

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,  
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD  
MONDAY, MAY 18, 2009 AT 5:33 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, May 18, 2009 at 5:33 p.m., and was duly convened by Mr. Shane Smiley, President, who stated that the Police Jury was ready for the transaction of business.

<b><u>Members Present</u></b>	<b>(6)</b>
<b>Charles Jackson</b>	<b>District A</b>
<b>Mack Calhoun</b>	<b>District B</b>
<b>Walt Caldwell</b>	<b>District C</b>
<b>Dorth Blade</b>	<b>District D</b>
<b>Shane Smiley</b>	<b>District E</b>
<b>Pat Moore</b>	<b>District F</b>

<b><u>Members Absent</u></b>	<b>(0)</b>
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Invocation was given by Mr. Charles Jackson. Pledge of Allegiance to the flag was led by Mr. Jackson.

Motion to adopt the minutes of the Regular Police Jury meeting including the committee meetings held on May 4, 2009, was offered by Mr. Jackson, seconded by Mr. Blade with necessary corrections. Motion passed without opposition.

The president recognized Mike Rhodes, Director of Green Oaks Detention Center. Mr. Rhodes requested to open the position of Juvenile Detention Officer II and the approval of the annual summer school contract for teachers. Mr. Rhodes indicated that these items were on Mr. Blade's agenda. The president asked the jury whether or not anyone had a problem taking up these matters at this time. No one had an issue with it. A motion was offered by Mr. Blade, seconded by Mr. Calhoun to approve the request for the job opening; and authorize the president to sign the contract for the summer school teachers. Motion passed without opposition.

The president recognized Ms. Steele, Housing Director. The president stated that the items listed on Ms. Moore's agenda would be addressed during this time because they pertained to Ms. Steele's office. Ms. Steele spoke regarding a travel request to St. Louis, Missouri to attend the Annual Southwest NAHRO's Conference scheduled June 26-30, 2009. Motion offered by Mr. Blade, seconded by Mr. Calhoun to approve the travel request of Ms. Steele. Motion passed without opposition.

Ms. Moore spoke regarding the matter of garbage pickup for Section 8 Housing Single Family Units. Ms. Steele stated that the utility fee given to most single family residents could be used

for this service. Motion offered by Ms. Moore, seconded by Mr. Jackson to authorize the housing office to accept quotes for garbage service for Section 8 Housing residents. Motion passed without opposition.

Ms. Moore spoke regarding the matter of hiring a Code Enforcement Officer and clerical person for the housing office to assist in enforcing housing standards on Section 8 properties throughout the parish. Ms. Steele spoke regarding the matter. Discussion ensued. Mr. Cammack recommended to the jury that the clerical position be deferred until the June 1<sup>st</sup> meeting. Motion offered by Ms. Moore, seconded by Mr. Jackson to enter into a Cooperative Endeavor Agreement with the Sheriff for the purpose of hiring a Code Enforcement Officer for Section 8 Housing. Motion passed without opposition.

The president recognized Mr. Bill Land of Hebert Land Architects. Mr. Land spoke regarding the bid tabulation for the two new libraries and recommended that J.S. Rugg Construction be awarded the contract in the amount of \$4,502,000. Discussion ensued. No action was taken on this matter at this time.

The president recognized Mark Vedral of ETC Tiger Pipeline, LLC. Mr. Vedral spoke regarding support of a pipeline project. The following resolution was offered by Mr. Calhoun, seconded by Mr. Caldwell:

**RESOLUTION NO. 09-17**

**A RESOLUTION SUPPORTING ENERGY TRANSFER PARTNERS' PROPOSED "TIGER PIPELINE PROJECT"; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, Energy Transfer Partners' proposed "Tiger Pipeline Project" consists of approximately 180 miles of 42" natural gas pipeline that will transport natural gas from East Texas and the Haynesville Shale area of Louisiana to markets across the Midwest, Northeast and Southeast sections of the United States;

**WHEREAS**, the development of our domestic natural gas resources is vital to the economy and security of our Nation;

**WHEREAS**, the development of the Haynesville Shale gas field will benefit the economy of our State;

**WHEREAS**, the proposed Tiger Pipeline Project that will traverse southern Ouachita Parish will benefit the economy of our Parish by providing temporary, quality jobs; by the local spending of the contractors and their workforce; and by the future *ad valorem* taxes generated by the facilities to be permanently located in Ouachita Parish; and,

