

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD ON
MONDAY, AUGUST 17, 2009 AT 5:30 P.M.**

The Police Jury of the Parish of Ouachita, State of Louisiana met in a regular session in the Ouachita Parish Police Jury Meeting Room, Courthouse Building, Monroe, Louisiana on Monday, August 17, 2009 at 5:30 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>	(6)
Charles Jackson	District A
Mack Calhoun	District B
Walt Caldwell	District C
Ruby Blade	District D
Shane Smiley	District E
Pat Moore	District F

<u>Members Absent</u>	(0)
------------------------------	------------

A motion to adopt the Minutes of the Regular Police Jury Meeting including the Committee meetings held on August 3, 2009, with corrections on page 6 and 10 was offered by Mr. Caldwell, seconded by Mr. Jackson. Motion passed without any opposition.

VISITORS:

The president recognized visitor Francis Huffman, of Luffey, Huffman, Ragsdale & Soignier. Mr. Huffman presented the calendar year 2008 Audit Report. Mr. Huffman stated that the jury had a very good report and had been given an unqualified opinion on the 2008 Audit with only three findings. Mr. Huffman reported that the three findings had been addressed and corrective action was in place at this time. No other action was taken on this matter.

PUBLIC HEARING

The president convened a Public Hearing on Ordinance No. 8939-An ordinance authorizing the sale of lots 3 and 4, square 6, unit 1 of Breard Place Addition to Primary Health Services Center for and in consideration and price of thirty four thousand and no/100 (\$34,000.00) dollars pursuant to the provisions of LA R.S. 33:4712; and further providing with respect thereto. No one appeared to speak in favor of or against the proposed ordinance. Motion offered by Mr. Caldwell, seconded by Ms. Moore to close the public hearing. Motion passed without any opposition.

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

FINANCE COMMITTEE MEETING

The chairman, Mr. Jackson called the Finance Committee Meeting to order at 5:50 p.m. Mr. Jackson spoke regarding the 2008 Audit. Motion offered by Mr. Smiley, seconded by Mr. Caldwell to accept the 2008 Audit Report. Motion passed without opposition.

The chairman recognized Mr. Cammack. Mr. Cammack spoke regarding the claim statement for the period of 7/17/09 through 8/14/09 and recommended payment. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to accept the recommendation and pay the claims. Motion passed without opposition.

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

Mr. Cammack spoke regarding the monthly exception reports that included Litter/Beautification, Code Enforcement and the Extension Service. Mr. Cammack also spoke on the Correctional Center budget. Discussion ensued. No action was taken on this matter.

Mr. Cammack spoke regarding the medical contract for the mental health specialist. Discussion ensued. Motion offered by Mr. Smiley, seconded by Ms. Moore to deny the increase in compensation to the mental health specialist and leave it at the current rate. Motion passed without opposition with Mr. Caldwell abstaining.

Mr. Cammack spoke regarding the bid tabulation for commissary and vending service for the Correctional Center. Mr. Cammack recommended Swanson Services Corporation for commissary services at OCC. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to award the contract to Swanson Services Corporation as recommended by purchasing and the correctional center warden. Motion passed without opposition.

Mr. Cammack spoke regarding the bid tabulation for lawn maintenance at the Health Unit. Mr. Cammack recommended that Lewis' Bayou Landscaping be awarded the contract for lawn maintenance. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to accept the lowest conforming bid of Lewis' Bayou Landscaping for lawn maintenance. Motion passed without opposition.

Mr. Cammack spoke regarding an informational item concerning a security door system for the health unit. Mr. Cammack indicated that this item is being advertised for bids and would be an expense of approximately \$120,000 in the near future. No action was taken on this matter.

Mr. Jackson spoke briefly regarding the Energy Efficiency Grant. No action was taken on the matter.

There being no other business to come before this committee, a motion to adjourn and reconvene the regular meeting was offered by Mr. Jackson, seconded by Mr. Smiley. Motion passed without opposition.

The president reconvened the regular meeting at 6:18 p.m.

MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Jackson, District A.

MR. CHARLES JACKSON, DISTRICT A:

Mr. Jackson indicated that he had no items.

The president recognized Mr. Calhoun, District B.

MR. CALHOUN, DISTRICT B:

Mr. Calhoun spoke regarding the West Ouachita Recreation District and wanted to note that the West Ouachita Little Boys Football Association is expanding to include baseball and softball fields. No action was taken on the matter.

Mr. Calhoun read a statement regarding the interim Ward 6 Constable. Discussion ensued.

