

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD ON,
MONDAY, SEPTEMBER 18, 2017 AT 5:40 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, September 18, 2017 at 5:40 p.m., and was duly convened by Mr. Scotty Robinson, President.

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

<u>Members Present</u>	(5)
Scotty Robinson	District A
Jack Clampit	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. Cammack asked to add excavator bid acceptance to the agenda under Mr. Murray. This item was inadvertently left off of the agenda and action was needed before the next meeting of the Jury. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to approve the agenda as amended. Motion passed without opposition.

PUBLIC COMMENT PERIOD:

The president asked for public comments on the agenda as approved. No one came forth at this point in the meeting.

ADOPTION OF MINUTES:

A motion to adopt the minutes of the regular Police Jury meeting including the committee meetings held on September 5, 2017 and the minutes of the Special Called meeting held on September 15, 2017 was offered by Mr. Caldwell, seconded by Ms. Moore. Motion passed without opposition.

VISITORS:

The president recognized Shawn Ivey with PPM Consultants. Mr. Ivey spoke regarding the Brownfield Assessment Grant and stated that the grant will be through the Environmental Protection Agency and will be used for assessment of properties that have been abandoned or idle. Motion offered by Mr. Smiley, seconded by Ms. Moore to approve PPM Consultants to submit an application for the Brownfield Assessment Grant. Motion passed without opposition.

ENGINEERING REPORT:

The president recognized Mr. Crosby, Engineer. Mr. Crosby spoke regarding Change Order No. 21 for Finks Hideaway Road and stated that the change order will reconcile quantities. Motion offered by Mr. Smiley, seconded by Mr. Clampit to approve Change Order No. 21. Motion passed without opposition.

Mr. Crosby presented the Stage 0 Reports for the 2018/2019 funding cycle for the Federal Highway Administration. Mr. Crosby recommended approving the Stage 0 Reports for Well Road and Hadley Street. Motion offered by Ms. Moore, seconded by Mr. Caldwell to approve the Stage 0 Reports. Motion passed without opposition.

Mr. Crosby spoke regarding the emergency repair to Comanche Trail and stated that the contractor should begin work by Thursday.

Mr. Crosby spoke regarding Caples Road and Slocum Road and stated that the contractors have the punch list items.

Mr. Crosby spoke regarding the FEMA public assistance and hazard mitigation projects and stated he is still working with FEMA on the projects.

Mr. Crosby spoke regarding East Town & Country and Raccoon Bayou drainage projects and stated that he will be attending a meeting in Baton Rouge on Tuesday regarding the projects.

Mr. Crosby spoke regarding Jack Crowell Road and stated that the bid opening will be held on September 26.

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Motion offered by Mr. Smiley, 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. Caldwell, called the finance committee meeting to order at 5:59 p.m.

The chairman recognized Mr. Cammack, Treasurer. Mr. Cammack presented the claim statement for the period of August 17, 2017 through September 14, 2017 and recommended approval. Motion offered by Mr. Smiley, seconded by Mr. Robinson to approve payment of the claims for the period stated as recommended by the Treasurer. Motion passed without opposition.

Mr. Cammack presented budget versus actual statements to the Jury. No action was needed.

Mr. Cammack requested approval to transfer a John Deere tractor (asset 14759) from Public Works to the building maintenance department. Motion offered by Mr. Robinson, seconded by Mr. Clampit to approve the transfer. Motion passed without opposition.

Mr. Cammack requested approval to transfer a storage building (asset 7242) from the Fire Department to Animal Control. Motion offered by Mr. Clampit, seconded by Mr. Caldwell to approve the transfer. Motion passed without opposition.

Mr. Cammack requested approval of the LWDA 81 contract Amendment #3. Motion offered by Ms. Moore, seconded by Mr. Caldwell to approve Amendment #3. Motion passed without opposition.

There being no further business to come before this committee, a motion to adjourn was offered by Mr. Clampit, seconded by Mr. Smiley. Motion passed without opposition. The finance committee meeting was adjourned at 6:03 p.m.

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A motion to enter into the East Ouachita Economic Development District meeting was offered by Mr. Caldwell, seconded by Mr. Clampit.

EAST OUACHITA ECONOMIC DEVELOPMENT DISTRICT

The president called the East Ouachita Economic Development District meeting to order at 6:03 p.m.

Mr. Robinson, seconded by Mr. Clampit offered the following resolution for adoption.

RESOLUTION NO. 17- 63

A RESOLUTION AMENDING AND RESTATING RESOLUTION NO. 17-54 WHICH ORDERED AND CALLED A SPECIAL ELECTION TO BE HELD BY THE EAST OUACHITA ECONOMIC DEVELOPMENT DISTRICT, STATE OF LOUISIANA, TO AUTHORIZE THE LEVY OF A SPECIAL SALES AND USE TAX IN THE DISTRICT; MADE APPLICATION TO THE STATE BOND COMMISSION AND PROVIDED FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Ouachita Parish Policy Jury, State of Louisiana (the "**Police Jury**"), acting as the governing authority (the "**Governing Authority**"), of the East Ouachita Economic Development District, State of Louisiana (the, "**District**"), did on August 7, 2017 adopt Resolution No. 17-54 (the "**Original Resolution**") calling an election (the "**Election**") to have the electorate consider the approval of the levy and collection of a sales and use tax of one and thirty-nine hundredths percent (1.39%) on all sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales and services within the District, as defined by law, each for a period of twenty-five (25) years (the "**Tax**") and to take all necessary actions ancillary thereto; and

WHEREAS, the Governing Authority desires to amend and restate the Original Resolution in its entirety pursuant to the terms herein.

