PURPOSE, AND BEING FURTHER DESIGNATED AS:

ONE (1) CERTAIN LOT OR PARCEL OF GROUND, SITUATED IN SECTION 27, TOWNSHIP 8 SOUTH, RANGE 5 EAST, LOCATED IN LIVINGSTON PARISH, LOUISIANA, AND BEING **LOT NUMBER FIVE (5) OF UNION LANDING ESTATES SUBDIVISION**, AND BEING DESIGNATED ON THE OFFICIAL PLAT THEREOF BY ALVIN FAIRBURN AND ASSOCIATES, DATED FEBRUARY 24, 2000, ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK OF COURT AND RECORDER FOR LIVINGSTON PARISH. SAID LOT IS SUBJECT TO SUCH COVENANTS, RESTRICTIONS, SERVITUDES AND BUILDING LINES OF RECORD AND AS SHOWN ON THE OFFICIAL SUBDIVISION PLAT, AND ALSO BEING FURTHER DESCRIBED AS FOLLOWS BY A SURVEY PLAT ENTITLED MAP SHOWING BOUNDARY SURVEY OF LOT 5 OF UNION LANDING ESTATES SUBDIVISION FOR THE PARISH OF LIVINGSTON BY FORTE AND TABLADA, INC., SIGNED BY JAMIE M. BORDELON, PLS AND DATED NOVEMBER 1, 2011. SAID LOT CONTAINS 0.94 ACRES, MORE OR LESS.

- 2) THE PROPERTY ACQUISITION IS RECORDED IN BOOK 1152, PAGE 347, FILE NUMBER: 787541, OF THE OFFICIAL RECORDS OF THE CLERK AND RECORDER OF LIVINGSTON PARISH. THE MUNICIPAL ADDRESS IS 23400 BOSS MCNABB ROAD, LIVINGSTON, LA 70754.
- 3) AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO JOSHUA IRVINE, HIS AGENT OR ASSIGNS, FOR THE SUM OF TWENTY-THREE THOUSAND AND 00/100 (\$23,000.00) DOLLARS CASH.

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

And the ordinance was declared adopted on the 8th day of October 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 15, "Public Hearing and Adoption of L.P. Ordinance No. 20-28, "Reorganization of Council Staff Employee Chart (Legislative)".

The chair declared that the Public Hearing was open. The chair asked for public input from the audience. Having no public input, the chair closed the public hearing and asked that the ordinance be read by title.

LPR NO. 20-334

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on September 24, 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 October 8, 2020 on Motion of R.C. "Bubba" Harris and seconded by Jeff Ard:

L.P. ORDINANCE NO. 20-28

AN ORDINANCE TO AMEND AND REORGANIZE THE EMPLOYEE TITLES AND POSITIONS OF THE LIVINGSTON PARISH COUNCIL LEGISLATIVE OFFICE BY ELIMINATING THE EMPLOYEE TITLES OF "EXECUTIVE ASSISTANT" AND "OFFICE ASSISTANT 1" AND WHEREBY CREATING

TWO (2) DEPUTY CLERK POSITION(S) FOR THE EMPLOYEES OF THE LIVINGSTON PARISH COUNCIL OFFICE.

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

And the ordinance was declared adopted on the 8th day of October 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(s) 16 a, b and c, "Waiver request(s) of Section 125-27, "Driveway culverts and/or Subsurface Drainage", to allow subsurface drainage in a subdivision:".

LPR NO. 20-335

MOTION was made by Maurice "Scooter" Keen and duly seconded by John Wascom to authorize and approve the waiver request of Section 125-27, "Driveway culverts and/or Subsurface Drainage", for Denise Singleton addressed at 9543 West Blount Road, Denham Springs, LA 70706 located in Blount Estates, Lot 4, in Council District 3.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

LPR NO. 20-336

MOTION was made by Maurice "Scooter" Keen and duly seconded by Gerald McMorris to authorize and approve the waiver request of Section 125-27, "Driveway culverts and/or Subsurface Drainage", for Mark and Bonnie Pendergraft addressed at 30771 Barnette Lane, Denham Springs, LA 70726 located in Restoration Place, Lot F, in Council District 3.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Councilman Jeff Ard stated that he had an additional waiver request that had been accidentally pulled. The chair allowed the item to be addressed at this time.

LPR NO. 20-337

MOTION was made by Jeff Ard and duly seconded by R.C. “Bubba” Harris to authorize and approve the waiver request of Section 125-27, “Driveway culverts and/or Subsurface Drainage”, for John & Christine Mouton: addressed at 15308 East Ridge Drive, Lot 24 located in East Ridge in Council District 1.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

LPR NO. 20-338

MOTION was made by Gerald McMorris and duly seconded by Maurice “Scooter” Keen to authorize and approve the waiver request of Section 125-27, “Driveway culverts and/or Subsurface Drainage”, for Chad and Abigail Brewer: addressed at 27525 Gaylord Road, Lot 10 located in Country Acres in Council District 6.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item 17, “Name an unnamed road off of LA Hwy 441 in Council District 9- Shane Mack” and explained that the lack of a sign on the private road caused problems for people who were looking for the cemetery. Councilman Mack stated that he communicated with the Department of Public Works and with the Permit Office who determines if this is acceptable for 911 addresses. He asked for a waiver due to too many characters, thirty instead of twenty, and to name the road Lloyd W. Hutchinson Cemetery Road.

