

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD
MONDAY, APRIL 20, 2009 AT 5:42 P.M.**

The Police Jury of the Parish of Ouachita, State of Louisiana met in regular and legal session in the Ouachita Parish Police Jury Meeting Room, Courthouse Building, Monroe, Louisiana on Monday, April 20, 2009 at 5:42 p.m., and was duly convened by Mr. Shane Smiley, President, who stated that the Police Jury was ready for the transaction of business.

<u>Members Present</u>	(5)
Mack Calhoun	District B
Walt Caldwell	District C
Dorth Blade	District D
Shane Smiley	District E
Pat Moore	District F
<u>Members Absent</u>	(1)
Charles Jackson	District A

Invocation was given by Mr. Shane Smiley. Pledge of Allegiance to the flag was led by Mr. Smiley.

VISITORS:

The president recognized visitor Howard Fielding, Louisiana Department of Environmental Quality-Baton Rouge. Mr. Fielding spoke regarding the proposed groundwater protection ordinance designed to protect drinking water throughout the state. Discussion ensued. No action was taken on this matter.

The president recognized Mr. Eddie Johnson. Mr. Johnson was not present. Mr. Blade stated that Mr. Johnson's questions had been answered prior to the meeting.

The president recognized Mr. Royce Olge, 104 Skate Lane, West Monroe. Mr. Olge spoke regarding the paving of Skate Lane and encouraged the jury to fund the project. Discussion ensued. Mr. Harrison spoke regarding the matter and suggested methods for funding the project. No other action was taken on the matter.

The president recognized Mr. Kenny Anderson, 810 Mansfield Rd, Monroe, Louisiana. Mr. Anderson spoke regarding property located off Hwy 165 South that has limited access. Mr. Anderson asked that the jury take over his private road or extend the road by paving it. Discussion ensued. No action was taken on this matter.

The president recognized Mr. Gary Fontana, 2679 Garrett Rd, Monroe. Mr. Fontana spoke regarding the CDBG allocation for the parish in the amount of \$3.7 million dollars for disaster related projects. Discussion ensued. Mr. Smiley stated that this matter is listed as an item on his agenda and asked whether or not any juror had a problem addressing the matter at this time. None of them had an issue with it. Motion offered by Mr. Smiley, seconded by Ms. Moore to enter into a Cooperative Endeavor Agreement with the State of Louisiana for the CDBG Funding for disaster relief related to Hurricanes Katrina/Rita and Gustav/Ike. Motion passed without opposition. Mr. Fontana updated the jury on the regular CDBG projects. Discussion ensued again. No action was taken on this matter.

The president recognized Ms. Doretha Bennett, WIA Director. Ms. Bennett spoke regarding the agreement for funding under the American Recovery and Reinvestment Act for Youth, Adult, and Dislocated Workers Programs in the amount of \$1,572,389 dollars. Ms. Bennett requested approval to accept the funding. Discussion ensued. The president indicated that this item was on his agenda and asked that the jury considered taking action on it at this time. No one objected to addressing the matter at this time. Motion offered by Mr. Smiley, seconded by Mr. Calhoun, to accept the funding of the American Recovery and Reinvestment Act and authorize the president to sign the agreement. Motion passed without opposition.

Ms. Bennett spoke regarding a travel request for two staff members to Florida. Motion offered by Mr. Caldwell, seconded by Ms. Moore to waive the agenda to take up the matter regarding travel for WIA staff, due to the fact that the jury will not meet again before the travel is to take place. Motion passed without opposition.

Ms. Bennett requested to send two staff members to Destin, Florida on April 27-28, 2009 to attend the 2009 Shared Youth Peer to Peer Forum. Discussion ensued. Motion offered by Ms. Moore, seconded by Mr. Caldwell to approve the travel request as recommended by Ms. Bennett and Mr. Cammack. Motion passed without opposition.

The president recognized Mr. Rhodes, Green Oaks. Mr. Rhodes stated that he had one item on the agenda and requested a waiver for an additional item. Mr. Rhodes spoke regarding hiring Mahogany Gates as Social Services Counselor. Motion offered by Mr. Caldwell, seconded by Mr. Blade to accept the recommendation of Mr. Rhodes to hire Ms. Gates in that position. Motion passed without opposition.

Mr. Rhodes asked that the jury amend the agenda to take up the matter of hiring in the open position of Juvenile Detention Officer II. A motion was offered by Mr. Calhoun, seconded by Mr. Caldwell to amend the agenda to take up the matter to fill the position that has been open for

over two months. Motion passed without opposition.

