

**Minutes of the Livingston Parish Council
Livingston, Louisiana
February 23, 2023**

The Livingston Parish Council met in a regular session duly called, advertised, and convened at its regular meeting place, at the Governmental Building in the Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, February 23, 2023, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Jeff Ard	Gerald McMorris
Garry Talbert	Tracy Girlinghouse
Maurice "Scooter" Keen	Randy Delatte
Erin Sandefur	Shane Mack

John Wascom

Absent: Parish President Layton Ricks

Also present: Mark Harrell on behalf of the Parish President in his absence
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 8a, b, and c, "Adopt the Minutes of:
a. January 26, 2023 regular meeting of the Livingston Parish Council
b. February 9, 2023 regular meeting of the Livingston Parish Council
c. February 9, 2023 Juban Crossing Community Development District"

LPR NO. 23-082

MOTION was made by Tracy Girlinghouse and duly seconded by Shane Mack to dispense with the reading of the minutes from the January 26, 2023 and February 9, 2023 regular meetings of the Livingston Parish Council, in addition to, the February 9, 2023 Juban Crossing Community Development District meeting and adopt as written.

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

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

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: Adopt resolution of support for Proclamation for Flood Awareness Month" and advised that he had spoken to the Parish President earlier and he indicated that Mr. Talbert would read the proclamation.

Councilman Garry Talbert stated that the Parish President wished to let everyone know that his grandson, Collin Warner Scritchfield, was born on January 30th, he was twenty (20) inches long, six point one five (6.15) pounds and spent the first twenty-two (22) days of his life in the NICU, but he came home yesterday. Councilman Talbert explained that was the reason for his absence at the meeting.

Councilman Talbert then read the proclamation for agenda item number 9a, as follows:

Proclamation

March is American Red Cross Month – a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

We would like to remember our heroes here in Livingston Parish who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

Across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

When an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Layton Ricks, duly elected President of the Parish of Livingston, by virtue of the authority vested in me by the Constitution and laws of Livingston Parish and Louisiana do hereby proclaim March 2023 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of February, in the year of our Lord two thousand twenty-three, at Livingston, Louisiana.

/s/ Layton Ricks

LAYTON RICKS, LIVINGSTON PARISH PRESIDENT

LPR NO. 23-083

MOTION was made by Garry Talbert and duly seconded by Tracy Girlinghouse to support the Parish President's proclamation for Flood Awareness Month and declare March 2023 as American Red Cross Month as follows:

Proclamation

March is American Red Cross Month – a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

We would like to remember our heroes here in Livingston Parish who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

Across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

When an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Layton Ricks, duly elected President of the Parish of Livingston, by virtue of the authority vested in me by the Constitution and laws of Livingston Parish and Louisiana do hereby proclaim March 2023 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of February, in the year of our Lord two thousand twenty-three, at Livingston, Louisiana.

/s/ Layton Ricks

LAYTON RICKS, LIVINGSTON PARISH PRESIDENT

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 10a and b, "Discussion of Denham Springs Townhomes located on 31164 LA Highway 16, Denham Springs, LA 70726 - Maurice "Scooter" Keen:

- a. Resolution approving annual payment
- b. Memorandum of Understanding between the Capital Area Finance Authority and Millennium Properties, LLC"

The chair called upon Councilman Maurice "Scooter" Keen who explained that this project was brought to him six (6) to eight (8) months ago and stated its location and advised that they are asking for some additional funding. He indicated that there were people in the audience who wished to speak on this matter.

The chair invited the audience members to come to the podium and explained that this was a Capital Area Finance Authority memorandum that allows for a Cooperative Endeavor Agreement in lieu of ad valorem taxes.

Public input: Vanessa Levine, Executive Director of Millennium Properties, LLC, a subsidiary of Volunteers of America: explained the project and its funding

Councilman Garry Talbert asked the Councilmembers if they remembered several years ago when he went and spoke at the East Baton Rouge Parish Council because at that point and time before the Legislature changed the law, EBR could grant a tax break in Livingston Parish. He continued to advise that they as a Council, the Sheriff's Department and the School Board passed a resolution against a pilot program, payment in lieu of taxes of which similar, mainly because we're talking about one hundred and two (102) residents that in their subdivision ordinance and listening to the school board there are problems. He stated that they would be adding a hundred and two (102) for a thousand dollars (\$1,000.00) a year in payment in lieu of taxes. He furthered spoke of infrastructure improvements that were needed and questioned where would the funds come from for this. He questioned where was the benefit to the Parish other than to provide affordable housing

to fifty percent (50%) of the people which gives them the competitive advantage of their neighbors who paid full price to build their apartments.

The chair asked if the Council had a choice in the East Baton Rouge Parish matter, whether the Council adopted a resolution or not, it did affect whether it happens or not and questioned if they were able to do it without the Council's approval or not.

Councilman Talbert advised, not anymore, back then EBR Metro Council set as the housing authority and they made the determination for the surrounding parishes. He further advised, because of that action and the request of this Council against for the Louisiana delegation, along with us lobbying the East Baton Rouge Metro Council, along with the resolution from the school board, this Council and the Sheriff's Department, and with his testimony, it was defeated. East Baton Rouge said that it was not their position to grant a tax break in Livingston Parish. He advised that the Legislature changed it, which is why, the pilots coming before us and get the payment in lieu of taxes.

Councilman Shane Mack questioned what was the estimated property tax that the Parish would receive if the resolution was not passed?

Many of the Councilmembers responded. Councilman Mack wished to clarify his question: What was the estimated tax value if the resolution was not passed?

Many Councilmembers responded and stated that if the resolution did not pass then the project could not continue.

The chair asked if anyone had any further input. Councilman Mack stated that he wished to make a motion to disapprove.

Public input: Peggy Westerman, owner of the property

Councilman Delatte addressed Ms. Westerman and stated that everyone on the Council wants to do the right thing for the Parish. The Council is looking at this project and this request for approval as a business situation. He questioned if Mr. Talbert's statements were correct that it was not enough between the two (2) numbers that were given, what they may received in twenty (20) years versus what was the Parish receives now, which he based on the infrastructure requirements that is going to be in place for the new residents. Councilman Delatte questioned if the number that was given and used by Councilman Talbert was correct. Ms. Westerman advised that the technical questions would need to be addressed by Ms. Vanessa Levine. A study report submitted by Mr. Richardson was discussed.

Councilman Maurice "Scooter" Keen stated that this item was placed on the agenda to inform the Councilmembers and it did not need to be voted on that evening. He encouraged everyone to take their time and review the documentation submitted. He requested that Ms. Levine submit the drawings and pictures of the development to the Councilmembers. He stated that it was going to be a beautiful place in a great spot should the Council decide to support it.