NOW THEREFORE, BE IT RESOLVED by the Ouachita Parish Policy Jury in its capacity as the Governing Authority of the District, that:

SECTION 1. Election Call. Subject to the approval of the Louisiana State Bond Commission, and under the authority conferred by Article VI, Sections 29, 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended and other constitutional and statutory authority, a special election is hereby called and ordered to be held by the District on **Saturday, November 18, 2017** between the hours of seven o'clock (7:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at said election there shall be submitted to all registered voters qualified and entitled to vote at said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION

Shall the East Ouachita Economic Development District, State of Louisiana (the "District"), under the provisions of Article VI, Sections 30 & 32 of the Louisiana Constitution of 1974, as amended, and other authority, be authorized, and to adopt an ordinance, to levy and collect, a sales and use tax of one and thirty-nine hundredths percent (1.39%) on sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales and services within the District, as defined by law, inclusive (the "Tax") (an estimated \$2,650,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for a period of twenty-five (25) years, commencing effective April 1, 2018 and shall the proceeds of said Tax (after paying the reasonable and necessary expenses associated therewith) be dedicated and used for the purpose of undertaking economic development projects consisting of, but not limited to, road, drainage, related infrastructure projects and improvements, and securing and paying bonded indebtedness for the aforementioned purposes, all for benefit of the District?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the "Ouachita Citizen", a newspaper of general circulation within the District, published in Monroe, Louisiana, and being the official journal of the Governing Authority, once a week for four (4) consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the election, which Notice shall be substantially in the respective forms attached hereto as Exhibit "A" and incorporated herein by reference the same as if it were set forth herein in full, with such changes as may be necessary to be made at the discretion of the Chairman, Secretary or such other representative of the District as shall have the apparent authority to make said changes (the "**Authorized Representative**"). As of the adoption of this resolution, the registrar of voters was

unable to provide a list of polling places for the District. Once that information is received, the Authorized Representatives are hereby directed to complete the Notice by including said information, prior to publication.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, at Police Jury Meeting Room (2nd Floor – Ouachita Parish Courthouse), 301 South Grand, Monroe, LA, on **MONDAY DECEMBER 4, 2017, at 5:30 P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election, as published pursuant to Section 2 hereof, are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on **December 4, 2017**, as provided in Section 3 hereof. All registered voters in the District are entitled to vote at said special election and voting machines shall be used.

SECTION 6. Authorization of Officers. The Authorized Representative is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Authorized Representative is further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this Resolution shall be forwarded to the Louisiana Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodians of Voting Machines in and for the Parish of Ouachita, State of Louisiana (the “**Parish**”), and the Registrar of Voters in and for said Parish, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Employment of Bond Counsel. It is recognized, found and determined that a real necessity exists for the employment of bond counsel in connection with the election; accordingly, Boles, Shafto & Leonard, LLC, located in Monroe, Louisiana, is hereby employed as Bond Counsel to perform comprehensive, legal and coordinate professional work with respect to the election. Bond counsel shall (i) prepare and submit to the District for adoption all the proceedings incidental to the election; and (ii) counsel and advise the District with respect to the election. The fee to be paid Bond Counsel for work on this election shall be an amount equal to the Attorney General's then current Fee Schedule for hourly rate work only and other guidelines for comprehensive, legal and coordinate professional work, together with reimbursement of out-

of-pocket expenses incurred and advanced in connection with the election, said fee to be payable by the Commission subject to the Attorney General's written approval of said employment and fee.

SECTION 9. Additional Notice Requirement. This Governing Authority made the announcement with respect to the adoption of the Original Resolution required by La. R.S. 42:19.1, at its public meeting on Monday, June 19, 2017 and published said announcement in the Official Journal on Thursday, July 6, 2017.

SECTION 10. Amendment and Restatement. The Original Resolution is hereby amended and replaced in its entirety by this Resolution, effective as of August 7, 2017.

SECTION 11. Application to State Bond Commission and Secretary of State. Application is made to the Louisiana State Bond Commission and the Secretary of State for consent and authority to hold the special election as herein provided, and in the event that election carries for further consent and authority to dedicate the proceeds of the Tax, and a certified copy of this Resolution shall be forwarded to the Louisiana State Bond Commission and Secretary of State on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

YEAS:	(5)	Mr. Scotty Robinson, District A; Mr. Jack Clampit, District B; Mr. Walt Caldwell, District C; Mr. Shane Smiley, District E; and Ms. Pat Moore, District F.
NAYS:	(0)	
ABSTAIN:	(0)	
ABSENT:	(1)	Dr. Ollibeth Reddix, District D

And the resolution was declared adopted on this the 18th day of September, 2017.

