

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD ON,
MONDAY, NOVEMBER 17, 2014 AT 5:33 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, November 17, 2014 at 5:33 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. Mr. Mitchell stated that he had three items which could come under his name on the agenda and that each of these items had arisen since the agenda was published and needed action before the next meeting. Mr. Mitchell stated that an amended donation of the Mallard Estates sewer system to West Ouachita Sewer District #16 needed to be approved as a land sale was closing this week. Mr. Mitchell stated that the Jury needed to approve a cooperative endeavor agreement with the State of Louisiana Department of Transportation in regards to recycled asphalt. Mr. Mitchell stated that the Public Works department was exploring piggy-backing on the contract Lafayette Parish has to purchase a pothole patching machine. Lafayette Parish needed a form completed by the Jury. The information for the cooperative endeavor agreement and from Lafayette Parish was received today. Motion offered by Mr. Caldwell, seconded by Ms. Moore to approve the agenda with the amendments. 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 November 3, 2014 was offered by Ms. Moore seconded by Mr. Caldwell. Motion passed without opposition. .

VISITORS:

The president recognized Rev. James Johnson, 985 Moore Road, Monroe, and Mr. Sherry Ray Wilson, 195 Weatherford Road, Monroe. They spoke regarding the gun range that is being constructed in their area. Mr. Wilson stated that they are worried about safety with the proximity of the range to residents. Mr. Mitchell stated that the Jury learned that construction had begun on the site without a permit. A stop work order and a citation have been issued and delivered to the owner by Sgt. Wayne Heckford.

The president recognized Karl Dhaliwal, 2800 Cuba Boulevard, Monroe. Mr. Dhaliwal spoke regarding illegal dumping on his property. Mr. Dhaliwal is interested in cameras being used to help identify the dumpers.

Dr. Reddix arrived at the meeting at 5:50 PM.

The president recognized Neal Brown, Homeland Security. Mr. Brown stated that Ouachita Parish did not meet the threshold for Public Assistance or Individual Assistance from FEMA. The Parish did meet the threshold for Small Business Administration (SBA) loans. There will be an area set up on the second floor of the Ouachita Parish Public Library for those seeking SBA assistance.

The president recognized Joe Hall, 2605 South 6th Street, Monroe. Mr. Hall is concerned about drainage after a construction project has been started on Burg Jones Lane. Dr. Reddix stated that the new Sycamore Point development is not in the Parish's jurisdiction but it is causing problems for parish residents. Mr. Mitchell stated that the property has been annexed by the Town of Richwood and falls under that jurisdiction's building codes and ordinances. The Jury has worked to get all of the nearby jurisdictions together to discuss the drainage problems. Parish Engineer Kevin Crosby has also offered his comments on the plans.

The president recognized Ms. Lou Jameson, 2507 South 6th Street, Monroe. Ms. Jameson lives near the construction on Burg Jones Lane. She stated that she did not receive any notification regarding the development. She wanted Jurors to tell her who to speak with about her concerns. Dr. Reddix stated that the development is in the Town of Richwood, and residents should let the town know about concerns.

ENGINEERING REPORT:

The president recognized Mr. Riggin, Lazenby & Associates. Mr. Riggin presented the quotes on the Willett Place turn lane project and stated that the low quote was from The Mabry Company in the amount of \$51,315. Motion offered by Dr. Reddix, seconded by Mr. Caldwell to accept the low quote from The Mabry Company to be paid from the road program and to authorize the president to sign the notice to proceed. Motion passed without opposition.

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Motion offered by Dr. Reddix, seconded by Mr. Smiley 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 6:32 p.m. The chairman recognized Mr. Cammack, Treasurer.

Mr. Cammack presented the claim statement for the period of October 17, 2014 through November 13, 2014 and recommended approval. Motion offered by Mr. Smiley, seconded by Mr. Robinson to approve the claims for the period stated as recommended by the Treasurer. Motion passed without opposition.

Mr. Caldwell asked to defer the 2014 amended and 2015 proposed budgets to the finance meeting after the regular meeting.

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 Dr. Reddix, seconded by Mr. Calhoun. The finance committee meeting was adjourned at 6:33 p.m.

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MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Robinson, District A.

MR. SCOTTY ROBINSON, DISTRICT A:

Mr. Robinson asked to defer the matter concerning Vancil Road turn lanes. He stated that the state had denied a request to add a red light at Vancil Road.