The chair asked Councilman Keen if he wished to table this item?

Council Keen advised that he would like for the Council members to review the documentation.

The chair asked Ms. Westerman if she could provide the additional information to the Council and table this item seeking Councilman Keen's wishes.

Councilman Keen stated that he agreed to table this item and bring it back up in two (2) weeks.

Councilman Mack had made the motion to disapprove and stated that he was in agreement to table this item for the Council members to review and evaluate the documentation for this project.

Councilman Talbert stated that he thought that the study on the economic impact would be interesting in regard to if everyone is new, versus individuals that are transferred. He wished to make the point that you would need to apply that to every development as you look at it.

The chair asked Ms. Vanessa Levine to provide that information to the Council members and they would pick this agenda item back up at a later time.

The chair addressed agenda item number(s) 11a through 11g:

Board (re)appointment(s)/resignation(s):

- a. Fire Protection District No. 11 – Shane Mack
- b. Waterway Commission – Randy Delatte
- c. Fire Protection District No. 2 – Randy Delatte
- d. Recreation District No. 3 – Erin Sandefur
- e. Gravity Drainage District No. 2 – Maurice “Scooter” Keen
- f. Recreation District No. 2 – Garry Talbert
- g. Livingston Parish Airport District – Garry Talbert/LA State Senator J. Rogers Pope

Councilman Shane Mack addressed agenda item number 11a, Fire Protection District No. 11, and advised that board member, Mr. Chris Cooper, had moved out of the district and he wished to appoint Mr. Norman Carter in that vacancy.

LPR NO. 23-084

MOTION was made by Shane Mack and duly seconded by Tracy Girlinghouse to appoint Norman Carter (resident of Council District 9) to Fire Protection District No. 11 to replace the vacancy left by Chris Cooper who moved out of the district; and will serve the remainder of the term which expires on November 10, 2024.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11b, “Waterway Commission”, and called upon Councilman Randy Delatte.

LPR NO. 23-085

MOTION was made by Randy Delatte and duly seconded by Tracy Girlinghouse to reaffirm the board appointments of the members of the Waterway Commission.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11c, “Fire Protection District No. 2 – Randy Delatte”.

LPR NO. 23-086

MOTION was made by Randy Delatte and duly seconded by Shane Mack to reappoint Bernie Ross (resident of Council District 8) whose two (2) year term will expire on January 1, 2024 and Charles McKinney (resident of Council District 8) whose two (2) year term will expire on January 1, 2025 to Fire Protection District No. 2.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11d, "Recreation District No. 3 – Erin Sandefur".

LPR NO. 23-087

MOTION was made by Erin Sandefur and duly seconded by Maurice "Scooter" Keen to reappoint Ryan Harris (resident of Council District 5) whose five (5) year term will expire on February 23, 2028 and Karen Strickland Anderson (resident of Council District 5) whose five (5) year term will expire on February 23, 2028 to Recreation District No. 3.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11e, "Gravity Drainage District No. 2", and called upon Councilman Maurice "Scooter" Keen.

LPR NO. 23-088

MOTION was made by Maurice "Scooter" Keen and duly seconded by Randy Delatte to appoint Jamie Felder (resident of Council District 3) to Gravity Drainage District No. 2 to fill the vacancy left by the resignation of Matt Hughes and serve the remainder of this four (4) year term due to expire on November 8, 2024.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11f, "Recreation District No. 2", and called upon Councilman Garry Talbert.

LPR NO. 23-089

MOTION was made by Garry Talbert and duly seconded by Gerald McMorris to reappoint Tracy McRae (resident of Council District 2) and April Dawn Curtis (resident of Council District 2) to Recreation District No. 2; both of these five (5) year term reappointments will expire on February 13, 2028.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 11g, "Livingston Parish Airport District", and called upon Councilman Garry Talbert.

LPR NO. 23-090

MOTION was made by Garry Talbert and duly seconded by Jeff Ard to:

- Reappoint Dana Rushing (District 2) to the Livingston Parish Airport District; whose five (5) year term will expire on January 1, 2028.
- Remove Robert (BJ) Stewart (being the designated appointment of the Louisiana State Senate) from the Livingston Airport District and appoint Joey Sibley in this vacancy to serve the remainder of this five (5) year term that will expire on January 1, 2026 upon receipt of recommendation letter from Senator J. Rogers Pope dated February 13, 2023.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 12, "Resolution to authorize a waiver of Section 125-37, "Requirements for minor subdivisions", to allow the number of lots on a servitude for John Ratcliff located on LA Highway 444 in Council District 8", and called upon Councilman Randy Delatte.

Councilman Delatte explained this is not a developer, this request is being made by a landowner that wishes to divide his property for his family members. He advised that the lots are three and a half (3 ½) acres to one and one-third (1 1/3) acres and he is also requesting a waiver for the number of lots on a servitude which will be a total of fourteen (14).

LPR NO. 23-091

MOTION was made by Randy Delatte and duly seconded by Gerald McMorris to grant the request of John Ratcliff, whereby allowing the authorization of two (2) waivers of the Livingston Parish Code of Ordinances of Section 125-37, "Requirements for minor subdivisions", said property being located on LA Highway 444 in Council District 8, as stated below:

- **Waiver approved for the number of lots on the servitude**

Section 125-37. - Requirements for minor subdivisions.

- The division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) lots or less shall be deemed and referred to as a minor subdivision.

- **Waiver approved allowing fourteen (14) lots as a minor re-sub**

Section 125-37

- (5) Any division of property where all lots within the division is of one (1) acre or more, shall not be divided into more than nine (9) total lots.
- (6) Any division of property where all lots within the division is of one (1) acre or more shall not have more than five (5) total lots on a private, non-public road or servitude. The servitude must be a minimum sixty (60') feet in width.

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

YEAS: MR. MACK, MR. KEEN, MR. MCMORRIS, MR. DELATTE, MS. SANDEFUR, MR. GIRLINGHOUSE, MR. ARD, MR. WASCOM

NAYS: MR. TALBERT

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 13, "Authorization of property exchange between Lot 5 & the West 5' of Lot 6 and the Remainder of Lot 6, Square A, James Campsites, necessitating waiver(s) of Section 117-295 (min lot size) and Section 117-297 (min width) for properties that are zoned "Unclassified" for Kathleen Trepagnier and Lori Dimperio in Council District 8" and called upon Councilman Randy Delatte.

Councilman Delatte explained that this is in regard to campsite property. The owners wish to sell the property and discovered that the carports are five (5') feet over on neighboring property and they wish to do an exchange.

Councilman Garry Talbert questioned if the property owner was creating a new lot. Councilman Delatte advised no they were not.