**WHEREAS**, Energy Transfer Partners has indicated that it and its contractors will cooperate with the Ouachita Parish Police Jury in keeping the roads impacted by the proposed pipeline construction open for the safe use by the citizens of Ouachita Parish;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session convened on the 18th day of May, 2009, that the Ouachita Parish Police Jury hereby evidences its support of Energy Transfer Partners' proposed "Tiger Pipeline Project;"

**BE IT FURTHER RESOLVED** that the Ouachita Parish Police Jury hereby authorizes Energy Transfer Partners to provide this Resolution to State and Federal agencies having regulatory authority related to the proposed "Tiger Pipeline Project"

The above Resolution was adopted on the 18th day of May, 2009.

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The president recognized Rev. Stephens, Mt. Pleasant Baptist Church. Reverend Stephens spoke regarding the renewal of the option agreement on the Connor property. Mr. Mitchell spoke regarding the matter. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to renew the option agreement on the Connor Property. Motion passed without opposition.

The president recognized Mr. Terry Taylor, Bayou Darbonne Subdivision. Mr. Taylor spoke regarding the rising flood waters and the effect on his community. Mr. Taylor requested that the police jury put in place an emergency ordinance reducing the speed limit to 5 mph and invoke a no wake zone within a mile stretch of the subdivision. Discussion ensued. Mr. Mitchell advised the jury that the matter was not on the agenda for action and that a waiver is needed to act upon the matter. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to amend the agenda to take up the matter regarding Bayou Darbonne Subdivision due to the recent rain storms and ongoing flooding. Motion passed without opposition. The following ordinance was offered for adoption by Mr. Jackson, seconded by Mr. Caldwell:

**ORDINANCE NO. 8933**

**AN ORDINANCE ESTABLISHING A TEMPORARY SPEED LIMIT AND NO WAKE ZONE FOR WATERCRAFT ON A PORTION OF BAYOU DARBONNE IN OUACHITA PARISH, LOUISIANA; AND FURTHER PROVIDING WITH RESPECT THERETO:**

**WHEREAS**, the Ouachita River at Monroe has risen past its flood stage of 40 feet and is expected to crest later this week at 44 feet;

**WHEREAS**, residents along Bayou Darbonne have asked the Ouachita Parish Police Jury to limit boat traffic in the area around their homes in order to minimize the damage to their

property and the banks of said Bayou caused by the current flood situation; and,

**WHEREAS**, the Ouachita Parish Police Jury finds that while the precedent of past floods indicates that a prohibition of boat traffic on Bayou Darbonne is not warranted by the present river levels, the establishment of a temporary speed limit and “no wake zone” in the more developed areas along Darbonne Bayou does offer an opportunity to reduce flood damage to residential structures and property while imposing only a minimum burden on the boating public;

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in legal and regular session that all watercraft utilizing Bayou Darbonne from the LA Highway 143 Bridge to the mouth of Darbonne Bayou at the Ouachita River from this date until this Ordinance is rescinded shall be prohibited from traveling faster than idle speed. “Idle speed” shall be defined as a speed producing a wake of less than two inches or five (5) miles per hour, whichever is less;

**BE IT FURTHER ORDAINED** that this Ordinance shall not apply to watercraft operated by emergency personnel in their official capacity, including law enforcement officers and employees of the Louisiana Department of Wildlife and Fisheries;

**BE IT FURTHER ORDAINED** that violations of this Ordinance shall be punished by a fine of not more than Five Hundred and No/100 Dollars (\$500.00):

**BE IT FURTHER ORDAINED** that due to the state of flooding along the Ouachita River presently existing, and predicted for the immediate future, introduction and Public Hearing of this Ordinance are waived, and this Ordinance shall become effective immediately upon adoption.

The Ordinance was submitted to a roll call vote, and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above Ordinance was adopted on the 18<sup>th</sup> day of May 2009.

\* \* \*

The president recognized Ms. Bennett, WIA Director and spoke regarding the working relationship between the Monroe Chamber of Commerce and the WIA Office. The president stated that three employees from the WIA Office would be working in conjunction with the chamber to assist in surveys for job opportunities.