The president recognized Mr. Calhoun, District B.

MR. MACK CALHOUN, DISTRICT B:

Mr. Calhoun asked to defer the matter of property adjacent to Cheniere Lake Park Area 1.

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 stated that she did not have any additional items.

MR. SHANE SMILEY, DISTRICT E:

Mr. Smiley introduced the following ordinance.

**ORDINANCE NO. 9056
(INTRODUCTION ONLY)**

AN ORDINANCE TO AUTHORIZE AN ACT OF SALE BY THE PARISH OF OUACHITA TO SELL ADJUDICATED PROPERTY DESCRIBED AS: 1.30 ACRES IN THE SE ¼ OF SW ¼ OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 2 EAST, OUACHITA PARISH, LOUISIANA, 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 June 1, 1994, for nonpayment of taxes; and

WHEREAS, the three (3) year period for redemption provided by Art. 7, §25 of the Louisiana Constitution has elapsed, as well as the three (3) year redemption period 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 \$2,666.67; and

WHEREAS, the Parish of Ouachita has received a written offer to purchase said property from Paul Roberts for the consideration of \$2,666.67 (two thousand six hundred sixty six dollars and sixty seven cents) cash, at the time of sale and has been accepted by the Ouachita Parish Police Jury; and

WHEREAS, the property described herein below is scheduled for public auction on December 10, 2014 at 10:00 a.m.

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 #19200, with municipal address 0 Minnifield Road, Calhoun, LA 71225, and more fully described as:

A certain 1.30 acre tract of land located in the Southeast Quarter of Southwest Quarter (SE ¼ of SW ¼) of Section 30, Township 18 North, Range 2 East, Ouachita Parish, Louisiana and being described as follows:

FROM the Southeast corner of said SE ¼ of SW ¼ run North along the East line of SE ¼ of SW ¼, a distance of 169 feet to a point on the South Line of I-20 Highway Right-of-Way; thence run Northwesterly along said Right-of-Way, a distance of 1,145 feet, more or less, to a point lying 250 feet Southeasterly along said Highway Right-of-Way from the Northeast corner of Cheniere Creek Horse Farms, Inc. (Conveyance Book 1089, page 308); thence continue Northwesterly a distance of 250 feet to said Northeast corner; thence run South along the East line of Cheniere Creek Horse Farms property, a distance of 260 feet, more or less, to a point on the Centerline of Minnifield Road; thence run South 68° 58' East along said Centerline a distance of 200 feet; thence run Northeasterly a distance of 250 feet, more or less, to the POINT OF BEGINNING, containing 1.3 acres, more or less, and being subject to any right-of-ways, (Minnifield Road), Easements, or Servitudes, in place or of record.

- 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.

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

RESOLUTION NO. 14-51

A RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN EAST OUACHITA RECREATION DISTRICT NO. 1; AUTHORIZING THE LEVY AND COLLECTION OF A SPECIAL TAX THEREIN; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Board of Commissioners of the East Ouachita Recreation District No. 1 of Ouachita Parish, Louisiana (the “District”), has requested that this Police Jury approve the holding of a special election in the District and in the event said election carries, that this Police Jury approve the levy and collection of a special tax therein;

WHEREAS, as required by Article VI, Section 15 of the Louisiana Constitution of 1974, it is now the desire of this Police Jury to approve the holding of said election in the District and the levy and collection of a special tax therein;

NOW THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury, acting as the governing authority of the Parish of Ouachita, State of Louisiana, that in compliance with the provisions of Article VI, Section 15 of the Louisiana Constitution of 1974, and in accordance with the request of the Board of Commissioners of the East Ouachita Recreation District No. 1 of Ouachita Parish, Louisiana, this Police Jury hereby approves the holding of an election in the District, on March 28, 2015, at which election there will be submitted a proposition to renew a special tax of seven and one-half mills on all the property subject to taxation in said District for a period of ten (10) years, beginning with the year 2016 and ending with the year 2025, for the purpose of constructing, improving, maintaining, operating and equipping the recreational facilities of the District;

BE IT FURTHER RESOLVED that in the event the aforesaid proposition is approved by the voters at said election, this Police Jury does hereby approves the levy and collection of a special tax within the East Ouachita Recreation District No. 1 of Ouachita Parish, Louisiana in accordance with the Proposition described above.