Councilman Talbert questioned when unclassified changes hands, does it have to be classified to get a permit?

Councilman Shane Mack advised that the answer to that question was no. He wished to acknowledge that the Ordinance committee is reviewing the zoning classifications and were working to modify them so that they are easier to understand and interpret. Councilman Mack indicated that he had spoken with Eddie Aydell, Parish zoning engineer at Alvin Fairburn and Associates, and Councilman Mack's interpretation of Unclassified property was the same interpretation of Mr. Aydell's.

Councilman Mack informed Councilman Talbert that his answer to Mr. Talbert's question was no. Individuals would be able to get a permit to build a house, put a structure, or whatever they need.

Councilman Delatte wished to clarify that the property owners did not want to build a house, they just wish to sell the property.

Councilman Talbert argued that originally they had unclassified property, and there was a list of things that could be done on, we removed the list of everything that could be done on unclassified properties. He continued to debate, so technically you can do nothing on it.

Councilman Delatte questioned this statement.

Councilman Talbert challenged Councilman Mack asking where does it tell you that you can build on unclassified properties.

Councilman Mack explained that it's not classified, there are no restrictions. He advised that the Ordinance committee would be meeting to discuss this and let the Council members decide how they wish for this to be written.

The chair called upon Ms. DeeDee Delatte, Livingston Parish Building and Permit Director.

Ms. Delatte stated that currently there are some unclassified stipulations and they try to follow whatever is in that area, trying to keep the same type of development, growth, houses, mobile homes, commercial, whatever it is. She continued to explain that there were regulations on the minimum lot size, setbacks, and other things that the Planning Department and her department follow first before permits are issued.

Councilman Randy Delatte wished to reiterate that there would be no building, no additional, the property owner would be exchanging property between two (2) neighbors. They are requesting this because of their carports have been established over the property line of their neighbor.

LPR NO. 23-092

MOTION was made by Randy Delatte and duly seconded by Jeff Ard to authorize a property exchange between Lot 5 & the West 5' of Lot 6 and the Remainder of Lot 6, Square A, James Campsites, necessitating waiver(s) of Section 117-295 (minimum lot size) and Section 117-297 (minimum width) for properties that are zoned "Unclassified" for Kathleen Trepagnier and Lori Dimperio in Council District 8.

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

YEAS: MR. MACK, MR. TALBERT, MR. KEEN, MR. MCMORRIS, MR. DELATTE,
MS. SANDEFUR, MR. GIRLINGHOUSE, MR. ARD, MR. WASCOM
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

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

The chair addressed agenda item number 14, "Authorization of re-subdivision (removal) of a 2 acre tract from Tract B-1-A-1, necessitating a waiver of Section 117-35 for the property that is zoned "Agricultural", for Stephanie Barnett in Council District 8 – Randy Delatte".

Councilman Delatte explained that the property in question was a twenty-two point seven (22.7) acre tract being zoned Agriculture. The property owner is requesting to divide two (2) acres from the tract to allow his daughter to move onto the property. The property owner wishes to leave it Agriculture, but allow the subdivision of property to allow his daughter to build a home.

Councilman Jeff Ard questioned if the property owners considered zoning those two (2) acres as R-1?

Councilman Delatte advised that the request was made in Planning by the property owner, and it was his wishes to request this so that they may be allowed to be issued a permit.

Councilman Garry Talbert questioned if you could build a house on Agriculture?

The chair acknowledged that the resolution would include that the two (2) acres that were allowed to be subdivided from the property would also be rezoned as R-1.

Councilman Delatte was concerned that this may be considered spot zoning. Several Councilmembers spoke and answered that there would be many things that would need to be addressed just like this property being discussed.

The Councilmembers concluded that a waiver was not needed, and that the property should be rezoned from Agriculture to R-1.

LPR NO. 23-093

MOTION was made by Randy Delatte and duly seconded by Gerald McMorris to authorize the re-subdivision (removal) of a two (2) acre tract from Tract B-1-A-1, necessitating that the zoning classification be amended from "Agricultural" to "R-1", for Stephanie Barnett in Council District 8.

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

YEAS: MR. MACK, MR. TALBERT, MR. KEEN, MR. MCMORRIS, MR. DELATTE,
MS. SANDEFUR, MR. GIRLINGHOUSE, MR. ARD, MR. WASCOM
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

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

The chair wished at that time to address the addendum to the February 23, 2023 agenda numbered A-1, "Adopt a resolution to grant a waiver on the setback requirement for road frontage of 125 feet minimum lot size width, and approve the lot width of 123.77 feet for Chad and Dana Wall, Parcel #0184416, Zoned I-1, Light Industrial, located in Council District 8 – Randy Delatte". The chair acknowledged that this request was being made by Chad and Donna Wall in response to when their property had been zoned, they were eighteen (18') inches short of the required setback.

LPR NO. 23-094

MOTION was made by Randy Delatte and duly seconded by Garry Talbert to authorize a waiver of the setback requirement of one hundred twenty five (125') feet and allow the approval of the lot width being one hundred twenty three point seventy seven (123.77')

feet, being eighteen (18') inches short of the mandate for Parcel number 0184416, Zoned I-1, "Light Industrial" for Chad and Dana Wall, located Council District 8.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 15, "Authorization of re-subdivision of Lots JD3 and JD4 into 3 lots, necessitating a waiver of Section 125-1 (definition of lot, restricting density not to exceed 2.5 lots per acre) for Marvin & Eloise Kimble in Council District 9", and called upon Councilman Shane Mack.

Councilman Mack explained that the lots in question are located off of Jones Road, in northeast Albany. Councilman Mack went to view and inspect this property and acknowledged that it was on high ground. The property owners wished to take two (2) lots that are two hundred (200') feet wide and split it into three (3) lots total, which would make the lot approximately one hundred thirty six (136') feet wide. He explained that they wished to place a mobile home on this property for their daughter. Councilman Mack declared that the property was uniform and not a risk of flood, there was not a drainage issue.

Councilman Garry Talbert requested clarification of Councilman Shane Mack's motion.

Councilman Mack stated that it was authorizing a waiver to subdivide the property in question. He explained that there was a density requirement and they would be exceeding that requirement.

Councilman Talbert questioned what it was zoned currently? Councilman Mack advised that it was not zoned.

LPR NO. 23-095

MOTION was made by Shane Mack and duly seconded by Randy Delatte to authorize re-subdivision of Lots JD3 and JD4 into three (3) lots, necessitating a waiver of Section 125-1 (definition of lot, restricting density not to exceed 2.5 lots per acre) for Marvin & Eloise Kimble in Council District 9.

