**Minutes of the Livingston Parish Council**

**Livingston, Louisiana**

**August 26, 2021**

The Livingston Parish Council met in a regular session duly called, advertised, and convened via Zoom on Thursday, August 26, 2021, at the hour of six o’clock (6:00) p.m. with the following Livingston Parish Council members present:

 Jeff Ard Gerald McMorris

 Maurice “Scooter” Keen Tracy Girlinghouse

 John Wascom Randy Delatte

 R.C. “Bubba” Harris Shane Mack

Garry Talbert

Also present: Parish President Layton Ricks

 Christopher Moody, Parish legal counsel

-------------------------------------------------

The chair called the meeting to order.

-------------------------------------------------

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

-------------------------------------------------

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

-------------------------------------------------

The chair addressed agenda item number 7, “Presentations:”. Having none, the chair moved to the next agenda item.

----------------------------------------------------------------

The chair addressed agenda item number 8, “Adoption of the Minutes from the August 12, 2021 regular meeting of the Council”.

**LPR NO. 21-257**

MOTION was made by Tracy Girlinghouse and duly seconded by R.C. “Bubba” Harris to dispense with the reading of the minutes from the August 12, 2021 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. WASCOM, MR. TALBERT, MR. ARD, MR. DELATTE, MR. HARRIS, MR. MCMORRIS, MR. KEEN, MR. GIRLINGHOUSE, MR. MACK

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

----------------------------------------------------------------

The chair addressed agenda item number 9a, “Parish President’s Report: Proclamation to declare September 1, 2021, Childhood Hunger Awareness Day in Livingston Parish”.

Parish President Layton Ricks wished to address the Council members and explain what “Mighty Moms” is and the work that they do feeding the hungry in Livingston Parish. He explained that they have been active since 2010 and have served over one hundred twelve thousand (112,000) meals since that time. He further explained that September 1st was Childhood Hunger Awareness Day for the school system and he wished to read a proclamation declaring September 1, 2021 as follows:

**Proclamation**

**WHEREAS**, statistics are that 1 in 5 children in the United States goes to school hungry; and

**WHEREAS**, 35% of households in Denham Springs live on $35,000 or less annually; and

**WHEREAS**, statistics like these moved a prayer group of dedicated moms praying for their children, friends, teachers and mentors to turn their thoughts and prayers to ways they could help children and families in their community; and

**WHEREAS**, these dedicated moms found **Mighty Moms** in 2010 to end childhood hunger in Livingston Parish; and

**WHEREAS**, Mighty Moms adopted the Vision Statement, **“To see all children graduate with full minds and full tummies,”** and the Mission Statement, **“Nurturing hungry children to success”**; and

**WHEREAS**, today, Mighty Moms is a 501(c)3 organization which organizes programs for children in our community to provide food and hygiene products through the Full Tummy Project, the Food Pantry, The Barrel Project, and the Feeding Young Minds Project.

**NOW, THEREFORE**, I, Layton Ricks, Livingston Parish President, in recognition of the commitment, faith and love of Mighty Moms, do hereby proclaim

**September 1st 2021**

**CHILDHOOD HUNGER AWARENESS DAY**

In Livingston Parish and urge our great community to educate themselves on the impact that childhood hunger has in Livingston Parish in our schools and neighborhoods and to support the efforts of Mighty Moms through prayer and donations.

