

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD MONDAY, APRIL 21, 2008 AT 5:35 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, April 21, 2008 at 5:35 p.m., and was duly convened by Mr. Walt M. Caldwell, 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>

**Members Absent**                      **(0)**

Invocation was given by Mr. Jackson. Pledge of Allegiance was led by Mr. Jackson.

The president recognized Honorable Ben Jones, Judge 4<sup>th</sup> Judicial District Court. Judge Jones spoke regarding the office space needed to accommodate three new judges. Discussion ensued. Bill Land, Architect spoke and presented to the jury a brief analysis of the existing floor plan and a proposed floor plan. Discussion ensued again. Bill Roark spoke regarding properties available for lease or purchase. Discussion ensued. No action taken on this matter at this time.

The president recognized Dorothy Martin, resident of Garden Park Subdivision. Ms. Martin spoke regarding the condition of the ditch located between the subdivision and LA Machinery. Discussion ensued. Ms. Moore spoke regarding the matter and stated that Mr. Mitchell had been asked to speak to officials at LA Machinery concerning the ditch. Ms. Moore asked that a letter be sent to LA Machinery to follow up on the matter and subsequently a letter would be sent to Ms. Martin.

The president recognized David Sisson. Mr. Sisson did not appear.

The president recognized Tana Trichel. Ms. Trichel spoke regarding the matter of a request for \$25,000 grant writing proposal. Ms. Trichel stated that the proposal provided value to find resources in our community as well as avenues for searching for available grant funds. Ms. Trichel introduced Mr. Danny McGee who is a grant writer. Ms. Trichel requested that the jury

reinstate the grant and retain Mr. McGee for a year beginning May 1, 2008. Mr. Caldwell stated that the item was not on the agenda and would be added to the next regular jury meeting. Ms. Trichel spoke again regarding the Pecanland Industrial Park. Discussion ensued. No action taken on this matter.

The president recognized Janice Williams. Ms. Williams expressed thanks to the Code Enforcement Officers and the jury in their efforts in cleaning up the College Point area.

The president entertained a motion from Mr. Jackson, seconded by Mr. Blade to recess the Regular Meeting and to reconvene as the Finance Committee Meeting. No opposition.

The Finance Committee meeting was called to order by the chairman, Mr. Charles Jackson at 6:35 p.m. Mr. Jackson spoke regarding the litigation concerning the protested pipeline ad valorem taxes in deferred revenue. Mr. Cammack and Mr. Mitchell spoke regarding the matter. Discussion ensued. No action taken on this matter.

Mr. Jackson recognized Mr. Cammack. Mr. Cammack asked for a waiver to amend the agenda to take up the matter of over the counter drugs and prescription drugs for the Correctional Center.

Motion by Mr. Caldwell, seconded by Mr. Smiley to amend the agenda to take up this item. Motion passed with more than 2/3 votes. Mr. Cammack stated that the low bidder had withdrawn its bid and recommended that the new low bid of Healthcare Warehouse be accepted at this time. Motion by Mr. Caldwell, seconded by Mr. Smiley to accept the bid of Healthcare Warehouse as the low bidder for over the counter drugs and prescription drugs for the Correctional Center.

Mr. Cammack spoke regarding the Workmen's Comp Certificate of Deposit and asked Mr. Mitchell to speak regarding the matter. Discussion ensued. Motion by Mr. Caldwell, seconded by Mr. Blade to authorize the President to execute the necessary documents subject to conditions being met. Motion passed with no opposition.

Mr. Cammack spoke regarding the matter of the pay periods for 2009. Mr. Cammack indicated to the jury that there would be 27 pay periods in that year. Discussion ensued. No action taken at this time on this matter.

Mr. Cammack spoke regarding the matter of the claims statement for the period covering March 14, 2008 through April 18, 2008. Motion by Mr. Caldwell, seconded by Mr. Calhoun to approve the claims. Motion passed with no opposition.

Mr. Cammack stated that the monthly exception report will be presented by Karen Cupit. Discussion ensued. No action taken on this matter.