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

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

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, "Zoning Reclassification request to re-zone Parcel #0551994 located at 16160 Jr. McLin Road for Lloyd Smith, to be re-zoned from (AG) Agriculture to (R-1) Residential – Rural Single Family in Council District 1" and called upon Councilman Jeff Ard.

Councilman Ard advised that he was contacted by Mr. Smith about the zoning classification to this property. He explained that Mr. Smith's property is located on a dead end and it ties into agricultural land that was zoned Agriculture and he wishes to have the property reclassified as R-1 that will make it easier for his children in the future.

LPR NO. 23-096

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to authorize the approval of the Zoning Reclassification request to re-zone Parcel #0551994 located at 16160 Jr.

McLin Road for Lloyd Smith, to be re-zoned from (AG) Agriculture to (R-1) Residential – Rural Single Family in Council District 1.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 17, “Zoning Reclassification request to re-zone Parcel #0551994A located at 16180 Jr. McLin Road for Kendall Smith, to be re-zoned from (AG) Agriculture to (R-1) Residential – Rural Single Family in Council District 1 – Jeff Ard”.

Councilman Jeff Ard advised that this request was made by the son of Mr. Smith and it is the same that was just approved.

LPR NO. 23-097

MOTION was made by Jeff Ard and duly seconded by Randy Delatte to authorize the approval of the Zoning Reclassification request to re-zone Parcel #0551994A located at 16180 Jr. McLin Road for Kendall Smith, to be re-zoned from (AG) Agriculture to (R-1) Residential – Rural Single Family in Council District 1.

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

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

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, “Amend Council Policy and Procedure for agendas (regular meetings) – Shane Mack”.

The chair called upon Councilman Shane Mack who explained the need to change the policy for submitting agenda items for Council meetings. He suggested that the deadline be amended for agenda items to be one (1) week prior to the date of the Council meeting and items be submitted by Wednesday at noon. He acknowledged that Council members were allowed to submit agenda items and modify agenda items if need be to the Thursday before the Council meeting at five o'clock (5:00) p.m.

Councilman Mack stated that this will allow the clerks the time needed for preparation of the agenda and the Council meeting. He also indicated that the Council will now be able to publish the agenda in the Official Parish Journal once again. It will also allow constituents the opportunity to see the agenda earlier and give them the ability to contact their Council member if they have questions.

Councilman Mack stated that he wished to make a motion for the Council to make these changes. He encouraged the Council members to refer to their meeting packets to view the policy and its amendments. Councilwoman Erin Sandefur wished to second his motion.

The chair called upon Councilman Garry Talbert who stated that we used to do this, this used to be the way it was and there were times that we had to submit agenda items for the next meeting before we had the previous meeting. That was the way it was structured, we changed it because the law allows for us to publish on our website. He stated that you are still going to have the rush by noon, you're still going to have the same rush three hours before the noon thing on Wednesday,

that you have at five o'clock, the three hours before the five o'clock on the Tuesday before the meeting, the same thing is going to occur, we're all going to be sending stuff in at the last minute.

Councilman Maurice "Scooter" Keen stated that he thought that it would tie their hands to where the Council will not be able to get stuff in and he does not agree with this at all.

The chair stated that they were correct, no matter what the deadline is, you're going to have a rush. However, it will give the Council members a lot more time to review proposed ordinances and things that come up. He stated further that he is being bombarded two (2) days before the meeting with ordinances that he hasn't seen that are trying to be introduced and it doesn't give the Council members enough time for them to review. He advised that he was in favor of the amendments.

Councilwoman Erin Sandefur stated that she thought that it would be beneficial to have it that far in advance so they can study it appropriately and come to the meeting prepared and then run the meeting like a true order of business.

Councilman Tracy Girlinghouse wished to comment that as long as the chairman was open to him if he needed to put something in and get it in on an addendum.

Public input: Wade Holden, resident of Denham Springs: was in favor of the amendments

Councilman Talbert wished to make a substitute motion that if we are going to do this, then it needs to apply to everything. If it's not introduced, if it's not ready, then we don't introduce ordinances off the agenda through the committee and we don't have addendums at a later date.

The chair requested that Councilman Talbert explain his motion again.

Councilman Talbert stated that right now if the Ordinance committee had a meeting and they did not get their ordinance like a Tuesday.

The chair asked Councilman Talbert to make his motion.

Councilman Talbert advised that what he was saying is he wants to make a substitute motion that if they adopt these changes, that they add two (2) more changes to it that items cannot be introduced out of committee, they have to be published on the agenda on the Wednesday before and no addendums.

The chair wished to add that the ordinance needs to be in its entirety to be introduced. Councilman Talbert agreed.

Councilman Mack stated that he did not think that they needed a substitute motion, he felt that they could incorporate that into the original motion.

Councilman Randy Delatte wished to state that introductions of ordinances do not need to be voted upon. He further stated that he thought that any person on the Council who wishes to introduce an ordinance to the public for a Public Hearing, that should be done without a vote.

Councilman Gerald McMorris stated that the ordinance is not the problem, it is people coming up in the last minute placing items on the agenda. He felt that the policy change would help all them.

The chair asked if Councilman Mack was receptive to adding the two (2) things that Councilman Talbert mentioned to his resolution. He stated that he was and gave several reasons why.

Public input: Abby Crosby, resident of Livingston

The chair asked that Councilman Delatte and Parish legal counsel, Mr. Chris Moody, look into if the public may add items to the agenda.

Councilman Talbert asked for clarification of what they were voting on. He then stated that they were voting on the policy in their meeting packets as it is printed, with nothing coming out of committee unless it is properly introduced and no addendums.

LPR NO. 23-098

MOTION was made by Shane Mack and duly seconded by Randy Delatte to amend the Policy and Procedure for the office of the Livingston Parish Council as follows:

- Deadline for the submission of items for the agenda shall be on Wednesday, at noon (12:00) p.m., one week prior to the regular meeting of Council.
- The agenda will be published on the website of the Livingston Parish Council and posted outside of its regular meeting place one (1) week prior to the regular meeting of Council
- NO ordinances shall be placed on the agenda through any committee unless properly introduced
- There will be no addendums to the agenda once the agenda has been published

AGENDAS

1. All requests to be placed on the Livingston Parish Council's meeting agenda, from the public sector or Councilmembers, shall be submitted to the Council clerk.

Public sector is defined as:

The part of the economy that is composed of both public services and public enterprises.

(e.g. this means other branches of government like the Assessor, Clerk, DA or Sheriff etc.)

Public services include public goods and governmental services such as the military, police, infrastructure (public roads, bridges, tunnels, water supply, sewers, electrical grids, telecommunications, etc.), public transit, public education, along with health care and those working for the government itself, such as elected officials. Organizations that are not part of the public sector are either a part of the private sector or voluntary sector.