Mr. Rhodes recommended that Darrell Kelly be hired in the position of Juvenile Detention Officer II, subject to his passing all pre-employment requirements. Motion was offered by Mr. Blade, seconded by Ms. Moore to accept the recommendation of Mr. Rhodes. Motion passed without opposition.

The president asked for a motion to recess the regular meeting and reconvene as the Finance Committee meeting. The motion to recess and reconvene as the Finance Committee Meeting was offered by Mr. Caldwell, seconded by Mr. Blade. Motion passed without opposition.

FINANCE COMMITTEE MEETING

The Finance Committee meeting was called to order by the president at 6:58 p.m. The president stated that the chairman was out of town and he would be chairing the meeting.

The president recognized Mr. Cammack, Treasurer. Mr. Cammack spoke regarding the claims statement for the period of March 6 through April 16, 2009; and recommended payment of the claims. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to approve the claims for payment. Motion passed without opposition.

Mr. Cammack spoke regarding the Jail Operations budget. Discussion ensued. No action was taken on this matter.

Mr. Cammack spoke regarding the 2006 and 2007 Road Lighting District Assessments and stated that Mr. Jackson had recommended that they be sent to Stop Loss, Inc. for collections. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to accept the recommendation of the Treasurer to send the 2006 and 2007 Road Lighting Assessments to the collection agency. Motion passed without opposition.

Mr. Cammack spoke regarding the invoice from Hebert Land & Associates for work done on the renovation at the courthouse. Motion offered by Mr. Calhoun, seconded by Mr. Blade to approve for payment the invoice of Herbert Land Architect & Associates in the amount of \$3,880.00. Motion passed without opposition.

Mr. Cammack spoke regarding the Energy Efficiency & Block Grant Program in the amount of \$396,000. Mr. Cammack indicated that he would be bringing the matter back to the jury as information becomes available. No action was taken on this matter.

The president recognized Mr. Lott, 911 Director. Mr. Lott spoke regarding the GIS software quotation and impending purchase of same. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Blade for Mr. Lott to proceed with the purchase of the software. Motion passed without opposition.

The president asked for a motion to adjourn the Finance Committee meeting. A motion to adjourn the Finance Committee meeting and reconvene the Regular Meeting was offered by Mr. Caldwell, seconded by Mr. Blade. Motion passed without opposition

MOTIONS * ORDINANCES * RESOLUTIONS:

MR. CHARLES JACKSON, DISTRICT A:

The following ordinance was introduced by Mr. Smiley:

ORDINANCE NO. 8927 (INTRODUCTION)

AN ORDINANCE CREATING ROAD LIGHTING DISTRICT NO. 34 WITHIN THE PARISH OF OUACHITA, STATE OF LOUISIANA, AND DEFINING AND DESCRIBING THE BOUNDARIES THEREOF.

WHEREAS, Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, authorizes parish governing authorities to create road lighting districts; and

WHEREAS, this Police Jury, acting as the governing authority of the Parish of Ouachita, State of Louisiana, now wishes to create a road lighting district within the Parish with such boundaries as are hereinafter set forth;

NOW, THEREFORE:

BE IT ORDAINED by the Police Jury of the Parish of Ouachita, State of Louisiana, that:

SECTION 1: By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of Ouachita, State of Louisiana, which Road Lighting District shall comprise and embrace all of that territory within West Oaks Subdivision, Unit No. 1 and 2, as recorded in Plat Book 19, pages 121 and 162 of the records of Ouachita Parish, Louisiana.

SECTION 2: The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 34 of the Parish of Ouachita, State of Louisiana**" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the

governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

SECTION 3: The official seal of the Parish of Ouachita, State of Louisiana, be and the same is hereby adopted as the official seal of the District and the official journal of this Police Jury shall be the official journal of the District.

The above Ordinance was introduced on the 20th day of April 2009.

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The following ordinance was introduced by Mr. Smiley:

ORDINANCE NO. 8928 (INTRODUCTION)

AN ORDINANCE CREATING ROAD LIGHTING DISTRICT NO. 35 WITHIN THE PARISH OF OUACHITA, STATE OF LOUISIANA, AND DEFINING AND DESCRIBING THE BOUNDARIES THEREOF.