## **PUBLIC HEARINGS:**

The president convened a PUBLIC HEARING on Ordinance No. 8930- An ordinance creating Road Lighting District No. 37 within the Parish of Ouachita, State of Louisiana, and defining and describing the boundaries thereof-Shelburne Place Unit 1 and Unit 1A. No one appeared to speak in favor of or against this ordinance. Motion offered by Mr. Jackson, seconded by Mr. Blade to close the public hearing. Motion passed without opposition.

The president convened a PUBLIC HEARING on Ordinance No. 8931 – An ordinance creating Road Lighting District No. 38 within the Parish of Ouachita, State of Louisiana, and defining and describing the boundaries thereof-Durlog Woods Subdivision, Pine Wood Subdivision, Wendy Woods Addition (and Re-subdivision thereof) and Leonna Place Subdivision. No one appeared to speak in favor of or against this ordinance. Motion offered by Mr. Jackson, seconded by Mr. Calhoun to close the public hearing. Motion passed without opposition.

The president requested a motion to recess the regular police jury meeting in favor of the Finance Committee meeting. Motions offered by Mr. Blade, seconded by Mr. Jackson to recess the regular police jury meeting and convene as the Finance Committee. Motion passed without opposition.

## **FINANCE COMMITTEE MEETING**

The chairman, Mr. Jackson called the Finance Committee meeting to order at 6:28 p.m. The chairman recognized Mr. Cammack, Treasurer.

Mr. Cammack spoke regarding the tractor bid tabulation for the correctional center. Mr. Cammack recommended to the jury to accept the low bid of AG-Con Equipment in the amount of \$24,993.00. Motion offered by Mr. Blade, seconded by Mr. Calhoun to accept the low bid of AG-Con Equipment for the tractor. Motion passed without opposition.

Mr. Cammack spoke regarding the claims statement for the period of April 17, 2009 through May 14, 2009 and recommended the payment of claims. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to approve the claims. Motion passed without opposition.

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

Mr. Cammack spoke regarding the Monthly Exception Report and budget variances. Discussion ensued. Mr. Caldwell asked that Mr. Cammack look for ways to resolve the deficit within the General Fund and Jail Operations budgets. No other action was taken on this matter.

Mr. Cammack stated that he had received quotes for investing some certificates of deposits and would be investing about \$25 million dollars this week.

The chairman recognized Mr. Beckham, Homeland Security. Mr. Beckham spoke regarding the purchase of a vehicle for the department. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to approve the purchase of a vehicle using state grant funds for Homeland Security. Motion passed without opposition.

Mr. Beckham presented an informational slide presentation showing the rising waters of the Ouachita River. Discussion ensued. No action was taken on this matter.

The chairman recognized Mr. Mitchell, Legal Department. Mr. Mitchell spoke regarding the agreement with DEQ under the LPDES Permit (Storm Water Drainage at Southwest Ouachita Library Property). Mr. Mitchell asked that the jury authorize the president to execute the agreement and pay the fine of \$500.00. Motion offered by Mr. Calhoun, seconded by Mr. Caldwell to accept the recommendations of Mr. Mitchell regarding the LPDES Permit. Motion passed without opposition.

Motion offered by Mr. Jackson, seconded by Mr. Caldwell to adjourn the Finance Committee meeting and reconvene the regular police jury meeting. Motion passed without opposition.

The president reconvened the regular police jury meeting at 7:05 p.m.

## **MOTIONS \* ORDINANCES \* RESOLUTIONS:**

### **MR. CHARLES JACKSON, DISTRICT A:**

The president recognized Mr. Jackson, District A.

Mr. Jackson offered for final adoption the following ordinance, seconded by Mr. Calhoun:

#### **ORDINANCE NO. 8930 (FINAL)**

#### **AN ORDINANCE CREATING ROAD LIGHTING DISTRICT NO. 37 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 Shelburne Place-Unit 1 and Unit 1A, as recorded in the records of Ouachita Parish, Louisiana.

**SECTION 2:** The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 37 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 4th day of May 2009.

The Ordinance was submitted to a roll call vote, and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above Ordinance was adopted on the 18<sup>th</sup> day of May 2009.