\_/s/ Layton Ricks

Layton Ricks

Livingston Parish President

The Parish President addressed agenda item number 9b, “Ordinance for Health/Safety River Tubing in Parish: Send to the Livingston Parish Ordinance Committee for Recommendations”. The Parish President wished to voice his opinion about the matter. He stated that this was not about prohibiting tubing on our waterways at all. He furthered remarked that many people travel to Livingston Parish to enjoy fishing, skiing and boating and also tubing on our waterways. However, it has reached a point that he would like to ask the Ordinance committee to possibly consider looking at things at a safety standpoint that could be put in place, within the adoption of an ordinance. He suggested things such as a type 3 life vest and specify who would be responsible for providing the life vest. He quantified that these are individuals and adults that are making decisions to go tubing. Then he questioned who would patrol it. He asked would it be up to the business owners or the individuals to provide the life vests? And what age group would be required to wear the life vests? He proposed monitoring, and asked who would tasked with that? The Parish President reiterated that he did not wish to stop anyone from going on the Parish’s waterways and enjoying what they are doing, and would like some safety measures put in place to prevent tragic things from happening in the future. He requested for the implementation of an ordinance that would be fair to people that are doing this every day, but also considerate to the safety aspect of what people have gone through in the past. He concluded that it was time to do an ordinance and to look at something that the Parish could possibly do to help solve some of these issues, if it’s possible to do that, and who would be responsible for the rules and regulations that were put in place. He suggested that life vests would be a good place to start.

The chair advised that the Ordinance chairman had called another meeting for the following week and would be looking at the tips for tubing that Administration had submitted to the Council and how to implement those in ordinance form.

Public input: Lisa Hilliard, resident of Park Lane Drive in Central

 Kim Hilliard-Bangura, resident of Georgia

The Parish President responded to their comments and suggestions. He then asked the chairman if he could make a couple of statements before he concluded his report.

The Parish President acknowledged that everyone was dealing with COVID, and they had lost a good friend the night before, former Councilman Don Wheat. He stated that everyone is important and he did not want to be insensitive to others, but wished to acknowledge Don Wheat as he was a former Council member and wished to send prayers to his family and loved ones, and certainly with everyone in the community and all around the country that are dealing with COVID.

He further wished to update everyone on the preparations for the storm that was heading toward our area. The Parish President also petitioned for everyone to be in prayer for the events taking place in Afghanistan.

The chair stated that he wished to remind everyone that the Ordinance committee would be having a Zoom meeting on Tuesday, the 31st at six o’clock (6:00) p.m. to discuss further the implementation of safety measures on the river.

Having no further comments, the chair addressed agenda item number 10, “Public Hearing and Adoption of L.P. Ordinance No. 21-19:Approval ofdrainage servitude revocation for Eric Lemoine located on Kaden Creek Drive in Council District 7” and asked the Council clerk to read the ordinance by title.

The chair opened the Public Hearing and asked if there were anyone who wished to comment on this agenda item.

Public input: Herb Cornelius, representing Mr. Eric Lemoine on this request to approve a quitclaim, being Survey Coordinator of Alvin Fairburn and Associates

Mr. Cornelius explained that the servitude was overdesigned in this instance, and in an abundance of caution, the actual drainage ditch and the needed servitude for maintenance, only occupies thirty-five (35’) feet. They are requesting that the remaining forty-five (45’) feet be revoked and return that to the property owners. Upon this request, they have received approval from Gravity Drainage District No. 5, and have received letters of no objection from all of the utilities and the adjacent property owners.

The chair questioned if there were any other comments from the public.

Having none, the chair closed the Public Hearing asked if anyone on the Council wished to comment.

Councilman Tracy Girlinghouse advised that he had visited the site in question and agreed with Mr. Cornelius that the servitude was way over engineered and wished to make the motion to adopt this ordinance and grant the revocation.

**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LPR NO. 21-258**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 12, 2021 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 August 26, 2021 on Motion of Tracy Girlinghouse and seconded by R.C. “Bubba” Harris:

**L.P. ORDINANCE NO. 21-19**

AN ORDINANCE REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF:

MADISON S. AND JONATHAN C. THOMPSON, A 22.33’ X 18.13’ X 15.81’ (141.90 SF) TRIANGULAR PORTION OF A 30’ DRAINAGE SERVITUDE, LOCATED IN THE NORTHWEST CORNER OF LOT 6 IN KADEN CREEK SUBDIVISION,

BILL CRANFORD JR. AND REBECCA CRANFORD, 45’ OF AN EXISTING 80’ DRAINAGE SERVITUDE, LOCATED ON THE WESTERNMOST SIDE OF LOT 7 IN KADEN CREEK SUBDIVISION,