WHEREAS, Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, authorizes parish governing authorities to create road lighting districts; and

WHEREAS, this Police Jury, acting as the governing authority of the Parish of Ouachita, State of Louisiana, now wishes to create a road lighting district within the Parish with such boundaries as are hereinafter set forth;

NOW, THEREFORE:

BE IT ORDAINED by the Police Jury of the Parish of Ouachita, State of Louisiana, that:

SECTION 1: By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of Ouachita, State of Louisiana, which Road Lighting District shall comprise and embrace all of that territory within Travelers Rest Subdivision, as recorded in Plat Book 19, page 33 of the records of Ouachita Parish, Louisiana.

SECTION 2: The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 35 of the Parish of Ouachita, State of Louisiana**" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the

governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

SECTION 3: The official seal of the Parish of Ouachita, State of Louisiana, be and the same is hereby adopted as the official seal of the District and the official journal of this Police Jury shall be the official journal of the District.

The above Ordinance was introduced on the 20th day of April 2009.

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The president recognized Mr. Calhoun, District B.

MR. CALHOUN, DISTRICT B:

Mr. Calhoun asked that the matter regarding West Ouachita Recreation District be deferred to the May 4th meeting.

Mr. Calhoun asked Mr. Harrison to speak regarding the bathrooms at Cheniere Lake Area 3. Mr. Harrison stated that he had cancelled the bid date and revised the plan for the project. Mr. Harrison stated that he has re-advertised the project. No other action was taken on this matter.

The following resolution was offered for adoption by Mr. Calhoun, seconded by Mr. Caldwell:

RESOLUTION NO. 09-13

A RESOLUTION AUTHORIZING THE OUACHITA PARISH POLICE JURY TO PREPARE AND SUBMIT A PRE-APPLICATION TO THE LOUISIANA STATEWIDE FLOOD CONTROL PROGRAM FOR ASSISTANCE FOR THE IMPLEMENTATION OF A PROJECT ENTITLED “DRAINAGE OUTFALL IMPROVEMENTS, WEST HEIGHTS CANAL (T-1A), OUACHITA PARISH, LOUISIANA” FOR THE PURPOSE OF REDUCTION OF EXISTING FLOOD DAMAGES; PROVIDING FOR THE NECESSARY DOCUMENTATION OF SAID FLOOD DAMAGES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Debra Lane and other areas along the West Heights Canal drainage outfall in Ouachita Parish, Louisiana have been adversely affected by damages from flood waters; and,

WHEREAS, the Ouachita Parish Police Jury desires to apply for State matching funds pursuant to Chapter 2-A of Title 38 of the Louisiana Revised Statutes of 1950, as amended, to

implement a project to reduce said flood damages, and that the Ouachita Parish Police Jury is fully aware of its obligations under said Statute; and

WHEREAS, the Ouachita Parish Police Jury is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under the Statute,

NOW, THEREFORE:

BE IT RESOLVED by the Police Jury of the Parish of Ouachita, State of Louisiana, in a legal session convened this 20th day of April 2009, as follows:

Section 1. That the Ouachita Parish Police Jury acknowledges that upon approval of the pre-application, a formal application will be prepared and submitted to the Statewide Flood Control Program.

Section 2. That at the appropriate time and upon approval of funding assistance and prior to commencement of work on the project, the Ouachita Parish Police Jury agrees to execute a Statement of Sponsorship pursuant to the Statute.

Section 3. That Donald R. Harrison, Consulting Engineer, is hereby designated Authorized Representative for the Ouachita Parish Police Jury to effect the preparation of the pre-application and application to the Statewide flood Control Program for funding assistance of a flood control project.

Section 4. That said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the Ouachita Parish Police Jury.

The above resolution was adopted the 20th day of April 2009.

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The president recognized Mr. Caldwell, District C.

MR. CALDWELL, DISTRICT C:

The following Ordinance was introduced by Mr. Caldwell:

ORDINANCE NO. 8929 (INTRODUCTION)

AN ORDINANCE CREATING ROAD LIGHTING DISTRICT NO. 36 WITHIN THE PARISH OF OUACHITA, STATE OF

LOUISIANA, AND DEFINING AND DESCRIBING THE BOUNDARIES THEREOF.