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The following ordinance was offered for final adoption by Mr. Jackson, seconded by Ms. Moore:

**ORDINANCE NO. 8931 (FINAL)**

**AN ORDINANCE CREATING ROAD LIGHTING DISTRICT NO. 38 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 Durlog Woods Subdivision, Pine Wood Subdivision, Wendy Woods Addition (and Resubdivision thereof) and Leonna Place Subdivision as recorded in the records of Ouachita Parish, Louisiana.

**SECTION 2:** The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 38 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 4th day of May 2009.

The Ordinance was submitted to a roll call vote, and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above Ordinance was adopted on the 18<sup>th</sup> day of May 2009.

\* \* \*

Mr. Jackson spoke and asked Mr. Cammack to speak regarding the Energy Efficient Block Grants. Mr. Cammack stated that he had spoken with Mr. Land to address the potential projects eligible for the grant. Discussion ensued. Mr. Jackson noted the approaching deadline for applying for the grants. No other action was taken on this matter.

The president recognized Mr. Calhoun, District B.

**MR. CALHOUN, DISTRICT B:**

Mr. Calhoun asked that the matter regarding West Ouachita Recreational District be deferred until the next meeting.

Mr. Calhoun asked Mr. Harrison to speak regarding the bathrooms at Cheniere Lake Area 3. Mr. Harrison stated that the project was set for the bid opening on June 15<sup>th</sup>.

Mr. Calhoun spoke regarding the bids for the new library branches. Motion was offered by Mr. Calhoun, seconded by Mr. Blade to accept the bids for the two new branches of the parish library. Motion passed without opposition.

Mr. Calhoun asked that Mr. Mitchell speak regarding the right of ways on the drainage canals and ditches. Mr. Mitchell stated that the analysis for the right of ways had been completed and presented at the last meeting of the jury. No other action was taken on this matter.

The president recognized Mr. Caldwell, District C.

**MR. CALDWELL, DISTRICT C:**

Mr. Caldwell asked Mr. Mitchell to speak regarding the ULM Government Access Cable Channel. Mr. Mitchell spoke and indicated that he was still working on this item and would possibly have more information at the next meeting.

Mr. Caldwell spoke regarding the appointment to the library board. The following resolution was offered for adoption by Mr. Caldwell, seconded by Mr. Jackson:

**RESOLUTION NO. 09-16**

**A RESOLUTION APPOINTING MRS. CHARLOTTE BREARD TO THE OUACHITA PARISH PUBLIC LIBRARY BOARD OF CONTROL, REPLACING MRS. NELL SEEGER, FOR A SAID TERM OF FIVE (5) YEARS BEGINNING JULY 1, 2009 AND ENDING JULY 1, 2014; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, Mrs. Nell Seegers has been a member of the Ouachita Parish Public Library Board of Control for 11 years, whose term will expire in July and is stepping down; and

**WHEREAS**, Mrs. Charlotte Breard, 2811 Pargoud Blvd, Monroe, Louisiana has expressed a desire to serve on said Ouachita Parish Library Board of Control;

**NOW, THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session that Mrs. Charlotte Breard, 2811 Pargoud Blvd, Monroe, Louisiana 71201, be and hereby is appointed to the Ouachita Parish Library Board of Control, replacing Mrs. Nell Seegers, for a said term of five (5) years beginning July 1, 2009 and ending July 1, 2014.

**BE IT FURTHER RESOLVED** that the Ouachita Parish Police Jury hereby expresses its appreciation to Mrs. Nell Seegers for her valuable service to the people of Ouachita Parish as a member and past chair of the Ouachita Parish Public Library Board of Control.

The above resolution was adopted the 18<sup>th</sup> day of May 2009.

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Mr. Caldwell spoke regarding the need for an air conditioning unit at the Sheriff's Office Stone Avenue location. Mr. Cammack and Mr. Mitchell spoke regarding the matter. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Ms. Moore to approve a Cooperative Endeavor Agreement with the city to pay up to \$1,200 for the purchase of a a/c unit for the Stone Avenue location of the Sheriff's Office. Motion passed without opposition.

Mr. Caldwell spoke regarding the Lake Park Drainage problem. Discussion ensued. Mr. Caldwell asked that the administrative staff send letters to each affected homeowner in the district by the end of the week to address the potential flooding in the area. No other action was taken on this matter.

The president recognized Mr. Blade, District D.