Mr. Cammack spoke regarding the 2008 mid year budget amendments and the amended ordinance. Mr. Cammack stated that Mr. Rhodes had an item that was not included in the original budget for Green Oaks and would like the jury to consider it. Mr. Rhodes spoke regarding a phone system for the new addition to the facility. Discussion ensued. Mr. Cammack stated that the cost of the new phone system will be included in the 2008 mid year budget adjustments.

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

The chairman adjourned the finance committee meeting at 7:10 p.m. The president stated that we would take a break before resuming the regular meeting.

Motion by Mr. Blade, seconded by Mr. Smiley to reconvene the regular meeting of the Police Jury at 7:31 p.m. Motion passed with no opposition.

The president recognized Mr. Charles Jackson.

Mr. Jackson asked Mr. Harrison to update the jury regarding the Alternate Entry Planning of Hamilton Park, Sylvan Lakes, and Northwood Estates Subdivision. Discussion ensued. No action taken on this matter.

Mr. Jackson asked Mr. Cammack to speak regarding the matter of West Ouachita Sewerage District #16. Mr. Cammack spoke regarding the rate charged per month for sewerage services. Mr. Cammack stated that maintenance costs were exceeding the revenues received by the district and suggested that the jury considered increasing the rate. Discussion ensued. No action taken on this matter.

Mr. Jackson introduced the following ordinance:

#### **ORDINANCE NO. 8889 (INTRODUCTION)**

**AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 24 OF THE COMPILED ORDINANCES OF OUACHITA PARISH, LOUISIANA TO REGULATE UNKEPT GRASS AND WEEDS IN CLEARLY RESIDENTIAL AREAS OUTSIDE RECOGNIZED SUBDIVISIONS; PROVIDING FOR A PUBLIC HEARING; AND, FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, in accordance with then-existing state law Article II of Chapter 24 of the Compiled Ordinances of Ouachita Parish, Louisiana limited the Ouachita Parish Police Jury's authority to require the cutting of grass and obnoxious weeds to properties located "in a recognized subdivision;"

**WHEREAS**, La. Acts 219 (2007) extended the authority of the Ouachita Parish Police Jury to compel property owners to cut grass and obnoxious weeds to apply not only to properties within recognized subdivisions, but also to properties “in a clearly established residential area on a state highway or a parish road.”

**WHEREAS**, the Ouachita parish Police Jury finds that requiring the cutting of grass and obnoxious weeds in clearly established residential areas on a state highway or a parish road is in the public interest even where such residential areas fall outside recognized subdivisions.

**NOW THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in regular and legal session that Article II of Chapter 24 of the Compiled Ordinances of Ouachita Parish, Louisiana be amended as follows (new language is underscored):

“ARTICLE II. UNKEPT GRASS AND WEEDS

Sec. 24-16. Grass and weeds on lots in residential areas.

Owners of any lot located in a recognized subdivision or any parcel located in a clearly established residential area on a state highway or a parish road outside of municipalities within the Parish of Ouachita shall cut all grass and obnoxious weeds on such property.

(Ord. No. 8004, 9-22-86)

Sec. 24-17. Notification of lot owner.

Upon failure of a lot or parcel owner to cut grass and obnoxious weeds as required above, the Ouachita Parish Police Jury shall cause notice of such failure to be sent by registered or certified letter or other adequate notice to the owner of said lot.

(Ord. No. 8004, 9-22-86)

Sec. 24-18. Authority of parish to cut grass and weeds.

If the owner of a lot or parcel fails to cut such grass and weeds when requested within fifteen (15) days after receipt of written notice, the police jury shall cause such grass and weeds to be cut or removed and shall assess the cost of such cutting and removal against the owner of the lot.

(Ord. No. 8004, 9-22-86)

Sec. 24-19. Payment of cost by property owner.

The owners of lots or parcels from which such grass and weeds have been cut and removed shall be required to pay the secretary-treasurer of the Ouachita Parish Police Jury the actual cost of cutting same.”

**BE IT FURTHER ORDAINED** that the effective date of this Ordinance shall be May 20, 2008; and,

**BE IT FURTHER ORDAINED** that a Public Hearing be held on May 19, 2008, at 5:30 p.m. in the Police Jury Meeting Room, to hear comments from all interested parties as to the proposed amendment of Article II of Chapter 24 of the Compiled Ordinances of Ouachita Parish, Louisiana se forth above.