ERIC P. LEMOINE, 45’ OF AN EXISTING 80’ DRAINAGE SERVITUDE, LOCATED ON THE WESTERNMOST SIDE OF LOT 8 IN KADEN CREEK SUBDIVISION,

CARL P. AND AMY L. WESTBROOK, 45’ OF AN EXISTING 80’ DRAINAGE SERVITUDE, LOCATED ON THE WESTERNMOST SIDE OF LOT 9 IN KADEN CREEK SUBDIVISION,

KYLE W. JACKSON, 45’ OF AN EXISTING 80’ DRAINAGE SERVITUDE, LOCATED ON THE WESTERNMOST SIDE OF LOT 10 IN KADEN CREEK SUBDIVISION,

CHRISTOPHER D. AND ROBYN E. BARRON, 45’ OF AN EXISTING 80’ DRAINAGE SERVITUDE, LOCATED ON THE WESTERNMOST SIDE OF LOT 11 IN KADEN CREEK SUBDIVISION,

W & W NEIGHBORHOODS LLC, 45’ OF AN EXISTING 80’ DRAINAGE SERVITUDE, LOCATED ON THE WESTERNMOST SIDE OF LOT 12 IN KADEN CREEK SUBDIVISION,

ALL LOCATED IN SECTION 8, T6S-R4E, G.L.D., LIVINGSTON PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED HEREIN.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of August 2021.

(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 number 11, “Public Hearing and Adoption of L.P. Ordinance No.21-20: Amend Section 50-3, “Speed of Boats”, Part (C)9, “Tickfaw River at Highway 22 Bridge (Rome’s Ferry Bridge)”, by recommendation of the Livingston Parish Waterway Commission” and called on the Council clerk to read the ordinance by title. He further explained that there had been a typo when the ordinance was presented for introduction. The Council would need to amend the ordinance first, then adopt as amended.

The chair opened the Public Hearing and asked if anyone wished to have public comment on this ordinance adoption. Having no comment, the chair requested if any of the Council members had any input on this agenda item.

Councilman Randy Delatte explained that he had been advised that the signs were in the correct spot and had been for years, it’s just that the wording of the ordinance did not match the signs. He further explained that when citations are issued they wished to make sure that the ordinance wording matched with the No Wake/Idle Zone signage.

**LPR NO. 21-259**

MOTION was made by Randy Delatte and duly seconded by Shane Mack to amend the wording upon introduction of L.P. No. 21-20, introduced on August 12, 2021, wording being located after the third “WHEREAS”: *“Tickfaw River at Highway 22 Bridge (Rome's Ferry Bridge). Up current of bridge three hundred (300') feet, and down current of bridge ~~.54 miles~~* ***three hundred (300’) feet****.”*

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LPR NO. 21-260**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 12, 2021 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 August 26, 2021 on Motion of Tracy Girlinghouse and seconded by Gerald McMorris:

**L.P. ORDINANCE 21-20**

AN ORDINANCE TO AMEND AND REENACT CHAPTER 50 OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, CHAPTER 50, “OFFENSES – MISCELLANEOUS”, SECTION 50-3 “SPEED OF BOATS”, PART (C)(9), AS SET OUT MORE SPECIFICALLY HEREIN.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted **AS AMENDED** on the 26th day of August 2021.

(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 number 12, “Public Hearing and Adoption of L.P. Ordinance No.21-21:Creation ofChapter 117,“Zoning”, and called upon the Council Clerk to read the ordinance by title.

The chair opened the Public Hearing and explained that this was a two (2) part process, and this is basically an adoption of definitions for zoning. He then asked if there was anyone from the public who wished to comment on the adoption of this ordinance.

Having none, the chair requested if the Council members had wished to speak giving input on this item.

Councilman Randy Delatte advised that he had two (2) or three (3) things that he wished to discuss, but if the ordinance was just for “Definitions” only, he could wait. He stated that his biggest concern was that the rural areas would become a trailer park haven and he did not want that to happen.