Mr. Jackson, seconded by Mr. Calhoun, offered the following resolution:

RESOLUTION NO. 09-71

WHEREAS, the Ouachita Parish Police Jury, as a body, has followed a long-standing custom of asking appointees to affirm that they will not be a candidate in the called election for the seat they are being appointed to occupy on an interim basis;

WHEREAS, the Ouachita Parish Police Jury follows this custom in order that its appointment will not have even the appearance of unduly influencing the outcome of the upcoming election;

WHEREAS, in the case of the vacant seat for Ward 6 Constable several persons contacted the Jury about the interim appointment and then declined to pursue the appointment after being informed they would be expected to NOT be a candidate for the position in the called election;

WHEREAS, Mr. William Matheny was likewise advised of the Ouachita Parish Police Jury's custom concerning interim appointments;

WHEREAS, the Ouachita Parish Police Jury appointed Mr. William Matheny to serve as the interim Constable for Ward 6 with the understanding that he would NOT be a candidate in the October 17, 2009, election to fill the seat;

WHEREAS, Mr. Matheny has nonetheless qualified as a candidate in said election; and,

WHEREAS, the Ouachita Parish Police Jury has grave concern that failure to acknowledge and address this situation could have serious repercussions with regard to future interim appointments

THEREFORE:

BE IT RESOLVED that by this measure the Ouachita Parish Police Jury expresses its intent that Mr. Matheny would NOT have been appointed the incumbent interim Ward 6 Constable had he expressed an intent to run for the seat at the time the appointment was made.

BE IT FURTHER RESOLVED that the Ouachita Parish Police Jury hereby expresses its extreme disappointment that despite this custom being discussed with Mr. Matheny and well and widely reported at the time of his appointment, Mr. Matheny has qualified to run for Ward 6 Constable in the October Special Election.

BE IT FURTHER RESOLVED that the Ouachita Parish Police Jury, as a body, hereby reaffirms its desire to avoid influencing other elective offices in the Parish and will continue to require a commitment from future interim appointments the appointee will not be a candidate in the election to fill the office; and,

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Mr. Matheny.

The above resolution was adopted the 17th day of August 2009.

* * *

Mr. Mitchell stated that Benji Owens, Constable of Ward 9 would tender his resignation later in the week. Discussion ensued again. Mr. Calhoun asked that Mr. Mitchell draft a written policy regarding interim appointments and to bring the matter back to the jury at the next meeting.

The president recognized Mr. Caldwell, District C.

MR. CALDWELL, DISTRICT C:

Mr. Caldwell indicated that he had no items.

The president recognized Ms. Blade, District D.

MS. BLADE, DISTRICT D:

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

ORDINANCE NO. 8939

AN ORDINANCE AUTHORIZING THE SALE OF LOTS 3 AND 4, SQUARE 6, UNIT 1 OF BREARD PLACE ADDITION TO PRIMARY HEALTH SERVICES CENTER FOR AND IN THE CONSIDERATION AND PRICE OF THIRTY FOUR THOUSAND AND NO/100 (\$34,000.00) DOLLARS PURSUANT TO THE PROVISIONS OF LA. R.S. 33:4712; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, Primary Health Services Center proposes to buy from the Ouachita Parish Police Jury, for a price of **THIRTY FOUR THOUSAND AND NO/100 (\$34,000.00) DOLLARS**, two parcels of land more particularly described as **“Lots 3 And 4, Square 6, Unit 1 of Breard Place Addition;”**

WHEREAS, said immovable property is no longer needed for a public purpose and the sale described above is in the public interest;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and regular session that pursuant to the provisions of La. R. S. 33:4712, the Ouachita Parish Police Jury does hereby authorize the sale of two parcels of land more particularly described as **“Lots 3 And 4, Square 6, Unit 1 of Breard Place Addition”** for a price of **THIRTY FOUR THOUSAND AND NO/100 (\$34,000.00) DOLLARS**.

BE IT FURTHER ORDAINED that the President of the Ouachita Parish Police Jury is hereby authorized and empowered to execute said Act of Sale on behalf of the Ouachita Parish Police Jury.

The above Ordinance was introduced on the 3rd day of August 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 the 17th day of August 2009.

* * *

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

RESOLUTION 09-67

A RESOLUTION RE-APPOINTING LEON STEPHAN TO THE BOARD OF COMMISSIONERS OF KEEP OUACHITA PARISH BEAUTIFUL COMMITTEE, WHOSE TERM WILL EXPIRE ON, 2009, FOR A THREE (3) YEAR TERM EACH, BEGINNING, AUGUST 17, 2009 AND ENDING AUGUST 17, 2012; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the term of Leon Stephan will expire on August 17, 2009, and he has agreed to remain as a member of the Board of Commissioners of Keep Ouachita Parish Beautiful Committee; and

NOW, THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury in legal and regular session that the following individual:

Leon Stephan, 304 Ingleside Drive, Monroe, LA 71203

BE AND HEREBY is reappointed to the Board of Commissioners of Keep Ouachita Parish Beautiful Committee an additional term of three years, beginning August 17, 2009 and ending August 17, 2012.