The following ordinance was introduced by Mr. Jackson:

**ORDINANCE NO. 8890 (INTRODUCTION)**

**AN ORDINANCE AMENDING ORDINANCE NO. 8879, ANNUAL OPERATING BUDGET FOR GENERAL FUND, SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS, AND CAPITAL PROJECTS FUNDS FOR THE YEAR, 2008.**

The president recognized Mr. Calhoun:

**MR. CALHOUN, DISTRICT B:**

Mr. Calhoun spoke regarding Glenwood settlement monies available for matching grant funds. Motion by Mr. Calhoun, seconded by Mr. Blade to solicit for Ouachita Parish Police Jury consideration applications for available grants for litter and drainage control projects. Motion passed with no opposition.

Mr. Calhoun spoke regarding the LGAP grant for Cheniere Lake Area 3 Bathrooms. Mr. Harrison spoke regarding the matter. Discussion ensued. Motion by Mr. Calhoun, seconded by Ms. Moore to have Mr. Harrison develop plans for bathrooms at Area 3 of Cheniere Lake. Motion passed with no opposition.

The following resolution was offered by Mr. Calhoun, seconded by Mr. Jackson:

**RESOLUTION NO. 08-21**

**A RESOLUTION DECLARING THE INTENT OF THE OUACHITA PARISH POLICE JURY TO AMEND THE BOUNDARIES OF CALHOUN SEWERAGE DISTRICT NO. 6; CALLING FOR A PUBLIC HEARING; AND, FURTHER PROVIDING WITH RESPECT THERETO**

**WHEREAS**, the Ouachita Parish Police Jury established Calhoun Sewerage District No. 6 of Ouachita Parish, Louisiana by the adoption of Ordinance No. 7454 on or about August 18, 1975;

**WHEREAS**, for many years said District was dormant and a community sewerage collection and treatment for the District has yet to be funded or constructed;

**WHEREAS**, A new Board of Commissioners has been appointed for the District and that Board is moving forward to develop plans and specifications for a community sewerage system for the Calhoun community;

**WHEREAS**, said Board of Commissioners has asked the Ouachita Parish Police Jury to amend the original boundaries of the District to accommodate the actual development trends that have evolved in the Calhoun Community since the District's original boundaries were established more than thirty (30) years ago;

**NOW, THEREFORE:**

**BE IT RESOLVED** that the Ouachita Parish Police Jury hereby gives Notice of its intent to amend the boundaries of Calhoun Sewerage District No. 6 of Ouachita Parish, Louisiana in such manner as is more particularly described in Exhibit "A" attached hereto and made a part hereof;

**BE IT FURTHER RESOLVED** that a Public Hearing be held on May 19, 2008, at 5:30 p.m. in the Police Jury Meeting Room, to hear comments from all interested parties as to the proposed amendment of the boundaries of Calhoun Sewerage District No. 6;

**BE IT FURTHER RESOLVED** a Notice of the above-stated intent to amend the boundaries of Calhoun Sewerage District No. 6 and of the Public Hearing concerning the proposed amendment be published in accordance with law.

The above resolution was adopted the 21<sup>st</sup> day of April 2008 with Mr. Caldwell abstaining.

**MR. CALDWELL, DISTRICT C:**

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

**RESOLUTION 08-18**

**A RESOLUTION PROCLAIMING THE MONTH OF APRIL AS FAIR HOUSING MONTH IN OUACHITA PARISH; AND FURTHER PROVIDING WITH RESPECT THERETO:**

**WHEREAS**, the strength of our nation flows from the promise of individual equality and freedom of choice; and

**WHEREAS**, the 40<sup>th</sup> Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans-individually and collectively – to rededicate themselves to the principle of freedom from housing discrimination whenever it exists. This law guarantees for each citizen that critical, personal element of freedom of choice – selection of the home; and

**WHEREAS**, a fair housing law has been passed by the state of Louisiana, and implementation of the law requires the positive commitment, involvement, and support of each of our citizens; and

**WHEREAS**, the departments and agencies of the state of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

**WHEREAS**, barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all

**NOW, THEREFORE**, we the Ouachita Parish Police Jury do hereby proclaim the month of April 2008, as **FAIR HOUSING MONTH** in the Parish of Ouachita.

