

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD ON,
MONDAY, OCTOBER 20, 2014 AT 5:37 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, October 20, 2014 at 5:37 p.m., and was duly convened by Mr. Shane Smiley, President.

The invocation was given by the president. The Pledge of Allegiance to the flag was led by the president.

<u>Members Present</u>	(5)
Scotty Robinson	District A
Mack Calhoun	District B
Walt Caldwell	District C
Shane Smiley	District E
Pat Moore	District F

<u>Members Absent</u>	(1)
Ollibeth Reddix	District D

APPROVAL OF AGENDA:

The president asked if there were any additions or amendments to the agenda. Ms. Moore asked to add Rosie Green and John Sewell as visitors. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to approve the agenda as published. Motion passed without opposition.

PUBLIC COMMENT PERIOD:

The president asked for public comments on the agenda as approved. No one appeared or came forth to speak during this time.

ADOPTION OF MINUTES:

A motion to adopt the minutes of the regular Police Jury meeting including the committee meetings held on October 6, 2014 was offered by Mr. Caldwell seconded by Mr. Robinson. Motion passed without opposition.

Dr. Reddix entered at the point in the meeting.

PUBLIC HEARING:

The president convened a public hearing on Ordinance No. 9055 – An Ordinance to authorize an Act of Sale by the Parish of Ouachita to sell adjudicated property described as: Parcel Nos. 62848, 62850, 62860, 62862, 62854, 62866, 62874, 62877, 62882, 62902 in accordance with LA R.S. 47: 2202 et seq. and to authorize the Ouachita Parish Police Jury president to sign all necessary documents and to address the matters relative thereto. No one appeared to speak in

favor of or against said ordinance. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to close the public hearing. Motion passed without opposition.

VISITORS:

The president recognized Neal Brown, Homeland Security. Mr. Brown presented preliminary reports of the damage from the storm on October 13. Mr. Brown stated that it could be two weeks before he receives anything from FEMA.

The president recognized Emma Graves, 143 Burney Drive, Monroe. Ms. Graves spoke regarding her concerns on the proposed building of a new junior high school on Swartz Fairbanks Road. Mr. Crosby stated that a site development plan has to be submitted for review first. Mr. Crosby stated that traffic studies will be done to determine if a traffic light is needed. Mr. Mitchell stated that he would forward Ms. Graves' letter to the school board.

The president recognized Rosie Green, 705 Tanglewood Drive, Monroe. Ms. Green asked Rev. John Sewell to speak in her place. The president recognized Rev. John Sewell, 603 Greenwood Drive, Monroe. Rev. Sewell spoke regarding the damage in the Tanglewood Subdivision during the October 13 storm. Rev. Sewell stated that the residents feel that there was an inadequate response given. Mr. Caldwell stated that the local government offices and agencies cannot meet each need immediately and they must wait for resources to come available.

ENGINEERING REPORT:

The president recognized Mr. Crosby, Engineer. Mr. Crosby spoke regarding comments for the bridge project. Mr. Crosby stated that there would be a meeting later in the week to review possible plans. Motion offered by Mr. Caldwell, seconded by Dr. Reddix to authorize Mr. Crosby to submit comments accordingly. Motion passed without opposition.

Mr. Crosby spoke regarding Change Order No. 2 for the pipeline damaged roadway improvements and stated that the change order would reduce the contract by \$60,922.50. Motion offered by Ms. Moore, seconded by Mr. Robinson to approve Change Order No. 2 and allow president to sign the change order. Motion passed without opposition.

Mr. Crosby spoke regarding Change Order No. 1 for Finks Hideaway Road and stated that the change order takes some of the sequencing language out of the contract and was necessary due to unforeseen delays in the completion of utility relocations. Motion offered by Mr. Smiley, seconded by Mr. Robinson to approve Change Order No. 1 and allow the president to sign the change order. Motion passed without opposition.

Mr. Crosby spoke regarding Willet Place Boulevard and stated that the plans have been prepared and have been submitted to DOTD. Mr. Crosby stated that the cost estimate was between \$50,000 and \$100,000 which is under the bid limit and approval was needed to receive quotes for the project. Motion offered by Dr. Reddix, seconded by Mr. Robinson to authorize Mr. Crosby to request quotes for the project. Motion passed without opposition.

Mr. Crosby spoke regarding the resubdivision approval for Petrus Estates, Lots 1 & 2 and recommended approval. Motion offered by Dr. Reddix, seconded by Mr. Robinson to grant

resubdivision approval as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer. Motion passed without opposition.

Mr. Crosby spoke regarding the preliminary subdivision approval for Henry Anna Subdivision and recommended approval. Motion offered by Mr. Robinson, seconded by Ms. Moore to grant preliminary subdivision approval as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer. Motion passed without opposition.