The above resolution was adopted the 17th day of August 2009.

* * *

The following resolution was offered for final adoption by Ms. Blade, seconded by Mr. Calhoun:

RESOLUTION 09-70

A RESOLUTION APPROVING THE ISSUANCE, SALE AND DELIVERY OF \$512,000 OF WATER REVENUE BONDS, SERIES 2009, OF PRAIRIE ROAD WATER DISTRICT, OUACHITA PARISH, LOUISIANA AND FURTHER PROVIDING WITH RESPECT THERETO:

WHEREAS, Prairie Road Water District, Ouachita Parish, Louisiana (the "District"), proposes to issue \$512,000 of Water Revenue Bonds, Series 2009 (the "Bonds"), for the purpose of paying a portion of the costs of acquiring and constructing improvements and replacements to the waterworks system of the District, including appurtenant equipment, accessories and

properties, both personal and real, a work of public improvement for the District pursuant to a resolution adopted by the Board of Waterworks Commissioners of the District on August 13, 2009 (the "Resolution"); and

WHEREAS, the said Board of Waterworks Commissioners has requested that this Police Jury approve the issuance, sale and delivery of said Bonds; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Police Jury to approve the issuance of said Bonds of the District;

NOW, THEREFORE,

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

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Waterworks Commissioners of Prairie Road Water District, Ouachita Parish, Louisiana, this Police Jury hereby approves the issuance, sale and delivery of \$512,000 of Water Revenue Bonds, Series 2009, of the District, said Bonds to mature over a period not exceeding 40 years from the date of issuance, and to be secured by and payable as to principal and interest solely from the income and revenues derived or to be derived by the District from the operation of its waterworks system, in accordance with the provisions of the Resolution and Part VII, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority, and neither the Parish of Ouachita nor this Police Jury shall be liable in any manner for the payment of the Bonds.

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

<u>Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstaining</u>
Charles Jackson	x			
Mack Calhoun	x			
Walt Caldwell	x			
Ruby Blade	x			

<u>Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstaining</u>
Shane Smiley	x			
Pat Moore	x			

And the resolution was declared adopted on this, the 17th day of August 2009.

* * *

MR. SHANE SMILEY, DISTRICT E:

The president asked Mr. Mitchell to speak regarding the OCC Sewage Agreement (Shamblin Street Lift Station). Mr. Mitchell recommended to the jury to accept the counter offer from the Town of Richwood which includes a \$2,500 disconnect fee. A brief discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to accept the recommendation, and pay the fee from the jail operations budget. Motion passed without opposition.

The president asked Mr. Harrison to update the jury on the appraisal of the Osterland Property. Mr. Harrison stated that Michael Graham had been engaged to appraise the two right of way parcels. Mr. Harrison indicated that those appraisals should be available at the next meeting. No other action was taken on this matter.

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

RESOLUTION NO. 09-68

A RESOLUTION RE-APPOINTING MS. DIANE COOK TO THE BOARD OF COMMISSIONERS OF KEEP OUACHITA PARISH BEAUTIFUL COMMITTEE, WHOSE TERM WILL EXPIRE ON AUGUST 17, 2009, FOR A THREE (3) YEAR TERM, BEGINNING AUGUST 17, 2009 AND ENDING AUGUST 17, 2012; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the term of Ms. Diane Cook will expire on August 17, 2009 and she has agreed to remain as a member of the Board of Commissioners of Keep Ouachita Parish Beautiful Committee; and

NOW, THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury in legal and regular session that the following individual:

Diane Cook, 238 Bastrop Drive, Monroe, LA 71203

BE AND HEREBY is reappointed to the Board of Commissioners of Keep Ouachita Parish Beautiful Committee an additional term of three years, beginning August 17, 2009 and ending August 17, 2012.

The above resolution was adopted the 17th day of August 2009.

* * *

The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

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

RESOLUTION NO. 09-69

A RESOLUTION RE-APPOINTING REV. JOHN SEWELL TO THE BOARD OF COMMISSIONERS OF KEEP OUACHITA PARISH BEAUTIFUL COMMITTEE, WHOSE TERM WILL EXPIRE ON AUGUST 17, 2009, FOR A THREE (3) YEAR TERM, BEGINNING AUGUST 17, 2009 AND ENDING AUGUST 17, 2012; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the term of Rev. John Sewell will expire on August 17, 2009 and he has agreed to remain as a member of the Board of Commissioners of Keep Ouachita Parish Beautiful Committee; and

NOW, THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury in legal and regular session that the following individual:

Rev. John Sewell, 603 Greenwood Drive, Monroe, LA 71202

BE AND HEREBY is reappointed to the Board of Commissioners of Keep Ouachita Parish Beautiful Committee an additional term of three years, beginning August 17, 2009 and ending August 17, 2012.