2. In the absence of the Council clerk, agenda items shall be submitted to the Deputy clerk or Executive Assistant.
3. If a member from the constituency of Livingston Parish or a business owner wishes to be placed on the agenda, they must have a Councilmember sponsor their item.
4. Agenda requests submitted by the public sector shall be submitted in writing and are required to be received by the office of the Livingston Parish Council.
5. Required information to be placed on the agenda shall include a detailed explanation of the topic to be discussed, the wording of the item to be placed on the agenda, name, agency and contact that will be speaking on the item and supporting documentation for the agenda item. If satisfactory information has not been received, then that agenda item will be tabled or deferred, and no action will be taken.
6. Deadline for the submission of items for the agenda shall be on Wednesday, at noon (12:00) p.m., one week prior to the regular meeting of Council. Deadlines affected by holidays or office closures shall be determined at that time and adjusted accordingly. The Livingston Parish Council office will send email notification to those that may be affected of the new deadline caused by holiday or office closures.
7. The agenda will be published on the website of the Livingston Parish Council and posted outside of its regular meeting place one (1) week prior to the regular meeting of Council and at least forty-eight (48) hours prior to the regular meeting of the Council.
8. The office of the Livingston Parish Council will maintain an email distribution list of the media and anyone who wishes to be included in an email blast to have the completed agenda directed to them upon their request.
9. No ordinances shall be placed on the agenda through any committee unless properly introduced.

10. There will be no addendums to the agenda once the agenda has been published.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

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

After the vote, there was an open discussion about addendums.

Mr. Chris Moody advised that the Council could always add something to an agenda the night of the meeting if it is an emergency by lifting the agenda and the vote would need to be unanimous.

The chair addressed agenda item number 19, "Zoning classification of Nonconformities/Nonconforming Uses" and called upon Councilman Shane Mack.

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

L.P. ORDINANCE 23-06

AN ORDINANCE TO AMEND CHAPTER 117 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "ZONING" ARTICLE III, "NONCONFORMATIES", DIVISION 1. "GENERALLY", BY ADDING SECTION 117-85, DEFINITION", SECTION 117-86, "NONCONFORMING USES" AND DIVISION 2., "TYPES OF CONFORMITIES", SECTION 117-95, "NONCONFORMING LOTS" AND SECTION 117-96, "NONCONFORMING STRUCTURES", IN AND FOR THE PARISH OF LIVINGSTON.

LPR NO. 23-099

MOTION was offered by Shane Mack and duly seconded by Jeff Ard to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, March 23, 2023 at the hour of six o'clock (6:00) p.m. at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

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

YEAS: MR. MACK, MR. TALBERT, MR. KEEN, MR. MCMORRIS, MR. DELATTE,
MS. SANDEFUR, MR. ARD, MR. WASCOM

NAYS: NONE

ABSENT: NONE

ABSTAIN: MR. GIRLINGHOUSE

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

The chair addressed agenda item number 20, "**Introduction of ordinance:** Creation of Zoning District "R-2.5", 2.5 lots per acre, lot size forty (40') feet" and called upon Councilman Garry Talbert.

Councilman Talbert stated that if you look at our classifications, they have a gap. He acknowledged that there are places that you can get a density of 2.5 which at lot 70 at R1.5 and there are plenty of subdivisions that are approved and some being constructed that have 40 foot lots and a density of 2.5, in an effort to be able to zone Council District 2 properly, he requested that they create R-2.5, which is a density of 2.5 with a minimum lot width of 40 feet. Councilman Talbert stated that basically, this is what the ordinance was before they created zoning. He asserted if you brought something in Watson right now and got a subdivision approved, this is the guidelines that you would be following. He thought that they needed to create a zoning district that matches those guidelines.

Councilman Gerald McMorris wished to clarify that this would be for the entire parish.

Councilman Talbert explained that there have been subdivisions approved in Watson, that to classify them so they would be conforming, he would have to classify as R-3 because of the lot width, but the density increases tremendously.

He advised that this was brought up by Ms. Phares on a Facebook post that talked about the increase in density on R-3, but when you start looking for something that you could place a currently approved subdivision under, there's nothing within the Parish's code, so his idea was to come up with R-2.5, which is the density they currently have and the lot width they currently have. He stated that there have been no subdivisions with lots built less than forty (40') foot wide unless they were garden homes. He declared that in an effort to zone Watson properly he would like to have, or Council District 2 properly, this classification so he wouldn't have to use R-3 and create a density of 7, he would rather stay at a density of 2.5, and if a Councilman in their area doesn't want to use it, they don't have to.

Councilman Shane Mack advised that he was not opposed to creating a new classification and having the uses and the width so that it matches. He asked Councilman Talbert if he would be okay with this going to the Ordinance committee, because he received an email that day, and it was about classification 2.5. He explained that there were some uses and some of the information within this email that is different from Councilman Talbert's ordinance.

Councilman Talbert stated that he didn't think that there was anything abnormal about the uses set forth in R-2.5.

Councilman Mack responded and advised that he was not saying that it was abnormal.

Councilman Talbert wished to go ahead and introduce the ordinance.

Public input: Wade Holden, has property in Watson: against ordinance
Gus Holden, against ordinance
Sarah Phares, requested names of the subdivisions that are forty (40') feet
Jennifer Holden, against ordinance

Councilwoman Erin Sandefur made a substitute motion to send the proposed ordinance to the Ordinance committee for further review.

LPR NO. 23-100

MOTION was offered by Erin Sandefur and duly seconded by Shane Mack to send the proposed ordinance to amend Chapter 117, Article IV, "Zoning Districts", by creating Division 4.1, (R-2.5) Residential – Rural Family to the Ordinance committee for further review.

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

YEAS: MR. MACK, MR. MCMORRIS, MS. SANDEFUR, MR. WASCOM
NAYS: MR. ARD, MR. DELATTE, MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN
ABSENT: NONE
ABSTAIN: NONE

Thereupon the chair declared that the Motion had FAILED and was NOT adopted.

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

L.P. ORDINANCE 23-07

AN ORDINANCE TO AMEND CHAPTER 117, "ZONING.", ARTICLE IV. "ZONING DISTRICTS", BY CREATING DIVISION 4.1, "(R-2.5) RESIDENTIAL – RURAL SINGLE FAMILY."

LPR NO. 23-100a

MOTION was offered by Garry Talbert and duly seconded by Tracy Girlinghouse to publish the ordinance by title in the Official Journal in accordance with the legal mandates and set a Public Hearing for Thursday, March 23, 2023 at the hour of six o'clock (6:00) p.m.

at the Parish Council Chambers in the Governmental Building located at 20355 Government Boulevard, Livingston, Louisiana, at which time comments will be received on the proposed ordinance prior to a Council vote.