Mr. Crosby spoke regarding the preliminary subdivision approval for Cross Pointe Subdivision and stated that there is an issue with the base flood elevation. Mr. Crosby recommended denying approval. Motion offered by Mr. Caldwell, seconded by Dr. Reddix to deny preliminary subdivision approval as recommended. Motion passed without opposition.

Mr. Crosby spoke regarding the preliminary subdivision approval for Whitlock Estates and recommended approval. Motion offered by Mr. Robinson, seconded by Mr. Calhoun to grant preliminary subdivision approval as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer. Motion passed without opposition.

Mr. Crosby spoke regarding the resubdivision approval for Flagstone Subdivision and recommended approval. Motion offered by Mr. Robinson, seconded by Mr. Calhoun to grant resubdivision approval as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer. Motion passed without opposition.

Mr. Crosby spoke regarding the sketch plan approval for Sherwood Forest Subdivision and stated a variance was requested. Mr. Mitchell recommended that the Jury not take action at this time until the developer submits further information. Motion offered by Mr. Caldwell, seconded by Mr. Robinson to table this item and request additional information from the developer. Motion passed without opposition.

Mr. Crosby spoke regarding the plat approval for Polestar Development Subdivision and recommended approval. Motion offered by Mr. Robinson, seconded by Mr. Caldwell to grant plat approval as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer. Motion passed without opposition.

Mr. Crosby spoke regarding the final subdivision approval for Carriage Hills Subdivision and recommended approval and to approve the donation of the subdivision's sewerage system to West Ouachita Sewerage District No. 16. Motion offered by Mr. Robinson, seconded by Mr. Caldwell to grant final subdivision approval as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer and to accept the subdivision into West Ouachita Sewerage District No. 16. Motion passed without opposition.

Mr. Crosby spoke regarding approval for a variance to the building setback for Castor Cove Subdivision and recommended approval. Motion offered by Mr. Robinson, seconded by Mr. Caldwell to grant the variance as recommended subject to comments from the Public Works Department and parish engineer being adequately answered by the developer and project engineer. Motion passed without opposition.

Mr. Calhoun asked about the Menyfield Extension State Capital Outlay application. Mr. Crosby stated that he would be resubmitting a request for it. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to authorize Mr. Crosby to resubmit requests to Capital Outlay for last year's projects and to include Pine Bluff Road and to authorize execution of the necessary documents. Motion passed without opposition.

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Motion offered by Dr. Reddix, seconded by Ms. Moore to recess the regular meeting in favor of the finance committee meeting. Motion passed without opposition.

FINANCE COMMITTEE MEETING

The chairman, Mr. Caldwell, called the finance committee meeting to order at 6:45 p.m. The chairman recognized Mr. Cammack, Treasurer.

Mr. Cammack presented the claim statement for the period of September 12, 2014 through October 16, 2014 and recommended approval. Motion offered by Mr. Robinson, seconded by Mr. Smiley to approve the claims for the period stated as recommended by the Treasurer. Motion passed without opposition.

Ms. Harper presented the rates for the dental, vision, and life insurances for 2015 and recommended approval. Motion offered by Mr. Robinson, seconded by Ms. Moore to approve the dental, vision, and life insurances for 2015 as presented. Motion passed without opposition.

There being no further business to come before this committee, a motion to adjourn the finance committee meeting and reconvene the regular meeting was offered by Mr. Robinson, seconded by Mr. Smiley. The finance committee meeting was adjourned at 6:47 p.m.

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MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Robinson, District A.

MR. SCOTTY ROBINSON, DISTRICT A:

Dr. Reddix, seconded by Mr. Caldwell offered the following resolution for adoption.

RESOLUTION NO. 14-50

A RESOLUTION STATING THE INTEREST OF THE OUACHITA PARISH POLICE JURY IN THE ENDORSEMENT OF PIPELINE SERVICES, LLC AND THEIR PROJECT #20141123 TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the sales/use tax rebates for the Quality Jobs Program are governed by §51.1787 (Louisiana Enterprise Zone Program) and;

WHEREAS, the Louisiana Quality Jobs Program offers significant incentives for economic development to some of the most distressed areas in Ouachita Parish, and

WHEREAS, the business is located in Census Tract 104 Block Group 6, which is **NOT** a designated Enterprise Zone or within the boundaries of an Economic Development Zone, and

WHEREAS, the Ouachita Parish Police Jury states this endorsement is in agreement with the Overall Economic Development Plan for Ouachita Parish, and

WHEREAS, in accordance with the Louisiana Quality Jobs Program requirements Ouachita Parish agrees:

1. To participate in the Quality Jobs program.
2. To assist the Department in evaluating progress made in any enterprise zone within its jurisdiction.
3. To REFUND all applicable local sales taxes on the purchase of the material used in the construction of a building, or any addition or improvement thereon, for housing any legitimate business enterprise, and machinery and equipment used in that enterprise. This tax refund would be on materials, construction and equipment purchased for a project and used by a business **permanently on that site.**

NOW, THEREFORE,

BE IT RESOLVED by the Ouachita Parish Police Jury of Ouachita Parish, Louisiana, in regular and legal session convened, that Pipeline Project Services, LLC, #20141123 is endorsed to participate in the Louisiana Quality Jobs Program.