/s/ Karen Cupit
Recording Secretary

/s/ Scotty Robinson
President

Motion offered Mr. Smiley, seconded Mr. Clampit to adjourn the East Ouachita Economic Development District meeting and reconvene the regular meeting. Motion passed without opposition. The regular meeting reconvened at 6:05 p.m.

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Motion offered by Mr. Caldwell, seconded by Mr. Robinson to ratify and adopt all actions taken in the committee meetings. Motion passed without opposition.

MOTIONS * ORDINANCES * RESOLUTIONS:

MR. SCOTTY ROBINSON, DISTRICT A:

Mr. Robinson introduced the following ordinance.

ORDINANCE NO. 9164

AN ORDINANCE TO AUTHORIZE AN ACT OF SALE BY THE PARISH OF OUACHITA TO SELL ADJUDICATED PROPERTY DESCRIBED AS: PARCEL 57136 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 1, 1997, for nonpayment of taxes; and

WHEREAS, the three (3) year period for redemption, as well of the five (5) year redemptive period provided by Art. 7, §25 of the Louisiana Constitution has elapsed and 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 purchase price in the amount of \$2,666.66 and

WHEREAS, the Parish of Ouachita has received a written offer to purchase said property from Pat and Lana Hezekiah for the consideration of \$2,666.66, 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 is described as Parcel # 57136 / 2813 Oak Street:

**LOT 6, SQUARE 31, RENWICKS ADDITION, 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.

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Mr. Robinson introduced the following ordinance.

ORDINANCE NO. 9165

**AN ORDINANCE AMENDING SECTION 14-1 OF THE COMPILED
ORDINANCES OF THE OUACHITA PARISH POLICE JURY, TO ESTABLISH A
SPEED LIMIT OF FORTY (40) MILES PER HOUR FOR HARRELL ROAD;**

PROVIDING FOR A PUBLIC HEARING; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Ouachita Parish Police Jury has previously established a speed limit of 35 mph for Harrell Road in Ward 5; and,

WHEREAS, the Parish Engineer has indicated that an increase in the speed limit on said road would be helpful to the flow of traffic in this area of the parish;

NOW THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and regular session that Section 14-1(124) of the Compiled Ordinances of the Ouachita Parish Police Jury, be, and is hereby, supplemented and amended to change the speed limit for Harrell Road to 40 mph;

BE IT FURTHER ORDAINED that the Ouachita Parish Public Works Department is directed to post signage indicating this new speed limit without delay and that said 40 mph speed limit shall become effective upon the posting of such signage.

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The president recognized Mr. Clampit, District B.

MR. JACK CLAMPIT, DISTRICT B:

Mr. Clampit 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 stated that Dr. Reddix was absent.

The president recognized Mr. Smiley, District E.

MR. SHANE SMILEY, DISTRICT E:

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

The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore stated that she did not have any items.

ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer. Mr. Cammack requested approval to terminate Anna Arnold. Motion offered by Mr. Clampit, seconded by Mr. Smiley to approve the termination. Motion passed without opposition.

The president recognized Chief Hemphill, Fire Department. Chief Hemphill stated that he did not have any items.

The president recognized Mr. Mitchell, Assistant District Attorney. Mr. Mitchell spoke regarding the contract with Lazenby & Associates for the FY 2017 LCDBG Pink Street area and Violet/Iris Street area project and recommended approval. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to approve the contracts with Lazenby & Associates. Motion passed without opposition.

The president recognized Mr. Murray, Public Works Director. Mr. Murray spoke regarding resubdivision for Chauvin Place, Unit 2, Lots 31 & 32 and recommended approval. Motion offered by Mr. Smiley, seconded by Mr. Caldwell to grant resubdivision approval for Chauvin Place, Unit 2, Lot 31 & 32 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 Fairbanks Development, Unit 3 and recommended approval. Motion offered by Mr. Caldwell, seconded by Mr. Clampit to grant preliminary subdivision approval for Fairbanks Development, Unit 3 subject to comments from the Public Works Department and parish engineer being adequately answered. Motion passed without opposition.

Mr. Murray requested to hire Kevin Traylor as Survey Aide I. Motion offered by Ms. Moore, seconded by Mr. Clampit to hire Kevin Traylor. Motion passed without opposition.

Mr. Murray presented the excavator bid results and stated that the lowest conforming bid was from Scott Equipment for \$146,500. Motion offered by Mr. Caldwell, seconded by Mr. Clampit to accept the bid from Scott Equipment. Motion passed without opposition.

BEER AND WHISKEY APPLICATIONS:

There were none.

OTHER BUSINESS:

There being no other business to come before the Jury, a motion to adjourn was offered by Mr. Clampit, seconded by Mr. Robinson. The meeting was adjourned at 6:12 p.m.

Scotty Robinson, President

Karen Cupit, Recording Secretary