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

<u>Member</u>	<u>Yea:</u>	<u>Nay:</u>	<u>Absent:</u>	<u>Abstaining:</u>
Scotty Robinson	<u>X</u>	_____	_____	_____
Mack Calhoun	<u>X</u>	_____	_____	_____
Walt Caldwell	<u>X</u>	_____	_____	_____
Ollibeth Reddix	<u>X</u>	_____	_____	_____
Shane Smiley	<u>X</u>	_____	_____	_____
Pat Moore	<u>X</u>	_____	_____	_____

And the resolution was declared adopted on this, the 17th day of November, 2014.

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The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore asked Mr. Riffin for an updated on Moore Road. Mr. Riffin stated that the contractor would finish driving pilings this week. He reminded the Jury that the project is a State of Louisiana Department of Transportation and Development project.

Ms. Moore asked to defer Ordinance No. 9057 until the next meeting.

ADMINISTRATIVE REPORTS:

The president recognized Ms. Doretha Bennett, Federal Programs Director. She asked that the 2010 Ford Explorer, Asset # 15037, belonging to the Section 8 program be declared surplus. The vehicle is in need of costly repairs that are not warranted given the vehicle's age and mileage. Motion offered by Mr. Robinson, seconded by Mr. Caldwell to declare the vehicle as surplus. Motion passed without opposition.

The president recognized Mr. Cammack, Treasurer. Mr. Cammack presented the proposed 2015 calendar and requested approval. Motion offered by Mr. Caldwell, seconded by Mr. Robinson to approve the calendar as presented. Motion passed without opposition.

The president recognized Mr. Mitchell, Assistant District Attorney. Mr. Mitchell stated that the donation of the sewer system in Mallard Estates to West Ouachita Sewer District #16 needed to be amended as the ownership of land where the sewer treatment plant is located was not included in the original donation. Motion offered by Dr. Reddix, seconded by Mr. Robinson to approve the amended act of donation and authorize the president to sign the appropriate documents. Motion passed without opposition.

Mr. Mitchell stated that a Cooperative Endeavor Agreement between the Jury and the State of Louisiana regarding recycled asphalt needed to be approved. The recycled asphalt is being generated from a current DOTD project. Motion offered by Mr. Calhoun, seconded by Ms. Moore to approve the Cooperative Endeavor Agreement and authorize the president to sign the appropriate documents. Motion passed without opposition.

Mr. Mitchell stated that the Public Works department was exploring piggy-backing off a contract that Lafayette Parish has to purchase a pothole patching machine. Lafayette Parish had sent a form that the Parish needed to complete to move forward in the process. Motion offered by Mr. Calhoun, seconded by Mr. Caldwell to authorize the purchase of the pothole patching machine by piggy-backing off the Lafayette Parish contract. Motion passed without opposition.

Mr. Mitchell stated that the current owner of the Westside Subdivision sewer system wants to donate the system to West Ouachita Sewer District #5. Motion by Mr. Robinson, seconded by Mr. Caldwell to request the acceptance of the Westside Subdivision sewer system by West Ouachita Sewer District #5. Motion passed without opposition.

Dr. Reddix asked the status of her requests concerning a fence along a pasture on Burg Jones Lane. Mr. Mitchell stated that the lessee of the property on Burg Jones Lane had been located. Code Enforcement will be following up concerning the fence that is falling into the ditch. A letter has also been sent to the Department of Corrections who owns the property.

The president recognized Mr. Murray, Public Works Director. Mr. Murray spoke regarding final subdivision approval for Old D'Arbonne Crossing, Unit 2 and recommended approval. Motion offered by Mr. Caldwell, seconded by Mr. Robinson to grant final subdivision approval subject to comments from the Public Works Department and parish engineer being adequately answered. Motion passed without opposition.

Mr. Murray spoke regarding preliminary subdivision approval for Frenchman's Bend, Unit 17 & 18 and recommended approval. Motion offered by Mr. Caldwell, seconded by Mr. Robinson to grant preliminary subdivision approval subject to comments from the Public Works Department and parish engineer being adequately answered. Motion passed without opposition.