BE IT FURTHER RESOLVED by the Ouachita Parish Police Jury of Ouachita Parish, Louisiana, in regular and legal session convened, that if any provision or item of this resolution

of the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

The above resolution was adopted the 20th day of October, 2014.

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The president recognized Mr. Calhoun, District B.

MR. MACK CALHOUN, DISTRICT B:

Mr. Calhoun stated that he did not have any items.

The president recognized Mr. Caldwell, District C.

MR. WALT CALDWELL, DISTRICT C:

Mr. Caldwell stated that he did not have any items.

The president recognized Dr. Reddix, District D.

DR. OLLIBETH REDDIX, DISTRICT D:

Dr. Reddix spoke regarding the condition along Burg Jones Lane and stated that the fence is falling into the ditches along the parish right-of-way. Mr. Mitchell stated that the Department of Corrections owns the property and that he has contacted the Department of Corrections in Baton Rouge and that he has not received a response. Mr. Murray stated that he sent a letter to the Department of Corrections on October 10 and he still has not received a response.

Dr. Reddix asked for an update on the J. S. Clark Cemetery. Mr. Cammack stated that more work will be done when the ground dries.

MR. SHANE SMILEY, DISTRICT E:

Mr. Smiley, seconded by Mr. Robinson offered the following ordinance for adoption.

ORDINANCE NO. 9055

AN ORDINANCE TO AUTHORIZE AN ACT OF SALE BY THE PARISH OF OUACHITA TO SELL ADJUDICATED PROPERTY DESCRIBED AS: PARCEL NOS. 62848, 62850, 62860, 62862, 62854, 62866, 62874, 62877, 62882, 62902 IN ACCORDANCE

WITH LA R.S. 47: 2202 ET SEQ. AND TO AUTHORIZE THE OUACHITA PARISH POLICE JURY PRESIDENT TO SIGN ALL NECESSARY DOCUMENTS AND TO ADDRESS THE MATTERS RELATIVE THERETO.

WHEREAS, the immovable property described below was adjudicated to the Parish of Ouachita on July 9, 1990, for nonpayment of taxes; and

WHEREAS, the three (3) year period for redemption provided by Art. 7, §25 of the Louisiana Constitution has elapsed, established by Parish Ordinance No: 9037 and the owner of record has failed to redeem the adjudicated property; and

WHEREAS, LA R.S. 47: 2202 et seq. provides that the Parish may sell adjudicated property in accordance with law after the expiration of the period for redemption; and

WHEREAS, the Parish of Ouachita has declared the property described below surplus and not needed for a public purpose and to dispose of said property in accordance with LA R.S. 47:2202, et seq.; and

WHEREAS, in accordance with L.A. R.S. 47:2202 the Parish of Ouachita has set a minimum bid for public sale at \$1,340.00; and

WHEREAS, the Parish of Ouachita has received a written offer to purchase said property from John and Pamela Willis, for the consideration of \$478.13 (Four Hundred Seventy Eight Dollars and Thirteen Cents) for Parcel Nos. 62848, 62860, 62862, 62866, 62874, 62877, 62882, 62902 and \$484.72 (Four Hundred Eighty Four Dollars and Seventy Two Cents) for Parcel No. 62850 and 62854 cash, at the time of sale and has been accepted by the Ouachita Parish Police Jury; and

WHEREAS, the property described herein below will be purchased through the Parish “Lot Next Door” program and is therefore exempt from the public bidding requirement.

NOW BE IT ORDAINED by the Ouachita Parish Police Jury, that any Act of Sale of the below described property shall contain the following conditions and requirements:

- 1) This property described as Ouachita Parish Parcel #48564, with municipal address 0 Country Club Blvd, Monroe, LA 71202 and more fully described as:

Lots 205-214, all of the Re-subdivision of Unit No. 1 of Charmingdale in the North ½ (N ½) of Sections 5 and 6, Township 16 North, Range 4 East, and the NE ¼ of Section 1, Township 16 North, Range 3 East, Ouachita Parish, Louisiana

- 2) This property shall be sold in accordance with LS-R.S. 47:2201 et. seq., without any warranty, from either the Parish or Management Company, whatsoever, even as to the return of the purchase price.