The above resolution was adopted the 21<sup>st</sup> day of April 2008.

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

**RESOLUTION 08-19**

**A RESOLUTION APPOINTING MRS. ANYA ELIAS TO THE G. B. COOLEY HOSPITAL BOARD OF COMMISSIONERS, DISTRICT C, TO COMPLETE THE UNEXPIRED TERM OF ROBERT D. HAMMETT WHO HAS RESIGNED, SUCH TERM ENDING JANUARY 6, 2009; FURTHER PROVIDING WITH RESPECT THERETO,**

**WHEREAS**, Mr. Robert D. Hammett has resigned from the G. B. Cooley Hospital Board of Commissioners;

**NOW, THEREFORE:**

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

Anya Elias, 3713 Bayside Circle, Monroe, LA 71201

**BE AND HEREBY is** appointed to the Board of Commissioners for the G. B. Cooley Hospital Board of Commissioners, to the unexpired term, beginning April 21, 2008, and ending January 6, 2009.

**BE IT FURTHER RESOLVED** that the Ouachita Parish Police Jury expresses its sincere thanks to Mr. Robert Hammett for his years of valuable service to the district as a member of its Board of Commissioners.

The above resolution was adopted the 21<sup>st</sup> day of April 2008.

The president spoke regarding the matter of the space request of the Judges' Office. Discussion ensued. Motion by Mr. Calhoun, seconded by Jackson to advise the district court that the police jury would remain willing to explore options to provide space within the courthouse but at present there is no such option available and the court should develop contingency plans to house its personnel within its existing space as provided in Ouachita and Morehouse Parishes. Additional discussion ensued. Motion passed with no opposition. The President asked Mr. Mitchell to advise the court of this action.

The President spoke regarding the Office of Homeland Security. He stated that sometime in the near future that the jury should consider hiring an Assistant Homeland Security Director in addition to filling the Administrative Assistant Position being vacated by Ms. Maroney. Discussion ensued. Motion by Mr. Caldwell, second by Mr. Blade to open the position of Administrative Assistant for the Homeland Security Office. Motion passed with no opposition.

The president recognized Mr. Blade.

**MR. BLADE, DISTRICT D:**

Mr. Blade asked Mr. Murray to speak regarding the matter of the Joint Venture with the Town of Richwood to cover ditches on MLK Drive. Mr. Murray stated that a cost estimate was being prepared and possibly would be ready at the next meeting. This matter was deferred to the next meeting.



Mr. Blade asked Mr. Murray to speak regarding the matter of the Hadley Street Bridge Project. Discussion ensued. Mr. Blade presented the following resolution, seconded by Mr. Calhoun:

**RESOLUTION NO. 08-20**

**A RESOLUTION REQUESTING THE ASSISTANCE OF LOUISIANA DOTD IN THE COMPLETION OF ENGINEERING SERVICES AND CONSTRUCTION FOR THE HADLEY STREET BRIDGE PROJECT (State Project No. 713-37-0111; Structure No. P3732291920431; Recall No. 400851); AND, FURTHER PROVIDING WITH RESPECT THERETO**

**WHEREAS**, it is the understanding that La. DOTD has approved a project for the improvement of the bridge on Hadley Street in the unincorporated area of Ouachita Parish through the State's Off-System Bridge Program;

**WHEREAS**, the Ouachita Parish Police Jury finds that La. DOTD's assistance is required to move this project forward to completion;

**NOW, THEREFORE:**

**BE IT RESOLVED** that the Ouachita Parish Police Jury hereby requests that La. DOTD obtain such Engineering Services, on behalf of the Ouachita Parish Police Jury, as are reasonable and necessary to move this project forward through design, construction, and completion;

**BE IT FURTHER RESOLVED** that the President be, and hereby is, authorized to execute such additional correspondence or documents as are required to further the purposes of the Resolution concerning the retention of Engineering Services for the Hadley Street Bridge Project by and/or through La. DOTD.

The above resolution was adopted the 21<sup>st</sup> day of April, 2008.

The president recognized Mr. Smiley, District E.