The chair advised that was one reason that they amended the ordinance upon introduction to strike all the acceptable things that could go on classified land. He explained that a lot of the land in the southeast section of the Parish would be considered unclassified, being in his opinion, that the list presented was overly broad that would allow things to occur next door to your home that you may not want. The chair further explained that there would be a lot of discussions about the definitions, but it was critical to get this ordinance adopted first, and then the Council would be able to move to the second phase and move forward with implementation and they would be able to amend the definitions. He encouraged Councilman Delatte that if he found something that he did not agree with in the definitions, he could put that item on the agenda and the Council could amend the specific item in question. He stated that if the Council tried to tackle large groups of amendments all at one time, he felt that the Council members could get overwhelmed and slow down the zoning process. He continued to explain that it was his opinion to address every concern one at a time, so that they would be allowed the proper discussion and consideration. He considered that there may be ideas brought forth from other individuals that had not been contemplated in the creation of these definitions.

Councilman Tracy Girlinghouse concurred with the chair.

Councilman Delatte wished to express that he was in favor of the ordinance and asked when the changes could be considered. The chair advised that it could be discussed at the Ordinance committee scheduled on September 8th. Councilman Delatte explained that what he would be presenting would be very small and minute.

The chair asked if there was anyone else who wished to comment on the adoption of this ordinance.

Councilman Shane Mack wished to address the “Unclassified Residential in a commercial area” portion of the ordinance. He stated that this was a list in progress and asked if the Council would be addressing this possibly when they introduce the map.

The chair stated that the Council would need to fix the zoning definitions before they could classify land as unclassified. Councilman Girlinghouse agreed and stated that this was a fluid document and would therefore always be changed and altered.

The Council clerk asked the chair if he had closed the Public Hearing before the vote. The chair advised that he had closed the Public Hearing already. He recalled that there was no comment from the public, so he closed the Public Hearing. The chair then recollected that he had asked for Councilmen’s comments, to which he then called upon Councilman Randy Delatte and they moved forward at that time with the discussion.

**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LPR NO. 21-261**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 12, 2021 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 August 26, 2021 on Motion of Tracy Girlinghouse and seconded by Randy Delatte:

**L.P. ORDINANCE 21-21**

 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON BY CREATING AND ENACTING CHAPTER 117, “ZONING.”

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of August 2021.

(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 number 13, “Public Hearing and Adoption of L.P. Ordinance No. 21-22: Addition of Section 14-22, “Traffic Regulations and Enforcement”, located in Carter Plantation Community Development District”, and requested the Council clerk to read the ordinance by title.

The chair advised that this was a housekeeping measure at the request of Carter Plantation Community Development District, in conjunction with the Livingston Parish Sheriff’s Office. He stated that both of their attorneys had reviewed the proposed ordinance, as well as the Parish’s attorney. By adopting this ordinance, everyone can move forward to solve an issue with traffic and the safety of individuals within Carter Plantation Community Development District.

The chair opened the Public Hearing and requested public input. Having none, the chair closed the Public Hearing and asked if there were any Council members that wished to comment on this ordinance.

Councilman Randy Delatte advised that he had attended the meeting with the District and it was a unanimous vote in favor for the implementation of this ordinance. He indicated that without it, they would not have any police protection.

The chair called for a motion and asked were there any objections to this ordinance. Having none, the chair called for the vote.

**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LPR NO. 21-262**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 12, 2021 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 August 26, 2021 on Motion of Randy Delatte and seconded by Jeff Ard:

**L.P. ORDINANCE 21-22**

 AN ORDINANCE TO AMEND CHAPTER 14, “COMMUNITY DEVELOPMENT”, ARTICLE II, “CARTER PLANTATION COMMUNITY DEVELOPMENT DISTRICT”, BY ADDING SECTION 14-22, “TRAFFIC REGULATIONS AND ENFORCEMENT,” OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of August 2021.