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

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

NAYS: MR. MACK, MR. MCMORRIS, MS. SANDEFUR, MR. WASCOM

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 21, "Public discussion on LPR 23-061" and called upon Garry Talbert.

Councilman Talbert stated at the last meeting, we had invited the library director here, and we ended up making an ordinance. He changed his terminology and stated that we ended up with a resolution and they did not have a public hearing.

Note: the Livingston Parish Council does not have Public Hearings for resolutions, Public Hearings are reserved for ordinances that are coming up for adoption.

He stated to reaffirm the resolution, which he wished to read aloud to the Councilmembers:

LPR NO. 23-061

MOTION was made by Garry Talbert and duly seconded by Shane Mack to submit request(s) to the Livingston Parish Library Board:

- Endorse two (2) bills at the legislature that the Attorney General's office has talked about
 - A tiered card system that allows access based on age and parental consent
 - Parish government to be given more authority with respect to what's happening in local libraries
- Research digital driver's license and/or Q code or barcode on driver's license within their verification system so that you can prove that you're 18 at that point and time
- Give restrictions and then have the parents have to lift the restriction

He stated that upon being submitted to a vote, the vote this was an unanimous, so consequently, we did not have a public hearing, so we cannot use this ordinance.

The chairman asked if Councilman Talbert wished to make a motion. Councilman Talbert stated that the motion is to have is to reaffirm this ordinance. The chairman asked if there was a second. Councilman Maurice "Scooter" Keen wished to second the reaffirming of the **resolution** adopted at the previous meeting as read and written above.

The chair asked if there were anyone in the audience who wished to speak to speak on this resolution.

Public input: Lori Callais, resident of Denham Springs and Livingston Parish and a retired teacher: stands in opposition
Abby Crosby, resident of Livingston: for stricter library policy
Wade Holden, resident of Harris Road
Tara LaGlue?? *Inaudible*, resident of Denham Springs and works for the library, has a Master's in library information science, youth librarian
Catlin Roberts, resident of Quail Creek Drive, lifelong resident of Watson: spoke of policies already in place, challenge forms

Councilman Randy Delatte questioned if this was a resolution to Councilman Talbert. Councilman Talbert concurred and stated that this was a resolution.

Councilman Talbert stated that this is a resolution to send to the Library Board like the one in the past. He advised that they were not asking the Library Board to ban a book, we're not asking the

Library Board to do any of this stuff, we're not asking the Library Board to defund, we're asking them to do three things: to back support to bills, to research verification of age through, whether you use a digital driver's license or whatever, and basically restrict access to minors and then allow parents to open them up.

Councilman Talbert wanted to give everyone an example. He stated that my daughter, went and got a library card for my thirteen month old grandson, he couldn't, he didn't have a library card. He expressed that he had people telling him about minor library cards, and he didn't have one. So he got her to get one for his son, she opened the Kanopy account, through the library. Councilman Talbert logged in and typed "sex", so if his thirteen month grandson knew how to operate a computer, he could watch tvma movies. R-rated movies, a ton of non-rated documentaries that dealt with all kinds of subjects. He continued and stated that so of course he has been accused of cracking the fire wall, actually, he continued to state, all the private investigator did was when he used search engines to look up pornographic sites, they were blocked, but he went on Tic Tok and through Tic Tok was able to get porn, pornography at the library through you know Reddit, he was able to go to an only fans account through DuckDuckGo or whatever, he was able to access it. Councilman Talbert declared, so there was no cracking of a firewall, it was absolutely going outside of a search engine to a social media site, so the only thing that he talked about was adding additional filters, which we didn't even put in the resolution, we just brought it to the public's attention so there would be pressure, we didn't talk about a single librarian and criticize their work. He admitted what we talked about was the firewall set up or the filter set up at the library.

Councilman Delatte questioned what is the resolution?

Councilman Talbert answered the resolution asks the library to endorse two bills at the legislature, one that allows tiered card system, requires a tiered card system based on age to access certain materials, the second one gives Parish government more authority, and of course, Ms. Callais was against the second one and he understands that, however if you look at the most recent attorney general's opinion issued to the Parish Council in St. Tammany, it gives the Parish Council the ability to remove for whatever reason a Library Control member and replace them. So it does, the attorney general's opinion already allows for that, it just creates an ordinance that identifies exactly the same thing. He further continued that there's probably going to be an addendum or an, he met with a legislature the other day that's pretty sharp on computers and stuff, there's going to be some amendments tacked on some of this stuff that talks about second tier filters, that talks about going to provide filters you know to social media, so that stuff cannot be accessed, we'll talk about putting filters on Kanopy for minors so they cannot access certain materials. He stated that so basically then it talks about verification of age, cause right now if you go on and you access particular site it says are you eighteen and you hit a button that says yes and there's no verification, so we were asking the library to look into utilizing an electronics drivers license. And he stated the third thing is to restrict access to the accounts and then have the parents un-restrict them, that's what the ordinance.

Councilman Delatte asked if the resolution goes to the Library Board or does it go to the legislators? Councilman Talbert affirmed that it went to the Library Board and asks them to do these particular things.

Councilman Delatte stated that he would be in opposition of Councilman Talbert's motion and quantified that the Library Board seems that they should work independent to him. He stated that he appointed the Library Board member, but if he wanted them to do everything that he tells them to do, then they are not representing the community. He continued and stated that the board members needed to think on their own and if they did not do a good job in that position, then when their term expires he would replace them. Councilman Delatte stated that if Councilman Talbert wanted to adopt a resolution to send to the Legislature, then that was okay with him, but he did not want to micromanage anyone.

Councilman Gerald McMorris stated that he would be the same way, he did not have an appointment on that board, but if he did, and he requested something for them to do, especially with the books, he thought that they should respect the Council members enough to do their wishes. He stated that he thought that local government should not get involved, they already do their part by appointing citizens to the board. He declared that it was not your district, my district, it was supposed to be a board decision who to place on the board and he thought that everyone should have a chance to be on the board.

There was an open discussion about proposed legislation that the Council had sent for the next Legislative session to add additional members to the Livingston Parish Library Board.