- 3) The sale shall be on a form approved by the Parish Attorney and that the sales price is paid by certified funds at the time of the sale.
- 4) The sale shall include a reservation of all mineral rights to the Parish, but shall convey all surface rights.
- 5) The following shall be completed prior to closing of sale:
 - a. E&P LLC shall certify in writing to the Parish Attorney that they have examined the mortgage records, conveyance records, probate and civil suit records of the Parish of Ouachita and that attached to this certification will be a written list of names and last known addresses of all owners, mortgagees, and any other person who may have a vested or contingent interest in the property, or who has filed a request for notice as provided in the former provisions LS-R.S. 33:4720.17(B), as indicated in those records.
 - b. E&P LLC will provide notice to those persons identified in accordance with LS-R.S. 47:2201 et. seq. Proof of said notice will be filed in the conveyance records of Ouachita Parish immediately after the Act of Sale.
 - c. At the time of closing, the E&P LLC will certify in writing to Parish Attorney and Clerk of Court that the number of days mandated by LS-R.S. 47:2201 et. seq. has elapsed since the above required notice was made or attempted and that the property has not been redeemed by the payment of the taxes owed.

BE IT FURTHER ORDAINED, by the Ouachita Parish Policy Jury, that the Police Jury President is hereby authorized to execute a Cash Sale of the above described adjudicated property to the highest acceptable bidder. The Cash Sale shall contain all of the above conditions and requirements and shall be executed within the timelines specified.

The ordinance was introduced on the 6th day of October, 2014.

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

YEAS:	(6)	Mr. Scotty Robinson, District A; Mr. Mack Calhoun, District B; Mr. Walt Caldwell, District C; Dr. Ollibeth Reddix, District D; and Mr. Shane Smiley, District E; and Ms. Pat Moore, District F
NAYS:	(0)	
ABSTAIN:	(0)	
ABSENT:	(0)	

The ordinance was adopted this 20th day of October, 2014.

* * *

The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore stated that there have been concerns regarding early voting and asked the news media to help notify every one of the new location for the Registrar of Voters.

ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer. Mr. Cammack spoke regarding a surplus vehicle from the Federal Programs department and asked the Jury to declare the 2000 Ford Explorer, Asset #9268 as surplus and allow for sale at a public auction. Motion offered by Mr. Caldwell, seconded by Dr. Reddix to declare the vehicle as surplus and allow for sale at a public auction. Motion passed without opposition.

Mr. Cammack spoke regarding the speed radar trailer, asset #9555 and asked the Jury to transfer it to the Ouachita Parish Sheriff's Office through a cooperative endeavor agreement. Motion offered by Dr. Reddix, seconded by Mr. Robinson to approve the transfer through a cooperative endeavor agreement. Motion passed without opposition.

The president recognized Mr. Mitchell, Assistant District Attorney. Mr. Mitchell spoke regarding the residential storm damage and stated that if owners of rental properties do not have the properties cleaned up within a reasonable time then code enforcement will issue citations.

The president recognized Mr. Murray, Public Works Director. Mr. Murray requested to declare a 1978 International 510 Payload, Asset #5305 as surplus and allow for sale at a public auction. Motion offered by Mr. Calhoun, seconded by Mr. Caldwell to declare the asset as surplus and allow to sale at a public auction. Motion passed without opposition.

BEER AND WHISKEY APPLICATIONS:

Mr. Mitchell spoke regarding the beer and whiskey applications and recommended approval. Motion offered by Mr. Robinson, seconded by Mr. Caldwell to approve the following applications. Motion passed without opposition.

SAEED, AMIN A.	ARSHY ADENAH LLC DBA TAZ MART, 801 NEW NATCHITOCHEST ST., WEST MONROE, LA 71292, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
DUCHESNE, GARY B	DBA DUCHESNE PRAIRIE RD GROCERY, 1527 PRAIRIE RD, MONROE, LA 71202, RETAIL BEER "CLASS B", 2015 RENEWAL
FULLER, TERRY	DBA FULLER'S GROCERY, 4140 HWY 34, WEST MONROE, LA 71292, RETAIL BEER "CLASS B", 2015 RENEWAL

OTHER BUSINESS:

Deputy Heckford stated that America Recycles Day will be November 15.

There being no other business to come before the Jury, a motion to adjourn was offered by Dr. Reddix, seconded by Mr. Calhoun. The meeting was adjourned at 7:00 p.m.

Shane Smiley, President

Karen Cupit, Recording Secretary