(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 number 14, “Public Hearing and Adoption of L.P. Ordinance No.21-23:AmendSection 125-23(a)(3), “Building Lines”, amending the width of footage of side yard setback(s)”, and explained that this was another housekeeping measure put forth from the Parish Engineer.

The chair opened the Public Hearing and asked if anyone wished to comment on this proposed ordinance for discussion. Having none, the chair closed the Public Hearing and inquired if the Council members wished to comment.

Having no comment, the chair asked for a motion. The Council clerk requested to read the proposed ordinance by title.

**STATE OF LOUISIANA**

**PARISH OF LIVINGSTON**

**LPR NO. 21-263**

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on August 12, 2021 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 August 26, 2021 on Motion of Tracy Girlinghouse and seconded by Maurice “Scooter” Keen:

**L.P. ORDINANCE 21-23**

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, “SUBDIVISION REGULATIONS,” ARTICLE I, IN GENERAL, BY AMENDING SECTION 125-23, “BUILDING LINES.” AS FOLLOWS.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 26th day of August 2021.

(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 number 15, “Adopt resolution to allow a variance of Section 125-9, “Submittals”, to subdivide a lot(s) within a named subdivision located at 35087 Bend Road, Denham Springs in Country Crossing subdivision Thomas and Brenda Waters – Garry Talbert”.

The chair explained that he had placed this on the agenda. He advised that this was actually an unusual situation. They were requesting to increase a lot in a named subdivision and there would be no additional lots coming out of this subdivision. They will be moving some property lines around and no additional lots will be coming out of this. The family that is buying the property, which will expand their back yard, will benefit their son that has needs and will allow him to enjoy more space. The chair asked if someone could make a motion on his behalf for the adoption of this resolution.

**LPR NO. 21-264**

MOTION was made by Shane Mack and duly seconded by Gerald McMorris to allow a variance of Section 125-9, “Submittals”, of the Code of Ordinances of Livingston Parish, to allow Thomas and Brenda Waters located at 35087 Bend Road, Denham Springs, their property being situated on the attached map known as TW-1, to subdivide the back .85 acreage in a triangular shape that will be purchased by Brian and Erin Schweinefus addressed at 34964 Sarah Lane, Denham Springs, their property being situated on the attached map as Lot 12 of Country Crossing, thereby combining the triangular back section of TW-1 with Lot 12 within a named subdivision known as Country Crossing subdivision located in Council District 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

-----------------------------------------------------------------------------------

The chair addressed agenda item number 16, “Adopt resolution to allow a variance of Section 125-9, “Submittals”, to subdivide a lot(s) within a named subdivision located on Pea Ridge Road, Albany in Pea Ridge Estates North subdivision for Charley Eddie Wagner in Council District 9”, and called upon Councilman Shane Mack.

Councilman Mack advised that he had visited the property and this was one of those areas where it was an old named subdivision located in rural area. He explained that the lots are big and both face Pea Ridge Road, which is a wide road and the drainage is good. Councilman Mack advised that he was in favor of the request for a waiver to subdivide and wished to make a motion.

**LPR NO. 21-265**

MOTION was made by Shane Mack and duly seconded by Randy Delatte to allow a variance of Section 125-9, “Submittals”, to subdivide a lot(s) within a named subdivision located on Pea Ridge Road, Albany in Pea Ridge Estates North subdivision for Charley Eddie Wagner in Council District 9.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

-----------------------------------------------------------------------------------

The chair addressed agenda item number 17a, b and c, “Adopt resolution to add three-way stop(s) in Evangeline Subdivision”, and called upon Councilman Gerald McMorris.

Councilman McMorris explained that ever since Buddy Ellis Road had been upgraded, Evangeline Trace Subdivision had become a heavily travelled traffic cut through. He advised that he had met with the residents of the neighborhood and they requested the placement of stop signs to slow down the traffic coming through the neighborhood. Councilman McMorris further advised that currently, Evangeline Trace subdivision does not have any stops signs installed.