BEER AND WHISKEY APPLICATIONS:

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

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| 1) ARRANT, JAMES E. | DBA ED'S LOUNGE, 1260 NEW NATCHITOCES RD, WEST MONROE, LA 71292, RETAIL BEER "CLASS A", RETAIL LIQUOR "CLASS C", 2015 RENEWAL |
| 2) PATEL, HARSHADBHAI | SEVEN STARS OF MONROE, LLC, DBA TOBACCO STOP #3, 151 WELL RD, WEST MONROE, LA 71291, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL |

- 3) PRAXAYBANE, PATRICK DBA BANGKOK SPICE RESTAURANT, LLC, 5332 CYPRESS STREET, WEST MONROE, LA 71292, RETAIL BEER "CLASS A", RETAIL LIQUOR "CLASS C", RETAIL RESTAURANT "CLASS R", 2015 RENEWAL
- 4) DAHAL, BAL SMOKER'S EXPRESS OF SWARTZ, LLC DBA SMOKER'S EXPRESS, 518 LINCOLN RD, MONROE, LA 71203, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 5) DAHAL, BAL SMOKER'S PARADISE OF MONROE II LLC DBA PARADISE LOUNGE, 1500 BAILEY ST. STE. 2, WEST MONROE, LA 71292, RETAIL BEER "CLASS A", RETAIL LIQUOR "CLASS C", 2015 RENEWAL
- 6) DAHAL, BAL SMOKERS PARADISE OF MONROE II, LLC DBA TOBACCO STOP #5, 1500 BAILEY ST. STE. 1, WEST MONROE, LA 71292, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 7) CORDELL, JOHN H. CENTRAL OIL & SUPPLY CORP DBA HARDE MART #103, 331 HWY 546, WEST MONROE, LA 71291, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 8) CORDELL, JOHN H. CENTRAL OIL & SUPPLY CORP DBA HARDE MART #115, 104 HWY 34, WEST MONROE, LA 71292, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 9) LEAR, BERNIE JOHNNY'S PIZZA HOUSE INC. DBA JOHNNY'S PIZZA HOUSE #4, 3001 OLD STERLINGTON RD, MONROE, LA 71203, RETAIL BEER "CLASS A", RETAIL RESTAURANT "CLASS R", 2015 RENEWAL
- 10) LEAR, BERNIE JOHNNY'S PIZZA HOUSE INC. DBA JOHNNY'S PIZZA HOUSE #13, 1126 HWY 139, MONROE, LA 71203, RETAIL BEER "CLASS A", RETAIL RESTAURANT "CLASS R", 2015 RENEWAL

- 19) SPANGLER, VANCE DBA CLUB COYOTE TRAILS LLC, 8609 CYPRESS ST, WEST MONROE, LA 71291, RETAIL BEER "CLASS A", RETAIL LIQUOR "CLASS C", 2015 RENEWAL
- 20) PARKER, BRAD SAM ELLEN LLC DBA IRON CACTUS, 1304 HWY 80 E, CALHOUN, LA 71225, RETAIL BEER "CLASS A", RETAIL LIQUOR "CLASS C", 2015 RENEWAL
- 21) AULAKH, LADDIE S. USA TRUCKSTOP, INC., DBA 103 RESTAURANT, 987 HWY 80 E, CALHOUN, LA 71225, RETAIL BEER "CLASS A", RETAIL LIQUOR "CLASS C", RETAIL RESTAURANT "CLASS R" 2015 RENEWAL
- 22) AULAKH, LADDIE S. USA TRUCKSTOP, INC. DBA 103 TRUCKSTOP, 985 HWY 80 E, CALHOUN, LA 71225, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 23) AULAKH, LADDIE S. LADLA, LLC DBA PINE HILLS GROCERY, 1300 HWY 80 E, CALHOUN, LA 71292, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 24) AULAKH, LADDIE AVI-RAJ PROPERTIES LLC DBA HILLSIDE GROCERIES, 506 OLE HWY 15, WEST MONROE, LA 71291, RETAIL BEER "CLASS B", RETAIL LIQUOR "CLASS D", 2015 RENEWAL
- 25) GOLDEN, PAUL GET N GO, LLC., DBA GET N GO, 946 OLE HWY 15, WEST MONROE, LA 71291 RETAIL BEER "CLASS B", 2015 RENEWAL

OTHER BUSINESS:

There being no other business to come before the Jury, a motion to adjourn was offered by Mr. Caldwell, seconded by Mr. Robinson. The meeting was adjourned at 6:50 p.m.

Shane Smiley, President

Karen Cupit, Recording Secretary