LPR NO. 20-339

MOTION was made by Garry Talbert and duly seconded by R.C. “Bubba” Harris to grant a waiver of Section 58-20 due to number of spaces and characters and to name an unnamed road, Lloyd W. Hutchinson Cemetery Road, located off of LA Hwy 441 in Council District 9.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item 18, “Board (re)appointment(s): a. Livingston Parish Gravity Drainage District 2 – Garry Talbert” and Councilman Talbert explained that the additional two board members were done by act of legislature in summer of 2017 regular session but were yet to be filled. He spoke of an almost seven (7) million-dollar hazard mitigation grant that had been awarded to Gravity 2 but the board did not wish to move forward with it.

LPR NO. 20-340

MOTION was made by Garry Talbert and duly seconded by Tracy Girlinghouse to appoint Matt Hughes (resident of Council District 3) and Chris Wascom (resident of Council District 2) whose four (4) year terms will expire on November 8, 2024 and to replace Charles Kemp with Brian Keith Emrick (resident of Council District 2) who will finish out the four (4) year term to expire on November 8, 2022 to Gravity Drainage District No. 2.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item 19, "Add Matherne Place to the Parish Maintenance System under "Type D Roads"-- Maurice "Scooter" Keen."

LPR NO. 20-341

MOTION was made by Maurice "Scooter" Keen and duly seconded by R.C. "Bubba" Harris to add Matherne Place, located off of Dunn Road in Council District 3, to the Type D Road Parish maintenance program.

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

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

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

The chair addressed agenda item 20, "Discuss upcoming October 31, 2020 Trunk-or-Treat event located at South Park in Denham Springs - R.C. "Bubba" Harris" and Councilman Harris stated that it was the fourth year to hold Trunk or Treat. He asked that anyone wanting to donate candy and/or participate would contact the council office to give their name and type of contribution. Councilman Keen noted that people could drop candy off at the Council office.

The chair addressed agenda item number 21: Committee Report(s):

- a. Ordinance Committee: Recommendation(s) of ordinance introductions and amendments:
 - i. **Introduction of Ordinance:** Littering
 - ii. **Introduction of Ordinance:** Small Wireless Facilities
- b. Finance Committee

Councilman Tracy Girlinghouse, Ordinance Committee Chairman deferred the item to Councilman Talbert due to his absence at the last meeting. Councilman Talbert explained that they were working on the littering ordinance and were awaiting some information on legal matters so they were unable to introduce it at that time but would address it at the next ordinance meeting. Councilman Talbert stated that the second item was the introduction of an ordinance to address small cellular towers. The current ordinance, as he explained was to address big towers, but small cells allowed use of existing telephone poles.

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

L.P. ORDINANCE 20-29

AN ORDINANCE TO CREATE AND ENACT CHAPTER 70 “UTILITIES,” ARTICLE VII “SMALL WIRELESS FACILITIES”, SECTIONS 70-400 THROUGH SECTIONS 70-409, OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON TO ESTABLISH STANDARDS FOR SMALL WIRELESS FACILITIES IN THE RIGHTS-OF-WAY IN THE PARISH OF LIVINGSTON.

LPR NO. 20-342

MOTION was offered by Garry Talbert 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 22, 2020 at the hour of six (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. TALBERT, MR. MACK, MR. WASCOM, MR. HARRIS, MR. MCMORRIS, MR. ARD, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

Councilman Jeff Ard stated that the Finance committee had nothing to report at that time.

The chair addressed agenda item 22, “District Attorney’s Report” and called upon Mr. Brad Cascio who was representing in the absence of Chris Moody. Mr. Cascio advised that he had nothing to report at that time.

The chair addressed agenda item 23, “Councilmen’s comments” and Councilman Keen shared the birth of his second grandchild in two months, Addie Rose Keen.

Public Input: Michael Simoneaux, Secretary of Board of Supervisors for the Carter Plantation Community Development District, approached the podium to speak on an issue that was not on the agenda. The Chair asked Mr. Simoneaux to talk to him after the meeting. Mr. Simoneaux obliged and, having no further business, a motion to adjourn was requested until the next regular meeting that was scheduled on Thursday, October 22, 2020, at the hour of six o’clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 20-343

MOTION was offered by Jeff Ard and duly seconded by R.C. “Bubba” Harris to adjourn the October 8, 2020 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. HARRIS, MR. MCMORRIS, MR. ARD, MR. KEEN, MR. GIRLINGHOUSE

NAYS: NONE

ABSENT: MR. DELATTE

ABSTAIN: NONE

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

/s/ Angie M. Cornett
Angie M. Cornett, Deputy Clerk

/s/ Shane Mack
Shane Mack, Council Chairman