**LPR NO. 21-266**

MOTION was made by Gerald McMorris and duly seconded by Randy Delatte to declare and establish three-way stop(s) in Evangeline Trace subdivision, being located off of Buddy Ellis Road in Council District 6, for the following intersections:

* 1. Evangeline Trace Boulevard at Brush Creek Street

b. Evangeline Trace Boulevard at Hidden Pass Drive

c. Evangeline Trace Boulevard at Raven Way Drive

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

-----------------------------------------------------------------------------------

The chair addressed agenda item number 18, “Introduction of Ordinance: Amend Section 70-51, “Board of Supervisors”, adding two (2) additional board members to Ward 2 Water District Board per Act 144 of the 2021 Louisiana Regular Legislative Session”. The chair advised that this item was put forth by Councilman Gerald McMorris and Councilman John Wascom and was needed as a housekeeping item to be in conjunction with state law.

Upon direction of the chair, the Council clerk read the ordinance by title and set the public hearing. The Council clerk will publish the ordinance by title in the Official Journal in accordance with the legal mandates and whereby set a Public Hearing for Thursday, September 9, 2021 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.

**L.P. ORDINANCE 21-24**

AN ORDINANCE TO AMEND CHAPTER 70, “UTILITIES”, ARTICLE II, “WATER DISTRICT”, DIVISION 2, “WARD TWO WATER DISTRICT”, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY AMENDING SECTION 70-51, “BOARD OF COMMISSIONERS” TO INCREASE THE BOARD MEMBERSHIP FROM FIVE (5) MEMBERS TO SEVEN (7) MEMBERS.

There were no comments and the chair moved to the next agenda item.

-----------------------------------------------------------------------------------

The chair addressed agenda item number 19a, “Board resignation/(re)appointments: Personnel Board – John Wascom and Tracy Girlinghouse”, and stated this was carried over from the last Council meeting. He asked Councilman John Wascom and Councilman Tracy Girlinghouse if they had resolved their issue on this item.

Councilman Tracy Girlinghouse answered that they had and he would be pulling his recommendation. He stated that he would like to pass this agenda item over to Councilman Wascom for further discussion.

Councilman Wascom had clarified with Personnel Board member, Cary Carlin, that he did not resign and Mr. Carlin wished to remain on the board.

Councilman Wascom made a motion to reappoint Cary Carlin to the Personnel Board to which Councilman Girlinghouse made the second. The vote carried unanimously in favor of reappointing Mr. Carlin.

The Council clerk asked the chairman if the Council members would like to reappoint Mr. Jimmy Durbin to the Personnel Board as his term was about to expire.

Everyone was in agreement to reappoint Mr. Durbin and the chair advised that Mr. Cary Carlin’s resolution to be reappointed would also include Mr. Jimmy Durbin’s reappointment. Councilman Wascom agreed to amend his motion to include Mr. Durbin.

**LPR NO. 21-267**

MOTION was made by John Wascom and duly seconded by Tracy Girlinghouse to reappoint Mr. Cary Carlin (resident of Council District 4) to the Livingston Parish Personnel Board whose four (4) year term began on September 11, 2019 and will expire on September 11, 2023;

 and in addition:

 Also reappoint Mr. Jimmy Durbin to the Personnel Board (resident of Council District 4) whose four (4) year term will begin on September 11, 2021 and will expire on September 11, 2025;

 Thereby meeting the mandates of Section 4-05(D)(E)(F) of the Livingston Parish Home Rule Charter.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

-----------------------------------------------------------------------------------

The chair called upon Councilman Tracy Girlinghouse to address agenda item number 20a, “Committee Reports: Ordinance Committee”. Councilman Girlinghouse reported that the committee met by Zoom prior to the Council meeting and discussed tubing on the river. He advised that there would be an upcoming meeting on Tuesday by Zoom and tubing on the river will be the single item up for discussion.

The chair then called upon Councilman Jeff Ard to present a report of agenda item number 20b, “Finance Committee”. Councilman Ard reported that Jennifer Meyers, Finance Director, had presented the check register and collections and everything is still looking good.