**MR. BLADE, DISTRICT D:**

The following ordinance was introduced by Mr. Blade:

**ORDINANCE NO. 8932 (INTRODUCTION)**

**AN ORDINANCE AMENDING SECTION 14-1 OF THE COMPILED ORDINANCES, REDUCING THE SPEED LIMIT ON LATHAM LANE TO TWENTY-FIVE (25) MILES PER HOUR; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Ouachita Parish Police Jury has established a specific speed limit of fifty miles-per-hour (50 mph) on Latham Lane, a parish road located in Ward 4 of Ouachita Parish;

**WHEREAS**, reducing the speed limit to twenty-five miles-per-hour (25 mph) on said portion of Latham Lane is in the public interest:

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in legal and regular session that Section 14-1 of the Compiled Ordinances of the Ouachita Parish Police Jury, be and hereby amended as follows, to-wit:

**Section 14.1. Speed Limits**

Latham Lane- (25) miles-per-hour.

**BE IT FURTHER ORDAINED** that Notice of this proposed speed limit be published in the Official Journal of the Ouachita Parish Police Jury on May 28, 2009, and a Public Hearing shall be held in the Police Jury Meeting Room, Second Floor, Ouachita Parish Courthouse, 300 St. John Street, Monroe, Louisiana, Monday, June 1, 2009; to hear comments from all interested parties.

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Mr. Blade asked Mr. Mitchell to speak regarding the letter supporting a senior citizen complex on Burg Jones Lane. Mr. Mitchell stated that the jury had previously given a letter in support of the proposed center and that the Mt. Pleasant Community Development Corporation was asking for a letter again. Motion offered by Mr. Blade, seconded by Mr. Calhoun to submit a letter supporting the efforts for the senior citizen complex on Burg Jones Lane by the Mt. Pleasant Community Development Corporation. Motion passed without opposition.

Mr. Blade spoke regarding the salary adjustment for the Housing Director. Motion was offered by Mr. Caldwell, seconded by Mr. Jackson to enter into executive session to discuss the matter. Motion passed without opposition. The jury went into executive session at 7:27 p.m.

Motion offered by Mr. Caldwell, seconded by Mr. Jackson to come out of executive session and resume the regular schedule meeting. Motion passed without opposition. The regular scheduled meeting was resumed at 7:40 p.m.

Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to approve a 10% adjustment to the Housing Director's (Peggy Steele) salary effective immediately. Motion passed without opposition.

Mr. Blade spoke regarding the traffic flow in the Garrett Road area. Mr. Harrison spoke regarding the matter. Discussion ensued. Motion offered by Mr. Blade, seconded by Ms. Moore to engage Mr. Harrison to write up a scope of work, a proposal for the project and to pursue funding for the project. Discussion ensued again. Motion passed without opposition.

**MR. SHANE SMILEY, DISTRICT E:**

The following ordinance was offered for final adoption by Mr. Smiley, seconded by Mr. Caldwell:

**ORDINANCE NO. 8924 (FINAL)**

**AN ORDINANCE SETTING THE FRANCHISE FEE TO BE PAID BY THOSE ENTITIES PROVIDING CABLE OR VIDEO SERVICE WITHIN THE PARISH'S UNINCORPORATED LIMITS UNDER A STATE-GRANTED FRANCHISE AUTHORITY AND OTHERWISE PROVIDING WITH RESPECT THERETO:**

**WHEREAS**, pursuant to the provisions of the Consumer Choice for Television Act of 2008, codified at LSA-RS. 45:1361 et seq, any person or entity desiring to provide cable or video services within the Parish of Ouachita may do so by obtaining a state issued certificate of franchise authority;

**WHEREAS**, pursuant to the provisions of LSA-R.S. 45:1366, the holder of a state issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a Parish in which it operates upon the passage of an ordinance by Parish setting such a fee; and

**WHEREAS**, there are persons or entities that operate or desire to operate cable or video services with the Parish's unincorporated limits.