WHEREAS, Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, authorizes parish governing authorities to create road lighting districts; and

WHEREAS, this Police Jury, acting as the governing authority of the Parish of Ouachita, State of Louisiana, now wishes to create a road lighting district within the Parish with such boundaries as are hereinafter set forth;

NOW, THEREFORE:

BE IT ORDAINED by the Police Jury of the Parish of Ouachita, State of Louisiana, that:

SECTION 1: By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of Ouachita, State of Louisiana, which Road Lighting District shall comprise and embrace all of that territory within Frenchman's Bend Subdivision, Unit No. 1, 2, 3, 4, 5, 6, 7 and 8, as recorded in Plat Book 18, page 20, *et seq.* of the records of Ouachita Parish, Louisiana.

SECTION 2: The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 36 of the Parish of Ouachita, State of Louisiana**" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

SECTION 3: The official seal of the Parish of Ouachita, State of Louisiana, be and the same is hereby adopted as the official seal of the District and the official journal of this Police Jury shall be the official journal of the District.

The above Ordinance was introduced on the 20th day of April 2009.

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Mr. Caldwell spoke regarding the ULM Government Access Cable Channel. Discussion ensued. By concurrence, the members had no problem with the university using the channel. Mr. Caldwell asked that Mr. Mitchell draft an agreement to address the use of the channel by ULM, and bring it back to the next meeting.

The president recognized Mr. Blade, District D.

MR. BLADE, DISTRICT D:

Mr. Blade indicated that he had no other items.

SHANE SMILEY, DISTRICT E:

The president indicated that he had no additional items.

The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore indicated that she had no items.

ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer.

FISCAL: Mr. Brad Cammack, Treasurer

Mr. Cammack asked that Mr. Mitchell speak regarding the Trust Agreement with JP Morgan Chase Bank. Mr. Mitchell asked that the jury approve the transferring of the trust agreement to Argent Financial (Trustee), who is the provider of the trust services for Community Trust Bank (our current fiscal agent) and authorize him to file the appropriate paperwork for court approval of same. Mr. Cammack concurred. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to approve the request and recommendation of the Treasurer and Parish Attorney regarding the trust agreement. Motion passed without opposition.

The president recognized Chief Hemphill, Fire Department.

FIRE: Chief Pat Hemphill, Fire Department

Chief Hemphill indicated that he had no items.

The president recognized Mr. Mitchell, Assistant District Attorney.

LEGAL: Mr. Jay B. Mitchell, Assist. Dist. Attorney

Mr. Mitchell spoke regarding the report on the Off-Road Drainage Projects. No action was taken on this matter.

The president recognized Mr. Murray, Public Works Director.

PUBLIC WORKS: Mr. John Tom Murray, Director

Mr. Murray spoke regarding the approval of a Sketch Plan for Caple Ridge Subdivision. Mr. Murray recommended that the sketch plan be denied subject to the comments of the engineer. Motion offered by Mr. Calhoun, seconded by Mr. Caldwell to deny the sketch plan until further study. Motion passed without opposition.

The president recognized Mr. Harrison, Engineer.

ROADS & DRAINAGE: Mr. Don Harrison, Engineer

Mr. Harrison updated the jury on the Economic Stimulus – Urban System Projects. Mr. Harrison indicated that under the stimulus plan, two bridge projects had been funded, namely the Sams Head Road Bridge and Caples Road Bridge.

Mr. Harrison spoke regarding the 2009 Pavement Striping Contract and asked that the jury endorse the list and move forward with the bid process. Motion offered by Mr. Caldwell, seconded by Mr. Blade to move forward and approve the list as recommended. Motion passed without opposition.

Mr. Harrison spoke regarding the 2009 Road Improvement Program and recommended approval of the list. Motion offered by Mr. Caldwell, seconded by Ms. Moore to approve the 2009 Road Improvement Program. Motion passed without opposition.

Mr. Harrison asked that the jury meet and decide on a potential funding source for Skate Lane. Mr. Caldwell indicated that he would get with Mr. Murray, Mr. Mitchell and Mr. Calhoun to meet on the issue.

BEER AND WHISKEY APPLICATIONS:

Mr. Mitchell presented the following beer application and recommended approval. Motion offered by Mr. Calhoun, seconded by Mr. Caldwell to approve the application. Motion passed without opposition.

Langston, Jimmy dba Northeast Motorcyclist for Kids, Cheniere Lake Park Area 8, Special Event Permit, Retail Beer-Class A - 2009 Renewal

A motion to adjourn was offered by Mr. Caldwell, seconded by Mr. Blade. The meeting was adjourned at 7:36 p.m.

A D J O U R N !

Shane Smiley, President

Deborah H. Sewell, Recording Secretary

Adopted May 4, 2009