The chair addressed agenda item number 20ci, ii and iii, “Citizens Drainage: Recommendation(s):” and called upon Councilman Randy Delatte. Councilman Delatte advised that he did not attend the last Citizens Drainage meeting and could not report anything. The chair asked if there was anyone in attendance from this committee that was present. Having no one from the committee being present, the chair read the three (3) requests that the Citizens Drainage presented to the Council as follows:

* + 1. Request permission to advertise the committee Facebook page information “Like us on Facebook at Livingston Parish Citizens Drainage Committee” during the committee meetings
		2. Request the Livingston Parish Council to inform their committee on the current standing with engineering, finance, etc. on the Amite dredging of the mouth of the canal into Lake Maurepas
		3. Request the Livingston Parish Council to review the three (3) mapping systems in use, and to decide which was preferable for the Parish to utilize

Councilman “Maurice” Scooter Keen advised that he believed that the committee was asking the Council to authorize them to be able to put their Facebook logo information on the television screen while the meeting was taking place and streaming.

**LPR NO. 21-268**

MOTION was made by Randy Delatte and duly seconded by Maurice “Scooter Keen to grant the Citizens Drainage committee the ability to stream live the committee Facebook page information during the committee meetings.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

-----------------------------------------------------------------------------------

Councilman Maurice “Scooter” Keen requested to comment on his conversation with Jennifer Meyers, Finance Director. He advised that he had been receiving calls from constituents asking questions about the Amite River Dredging project. Ms. Meyers stated that Administration did have a report to present to the Council, however, the meeting that it was to be presented, unfortunately was cancelled. Councilman Keen requesting that the motion be amended to have Administration be present at the next Council meeting on September 9th?

**LPR NO. 21-269**

MOTION was made by Randy Delatte and duly seconded by Gerald McMorris to send the request of the Citizens Drainage committee to the Parish President’s office, whereby requesting “the Livingston Parish Council to inform their committee on the current standing with engineering, finance, etc. on the Amite dredging of the mouth of the canal into Lake Maurepas”, and to present the report that would have been offered, on Thursday, July 22, 2021 Council meeting, but was cancelled.

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

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

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 had been asked at the last meeting to comment about the process that the Council could amend their budget, because there might have been some budget requests from the drainage committee. He asked for clarification if that was the question being asked of him. Councilman Randy Delatte affirmed that was the question at hand.

Mr. Moody explained that the Council’s Charter requires that any change in your budget during the budget year, for the most part, has to come from Administration and the Parish President. It is the Parish President’s obligation to ascertain and determine whether or not you are meeting your revenues and expenses and whether or not you need to make any changes. He further explained that there was one provision that allowed the Council to reduce appropriations at any time, as long as the reduction does not affect your debt service. But any other change during the course of the year needs to come to the President’s office. Mr. Moody suggested to the Council to adopt a resolution to come forward with a recommendation about any budget change this year. He advised that they were up against the budget, so he wasn’t sure that would be very practical. He further suggested that the Council go through their regular budget process and negotiate to get some money in there for whatever it is that they need. Mr. Moody stated that he would remind them that their biggest revenue source was their road tax and they could spend a very small amount of that on drainage and had received previously an attorney general’s report about that. The Parish was not allowed to go much further than the roadside ditching.