The above resolution was adopted the 17th day of August 2009.

ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer.

FISCAL: Mr. Brad Cammack, Treasurer

Mr. Cammack indicated that he had no additional items.

The president recognized Chief Hemphill, Fire Chief.

FIRE: Chief Pat Hemphill, Fire Department

Chief Hemphill stated that he had no items.

The president recognized Mr. Mitchell, Assistant District Attorney

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

Mr. Mitchell expressed thanks for the work involving the road lighting districts.

Mr. Mitchell spoke regarding a matter concerning the Cadeville Water District that involves a \$20,000 loan from the Ouachita Independent Bank for the replacement of well pumps. Mr. Mitchell indicated that the jury would have to amend the agenda to take up the matter. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to amend the agenda to take up the matter regarding the \$20,000 loan for the Cadeville Water District to replace the well pumps. Motion passed without any opposition.

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

RESOLUTION 09-72

**A RESOLUTION APPROVING CADEVILLE WATER DISTRICT’S,
PROPOSED INCURRENCE OF DEBT IN THE PRINCIPAL AMOUNT OF \$20,000.00;
AND, FURTHER PROVIDING WITH RESPECT THERETO:**

WHEREAS, Cadeville Water District, Ouachita Parish, Louisiana (the "District"), proposes to borrow the principal sum of \$20,000.00 from Ouachita Independent Bank in connection with costs incurred in repairing and rehabilitating equipment and facilities at the District’s; and

WHEREAS, the said loan will be for a term of six months at an interest rate of 6.5% and will be re-paid from the District’s anticipated revenues; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Police Jury to approve the incurrence of the above-described debt by the District;

NOW, THEREFORE,

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

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Waterworks Commissioners of Cadeville Water District, Ouachita Parish, Louisiana, this Police Jury hereby approves the District's proposed borrowing of \$20,000.00 from Ouachita Independent Bank as described above. This approval notwithstanding, neither the Parish of Ouachita nor this Police Jury shall be liable in any manner for the re-payment of said debt.

This resolution having been submitted to a vote, and the vote being in favor thereof, this resolution was declared adopted on this, the 17th day of August 2009.

* * *

The president recognized Mr. Murray, Public Works Director.

PUBLIC WORKS: Mr. John Tom Murray, Director

Mr. Murray indicated that he had no items.

The president recognized Mr. Harrison, Engineer.

ROADS & DRAINAGE: Mr. Don Harrison, Engineer

Mr. Harrison spoke regarding the FY2008 - LCDBG Program Street Improvements in Tanglewood Area-West. Mr. Harrison recommended that the jury accept the project as substantially complete as of August 4, 2009, and authorize the president to execute the required documents. In addition, Mr. Harrison asked that the jury approve change order number 1 which decreases the project by \$27,403.24, and approve change order number 2 that provides for the removal of the existing mailboxes and supports and replaces the same contingent upon state approval. Mr. Harrison stated that this would cause an increase of \$16,380.00, in the contract amount but it is within the budgeted amount. A brief discussion ensued. Motion offered by Ms. Moore, seconded by Mr. Jackson to approve the recommendations of Mr. Harrison on all matters related to the LCDBG Tanglewood Area West Project. Motion passed without opposition.

Mr. Harrison spoke regarding the FY2009 Pavement Striping Contract – Change Order #1. Mr. Harrison stated that this change order would add the striping of four (4) additional roads and the restriping of a portion of Wallace Dean Road. Mr. Harrison stated that the project cost would increase by \$11,140.30 and would still be under budget. Motion offered by Mr. Jackson, seconded by Mr. Caldwell to approve the change order request and authorize the president to execute the documents. Motion passed without opposition.

BEER ANDWHISKEY APPLICATIONS:

There were none.

INVITATION FOR PUBLIC PARTICIPATION:

Susan Poe, 121 Camp Drive, West Monroe spoke regarding the timely repair of water lines by the local water companies.

Edward Johnson of the Huntington Park Subdivision Association spoke regarding various problems within the subdivision. Discussion ensued. Ms. Moore addressed the various matters within the subdivision and assured Mr. Johnson that every effort would be put forth to help alleviate them.

There being no other business to come before the jury, a motion to adjourn was offered by Mr. Jackson, seconded by Mr. Caldwell. The meeting was adjourned at 7:05 p.m.

A D J O U R N !