LPR NO. 23-101

MOTION was made by Garry Talbert and duly seconded by Maurice “Scooter” Keen to reaffirm LPR NO. 23-061 adopted at the February 23, 2023 regular meeting of the Livingston Parish Council to send the following request(s) to the Livingston Parish Library Board:

- Endorse two (2) bills at the legislature that the Attorney General’s office has talked about
 - A tiered card system that allows access based on age and parental consent
 - Parish government to be given more authority with respect to what’s happening in local libraries
- Research digital driver’s license and/or Q code or barcode on driver’s license within their verification system so that you can prove that you’re 18 at that point and time
- Give restrictions and then have the parents have to lift the restriction

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

YEAS: MR. KEEN, MR. MACK, MR. WASCOM, MR. TALBERT, MS. SANDEFUR, MR. ARD

NAYS: MR. MCMORRIS, MR. DELATTE, MR. GIRLINGHOUSE

ABSENT: NONE

ABSTAIN: NONE

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

The chair addressed agenda item number 22, “Resolution supporting the Second Amendment of the United States Constitution and declaring Livingston Parish as a Second Amendment Sanctuary Parish” and called upon Councilman Jeff Ard.

Councilman Jeff Ard explained the significance of the proposed resolution and the definition of the Second Amendment Sanctuary.

Councilman Ard questioned Mr. Chris Moody, Parish Legal Advisor, if adopting a resolution would be acceptable to protect their Second Amendment right, or did the Councilmembers need to adopt this by ordinance.

Mr. Moody responded and stated that it certainly gave an expression of what you stand for, he wasn’t sure what it accomplishes beyond that from a legal standpoint.

The chair asked Mr. Moody if his statement meant from a legal standpoint, he was saying a resolution probably would be the best thing? Councilman Ard advised that the other parishes adopted by resolution, and he was trying to make sure that the Council would be doing this the correct way.

Mr. Moody stated that he thought that it was a positive expression of how this Council feels.

The chair stated that there was a motion made by Councilman Jeff Ard and a second by Councilman Randy Delatte to adopt by resolution and asked if there were any other discussion.

Public input: Lori Callais, resident of Denham Springs, LA: in opposition
Logan Vecellio; for resolution
Gus Holden
Wade Holden, resident of Denham Springs, LA
Marla Dodds, resident of Denham Springs, LA

Councilmembers’ input: Councilman Randy Delatte
Councilman Gerald McMorris

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**

The following resolution was offered by Jeff Ard and seconded by Randy Delatte.

L.P. RESOLUTION NO. 23-102

A RESOLUTION TO EXPRESS THE LIVINGSTON PARISH COUNCIL'S SUPPORT OF THE SECOND AMENDMENT AND TO DECLARE THE PARISH OF LIVINGSTON AS A SECOND AMENDMENT SANCTUARY PARISH AND TO FURTHER PROVIDE WITH RESPECT THERETO.

WHEREAS, the Constitution of the United States of America is the Supreme Law of our nation; and

WHEREAS, the Second Amendment to the Constitution of the United States of America states: "A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed."; and

WHEREAS, the Fourteenth Amendment to the Constitution of the United States, Section 1, states: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."; and

WHEREAS, the United States Supreme Court in *McDonald v. City of Chicago* (2010) affirmed that a person's Second Amendment rights to "Keep and bear arms" is further secured by the "due process" and the "privileges and immunities" clauses of the Fourteenth Amendment. The decision also protects rights closely related to the Second Amendment, namely the right to manufacture, transfer, purchase and sell firearms, accessories and ammunition; and

WHEREAS, John Adams wrote in "*A Dissertation on the Canon and Feudal Law*" (1765): I say Rights, for such they (the people) have, undoubtedly, antecedent to all earthly government, Rights that cannot be repealed or restrained by human laws, Rights derived from the great Legislator of the universe; and

WHEREAS, in *Printz v. United States* (1997), the United States Supreme Court held: "The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program." Thus, local government bodies have the legal authority and, in the opinion of the Livingston Parish Council the duty, to refuse to engage in behavior or take actions in furtherance of federal firearm laws or regulations that violate those rights recognized therein; and

WHEREAS, the Livingston Parish Council recognizes the limitation placed upon it by the Supremacy Clause of the United States Constitution as well as the United States Supreme Court's decision in *Marbury v. Madison* and can therefore not act to invalidate Federal Law nor enact ordinances that violate these principles. However, it also recognizes the autonomy that it has, and its duty to refuse to enforce Federal mandates, laws or regulatory programs that are violative of the God Given rights guaranteed to the Citizens of Livingston Parish by the United States Constitution and the Louisiana State Constitution; and

WHEREAS, the Livingston Parish Council recognizes that the Livingston Parish Sheriff is an independent elected official in Louisiana, established by Article V, Section 27 of the Louisiana Constitution. Further, it is hereby recognized that the Parish Council has no operational control over the Livingston Parish Sheriff, its officers or its employees. With that said, the Parish Council urges the Livingston Parish Sheriff to recognize the autonomy that he or she has and the right and duty not to be coerced by, and to refuse to enforce federal mandates, laws or regulatory programs that are violative of the rights guaranteed by to the Citizens of Livingston Parish by the United States Constitution and the Louisiana State Constitution; and

WHEREAS, Justice Antonin Scalia in *Printz v. United States* wrote: "We held in *New York* that Congress cannot compel the States to enact or enforce a federal regulatory program. Today

we hold that Congress cannot circumvent that prohibition by conscripting the State’s officers directly.”, and

WHEREAS, a criminal’s intent to harm others with or without a firearm is a selfish act and criminals by definition do not obey laws. Therefore, laws that have the effect of disarming law-abiding citizens in an effort, purportedly, to reduce gun crime are not only an infringement upon the rights of the citizens, but will also embolden criminals and give them an advantage over those who follow the law. A sincere desire to reduce criminal gun violence is a laudable goal, but is neither a sufficient nor a constitutionally valid justification to abrogate or abridge the unalienable, constitutionally-guaranteed rights of law-abiding citizens.

NOW, THEREFORE, BE IT ORDAINED by the Livingston Parish Council as follows:

1. The Livingston Parish Council hereby declares that public funds of the Parish shall not be used to unlawfully restrict the individual rights of the citizens of Livingston Parish to keep and bear arms as recognized in the Constitutions of the United States and the State of Louisiana, nor shall public funds of the Parish aid in the unlawful restriction of those same individual rights.
2. The Livingston Parish Council will not appropriate funds or allow the resources, employees, agencies, contractors, buildings, detention centers or offices under its authority and control to be used for the purpose of enforcing or assisting in the enforcement of any element of such acts, laws, orders, mandates, rules or regulations that infringe on the right of the people to keep and bear arms as described in detail above.
3. In the event an ATF, federal or state statute or law is passed that is of questionable constitutionality, any member of the Livingston Parish Council may call for a vote of the Council to determine not whether the law is constitutionally valid, as this is beyond the scope or authority of the Council, but whether or not funds will be expended pursuant to the enforcement of said law, or prevented from being expended pursuant to this resolution. All funding will cease unless and until a vote of the Council finds it valid. This meeting would only be called to determine if a law is worth expending resources. This law must hold text history and tradition that predates 1791 to be considered a lawful Second Amendment measure in accordance with the ruling of the Supreme Court of the United States made in *NYSRPA v BRUEN*.
4. Exceptions:
This resolution does not permit or otherwise allow the possession of firearms in federal buildings, schools or where otherwise prescribed by law.