Councilman Randy Delatte wished to ask Mr. Moody about when a new budget was presented for next year, what is the stipulation on the Council amending the budget? He further questioned if Administration presented a budget to the Council, and what if the Council members did not like what was presented? Mr. Moody stated that the Parish President has to present a budget and the Council has to approve it. There is a very detailed method about how it gets passed. The budget must be presented to the Council ninety (90) days before the end of the year and the Council shall order a Public Hearing and the Council must make some decisions about the budget, so yes, you could make changes at that time. He continued to state that the Council must bear in mind, the prior Council tried to make some changes and they did not get the changes done in time, and there are rules that say that if they are not done on time, then the President’s budget becomes your next year. The chair interjected to ask if that had been changed in the Home Rule Charter. He further explained that if any budget is presented to the Council, the Council can amend when it is adopted, and once it is adopted, that is the budget, and typically the Parish President is the only one who can introduce the amendments. However, under one particular rule, the Council can reduce expenditures as long as it doesn’t affect debt service. He further stated that if the Council does not adopt a budget, the budget that had been submitted by the Parish President at the ninety (90) day mark, he thought that it was approved for a six (6) month period that allowed the Council another six (6) months to resolve the balance of the budget. Mr. Moody sufficed that the Council had an attorney general’s opinion on this too.

The chair requested that the Council clerk read Section 5-02, “Operating Budget Preparation and Adoption”, Part B:

 *Upon the failure of the Parish Council to adopt a budget by the end of the current fiscal year, the budget for the previous fiscal year shall continue in effect for no more than six (6) months into the next fiscal year and expenditures shall be limited to no more than fifty percent (50%) of the amount appropriated for the prior fiscal year.*

Mr. Moody advised that it was in 2014 that this section of the Home Rule Charter had been amended.

The chair asked if any of the Council members had any other questions at that time. Having none, the chair moved to the next agenda item.

Councilman Jeff Ard asked that before they moved on to Councilmen’s comments, could they revisit the Citizens Drainage committee’s request regarding a mapping system.

The Deputy clerk requested to speak on this agenda item:

20i. Request the Livingston Parish Council to review the three (3) mapping systems in use, and to decide which was preferable for the Parish to utilize.

The Deputy clerk advised that she had attended the meeting and given the presentation to Citizens Drainage Board about the mapping system for the Parish. She explained that she is a board member of Gravity Drainage District No. 2. The Deputy clerk advised that she was in attendance at this committee meeting as a constituent, not a Parish employee. She continued to explain the mapping system that Gravity Drainage District No. 2 used called ARCGIS, a geographic information systems map. This system is used by Gravity Drainage Districts 1, 5 and 2. She stated that Gravity Drainage District No. 2 had recently issued cell phones to the lead crew members that allowed them to press a button, walk down a stream, and then press another button so that they can get a more accurate data of all of the different canals and drainage ditches and allow them to keep up with the work that they do. She reported when she attended the committee meeting, the members also discussed the state mapping program that Gravity Drainage District No. 2 and Gravity Drainage District No. 1 use, and how the Parish does not use a mapping system at all, and that is what the committee was requesting from the Council. She advised that it would be beneficial to have some kind of mapping system, and offered that the Council could evaluate which system would be best and more cost efficient for the Parish.

The chair acknowledged Councilman Ard as the Finance committee chairman, and suggested that that this may be something that the Finance committee could take up and discuss with the Finance Director. Councilman Ard stated that he would pursue this with the Finance Director and its benefits to the Parish’s Department of Public Works.

Councilman Shane Mack advised that Gravity Drainage District 8 was not able to meet recently, but Gravity Drainage District 8 was planning on using the ARCGIS mapping system.

The chair suggested that Councilman Ard put this on the next Finance committee agenda and have Ms. Meyers comment on it, or have someone from Administration to comment on it.

----------------------------------------------------------------

The chair addressed agenda item number 22, “Councilmen’s comments:” and asked if any of the Council members wished to speak.

Councilman Maurice “Scooter” Keen wished to address the elevated number of COVID cases in the Parish. The chair commented on his experience with COVID cases at his local business.

----------------------------------------------------------------

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, September 9, 2021, at the hour of six o’clock (6:00) p.m. in Livingston, Louisiana.

**LPR NO. 21-270**

MOTION was offered by R.C. “Bubba” Harris and duly seconded by Shane Mack to adjourn the August 26, 2021 regular meeting of the Livingston Parish Council.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

---------------------------------------------------------------

\s\ Sandy C. Teal \s\ Garry Talbert

Sandy C. Teal, Council Clerk Garry Talbert, Council Chairman