**BE IT THEREFORE** ordained by the Police Jury of the Parish of Ouachita, State of Louisiana, that all persons or entities providing cable or video services to the citizens residing in the unincorporated limits of the Parish of Ouachita pursuant to a state-issued certificate of franchise authority as provided in LSA-R.S. 45:1361 et seq shall, pursuant to the provisions of LSA-R.S. 45:1366, pay the Parish of Ouachita a franchise fee equal to [an amount up to 5%, to be determined by Ouachita Parish] of the cable or video service provider's gross revenues, as that term is defined by the "Consumer Choice for Television Act of 2008," derived from operations within the Parish's unincorporated limits.

**BE IT FURTHER RESOLVED**, that all ordinances and resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Parish and any cable or video service provider.

The above Ordinance was introduced on the 6<sup>th</sup> day of April 2009.

The Ordinance was submitted to a roll call vote, and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above Ordinance was adopted on the 18<sup>th</sup> day of May 2009.

\* \* \*

The president spoke regarding the sewerage improvements at the correctional facility and Shamblin Street Station. Motion offered by Mr. Smiley, seconded by Mr. Caldwell to accept the recommendations of Mr. Harrison to build a lift station, to connect to Greater Ouachita Water and retained his services to design a connection for OCC to Greater Ouachita Water Co. Discussion ensued. Motion passed without opposition.

The president asked Mr. Cammack to speak regarding the cooperative endeavor agreement with CDBG. Mr. Cammack spoke regarding the matter. Motion offered by Mr. Smiley, seconded by Mr. Caldwell to authorize the president to sign the previously approved cooperative endeavor agreement for CDBG funding. Motion passed without opposition.

The president spoke regarding the proclamation marking the 234 years of service by the United States Army. Motion offered by Mr. Smiley, seconded unanimously by all proclaiming the period of May 15 through July 4, 2009 as United States Army Patriot Season in Ouachita Parish. Motion passed without opposition.

The president recognized Ms. Moore, District F.

**MS. PAT MOORE, DISTRICT F:**

Ms. Moore indicated that she had no additional items.

**ADMINISTRATIVE REPORTS:**

The president recognized Mr. Cammack, Treasurer.

**FISCAL: Mr. Brad Cammack, Treasurer**

Mr. Cammack stated that he had no additional items.

The president recognized Chief Hemphill, Fire Department.

**FIRE: Chief Pat Hemphill, Fire Department**

Chief Hemphill advised the jury that the Parish Fire Advisory Committee will be in attendance at the next meeting to speak about the tax proposal for the department.

The president recognized Mr. Mitchell, Legal Counsel.

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

Mr. Mitchell indicated that he had no other items.

The president recognized Mr. Murray, Public Works.

**PUBLIC WORKS: Mr. John Tom Murray, Director**

Mr. Murray spoke regarding the request for a variance in Parkwood II Estates, Unit No. 7. Mr. Harrison spoke regarding the matter and recommended approval. Motion offered by Mr. Jackson, seconded by Mr. Caldwell to approve the variance for Parkwood II Estates, Unit No. 7. Motion passed without opposition.

Mr. Murray spoke regarding the surplus vehicle at Cheniere Lake and the transfer of a vehicle from Public Works to Cheniere Lake. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to declare the 1999 Ford F-150 truck as surplus to be sold at public auction and the transferring of a 2000 Ford F-150 to Cheniere Lake. Motion passed without opposition.

Mr. Murray advised the jury of the closed roads in the parish due to flooding. No action was taken on this matter.

The president recognized Mr. Harrison, Parish Engineer.

**ROADS & DRAINAGE: Mr. Don Harrison, Engineer**

Mr. Harrison spoke regarding the funding for improving Skate Lane. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to approve the initial engineering services, soil and material testing for the project. Motion passed without opposition.

**BEER AND WHISKEY APPLICATIONS:**

Mr. Mitchell presented the following beer and whiskey application and recommended approval subject to a favorable review of the survey. Motion offered by Mr. Caldwell, seconded by Mr. Blade to approve the application for beer and whiskey. Motion passed without opposition.

**WEST, MICHAEL**

**DBA BOOZE, CUES & TATOOS, 1612  
THOMAS RD, WEST MONROE, LA 71292 –  
RETAIL BEER CLASS “A”, RETAIL LIQUOR  
CLASS “C” – 2009 NEW**

There being no other business to come before the jury, a motion to adjourn was offered by Mr. Jackson, seconded by Mr. Smiley. The meeting was adjourned at 8:28 p.m.

**A D J O U R N !**