NOW THEREFORE, BE IT FURTHER ORDAINED that the Parish of Livingston is hereby declared to be a Second Amendment Sanctuary Parish.

This Resolution shall take effect immediately upon adoption.

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

YEAS: MR. MACK, MR. TALBERT, MR. KEEN, MR. MCMORRIS, MR. DELATTE,
MS. SANDEFUR, MR. GIRLINGHOUSE, MR. ARD, MR. WASCOM
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 23rd day of February, 2023.

1/2 *Sandy C. Teal*

Sandy C. Teal, Council Clerk

1/2 *John Wascom*

John Wascom, Council Chairman

The chair addressed agenda item number 23, "Committee Reports" and called upon Councilman Randy Delatte, chairman of the Finance committee. The chair confirmed with Councilman Delatte that the committee had not met and there was no report at that time.

The chair called upon Councilman Mack, chairman of the Ordinance committee. Councilman Mack advised that the committee had met and discussed the Non-conforming ordinance that had been previously introduced that evening, as well as the modification of the Zoning Classification ordinance that lists the uses within those classifications. He announced that the next Council meeting would be scheduled for March 14th at five-thirty (5:30) p.m.

The chair addressed agenda item number 24, "District Attorney's Report:" and called upon Mr. Chris Moody. Mr. Moody advised that he did not have anything to report at that time, only executive session.

The chair asked if Mr. Moody had anything to discuss in executive session. Mr. Moody advised that he had nothing more to report other than the fact that there does not seem to be an interest in pursuing the requested settlement.

A few of the Councilmembers spoke up and advised that it was their desire to go into executive session to discuss the matter further.

Councilman Jeff Ard suggested that the Council address Councilmembers' comments and then vote to go into executive session.

The chair addressed agenda item number 25, "Councilmembers' Comments:".

Councilman Gerald McMorris wished to announce that there would a chili cook off facilitated by Colyell Baptist Church located at the Colyell Ball park beginning at ten o'clock (10:00) a.m. on Saturday, and encouraged everyone to come and receive some free chili.

Councilman McMorris also stated that on March 13th he would be conducting a Zoning meeting for Council District 6 and invited property owners to come and provide information for the completion of the zoning map.

He continued and stated that he desired to acknowledge Mr. Jason Amato who is running for the office of State Representative of District 81 who was located in the audience. He advised that Mr. Amato would be returning to speak to the Councilmembers at their next regular meeting on March 7, 2023.

Councilman Randy Delatte also wished to acknowledge Mr. Jason Amato in the audience and announced that he would be a judge at the chili cook off.

Councilman Jeff Ard wished to congratulate the Walker Girls Basketball team who would be traveling after their win to Southeastern to compete in the sweet sixteen tournament, along with the Holden Girls Basketball team.

Councilman Shane Mack acknowledged that there was another team, the Springfield Bulldogs, who were also playing that evening. He wasn't sure if they won that evening, but if they did, that would be three (3) Livingston Parish teams in the sweet sixteen tournament competing the following week at Southeastern.

The chair addressed agenda item number 24a: "**Executive Session:** Discussion concerning personnel employment".

LPR NO. 23-103

MOTION was made by Maurice "Scooter" Keen and duly seconded by Tracy Girlinghouse to enter into Executive Session for agenda item number 24a, "Discussion concerning personnel employment".

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

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

NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

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

The chairman called the meeting back into order and requested that roll be taken as there was some of the Council members that would not be returning to the meeting.

<u>ROLL CALL:</u> Councilman Jeff Ard, District 1	ABSENT
Councilman Garry Talbert, District 2	ABSENT
Councilman Maurice "Scooter" Keen, District 3	PRESENT
Councilman John Wascom, District 4	PRESENT
Councilwoman Erin Sandefur, District 5	PRESENT
Councilman Gerald McMorris, District 6	PRESENT
Councilman Tracy Girlinghouse, District 7	PRESENT
Councilman Randy Delatte, District 8	PRESENT
Councilman Shane Mack, District 9	PRESENT

LPR NO. 23-104

MOTION was made by Shane Mack and duly seconded by Maurice "Scooter" Keen to enter into Executive Session for agenda item number 24a, "Discussion concerning personnel employment".

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

YEAS: MR. MACK, MR. KEEN, MR. MCMORRIS, MR. DELATTE,
MS. SANDEFUR, MR. GIRLINGHOUSE, MR. WASCOM

NAYS: NONE

ABSENT: MR. TALBERT, MR. ARD

ABSTAIN: NONE

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

Mr. Christopher Moody, Parish Legal Advisor, declared that he wished to make a recommendation to the Council members to give him some authority to negotiate with the employee in question and asked that the Council bestow him that authority.

LPR NO. 23-105

MOTION was made by Randy Delatte and duly seconded by Maurice "Scooter" Keen to authorize the Mr. Christopher Moody, Livingston Parish Legal Counsel, to have authority to negotiate with the employee in question.

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

YEAS: MR. MACK, MR. KEEN, MR. DELATTE, MS. SANDEFUR,
MR. GIRLINGHOUSE, MR. WASCOM

NAYS: MR. MCMORRIS

ABSENT: MR. TALBERT, MR. ARD

ABSTAIN: NONE

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

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Tuesday, March 7, 2023, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

LPR NO. 23-106

MOTION was offered by Randy Delatte was and duly seconded by Maurice "Scooter" Keen to adjourn the February 23, 2023 regular meeting of the Livingston Parish Council.

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

YEAS: MR. MACK, MR. KEEN, MR. MCMORRIS, MR. DELATTE,
MS. SANDEFUR, MR. GIRLINGHOUSE, MR. WASCOM

NAYS: NONE

ABSENT: MR. TALBERT, MR. ARD

ABSTAIN: NONE

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

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

\s\ John Wascom
John Wascom, Council chairman

The audio and video for this meeting may be found in its entirety on the Livingston Parish Council's YouTube page at:

https://www.youtube.com/watch?v=Alo0J6_BdE0&t=4803s

It may also be found on the Livingston Parish Council's website at:

<https://www.livingstonparishcouncil.com/>

If you have any questions please contact the Livingston Parish Council office at (225)686-3027.