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

Mr. Smiley spoke regarding the speed limit on Bayou Oaks and introduced the following ordinance.

**ORDINANCE NO. 8888 (INTRODUCTION)**

**AN ORDINANCE AMENDING SECTION 14-1, INCREASING THE SPEED LIMIT ON BAYOU OAKS DRIVE FROM TWENTY FIVE (25) MILES PER HOUR TO THIRTY-FIVE (35) MILES PER HOUR; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Ouachita Parish Police Jury has heretofore established a specific speed limit of twenty-five (25) mph on Bayou Oaks Drive, a parish road located in District E of Ouachita Parish;

**WHEREAS**, residents have requested that the speed limit be increased to thirty-five miles-per-hour (35 mph) on said Road:

**WHEREAS**, increasing the speed limit to thirty-five miles-per-hour (35 mph) on Bayou Oaks Drive 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**

Bayou Oaks Drive- 35 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 and a Public Hearing be held to hear comments from all interested parties.

Mr. Smiley spoke regarding the matter concerning culvert permits in the parish. Discussion ensued. Motion by Mr. Smiley, seconded by Mr. Blade to keep the \$25 culvert application fee and not refund it to the residents once the culvert has been placed. Motion passed with no opposition.

The president recognized Ms. Moore. Ms. Moore had no items.

**ADMINISTRATIVE REPORTS:**

**Mr. Brad Cammack, Treasurer**

The president recognized Mr. Cammack. Mr. Cammack stated that the Homeland Security Director had a report to present to the jury for the first quarter of 2008. Mr. Beckham presented the activities of his office for the first quarter of 2008. Discussion ensued. No action taken on this matter.

Mr. Blade left the meeting at this time.

Mr. Cammack spoke concerning the insecticide bids for Mosquito Control. Mr. Cammack recommended to the jury to accept the low bids for insecticide as submitted and approved by the board for Mosquito Control. Motion by Mr. Caldwell, seconded by Ms. Moore to accept the bids. Motion passed with no opposition.

Mr. Blade returned to the meeting at this time.

Mr. Cammack recommended to the jury to accept the revision to the aerial spraying contract as approved by the Board of Commissioners of Mosquito Control. Motion by Mr. Caldwell, seconded by Ms. Moore to accept the revision to the aerial spraying contract. Motion passed with no opposition.

Mr. Cammack spoke regarding the contract for computer services and stated that he would bring something back to the next meeting.

### **Chief Pat Hemphill, Fire Department**

The president recognized Chief Hemphill.

Chief Hemphill spoke regarding the sale of two surplus fire trucks. Chief Hemphill recommended to the jury that we enter into a cooperative endeavor agreement with the Town of Farmerville to accomplish the sale of the two trucks in the amount of \$22,000. Motion by Mr. Calhoun, seconded by Mr. Smiley to enter into the agreement. Motion passed with no opposition.

Chief Hemphill spoke regarding extending the sick leave of Rick Simmons effective March 15, 2008 and extending the sick leave of Aaron J. Wink to March 21, 2008. Motion by Mr. Blade, seconded by Ms. Moore to grant the leave. Motion passed with no opposition.

Chief Hemphill spoke regarding terminating the extended sick leave for Michael Demoss effective date April 14, 2008 and terminating the extended sick leave of Perry Jordan effective date April 8, 2008. Motion by Mr. Jackson, seconded by Mr. Calhoun to return Michael Demoss and Perry Jordan to full duty. Motion passed with no opposition.

### **Mr. Jay B. Mitchell, Assistant Dist. Attorney**

The president recognized Mr. Mitchell.

Mr. Mitchell spoke regarding the elevator maintenance agreement. Discussion ensued. No action was taken on this matter. Mr. Mitchell spoke regarding the building restrictions in West Ouachita Industrial District. Mr. Mitchell asked the jury on behalf of the WOID board for authority to enforce the building restrictions in the district prohibiting dirt pit operations. Motion by Mr. Calhoun, seconded by Mr. Blade to pursue enforcement of such building restrictions in West Ouachita Industrial District. Motion passed with no opposition.

**Mr. John T. Murray, Director Public Works**

The president recognized Mr. Murray. Mr. Murray spoke regarding the matter of preliminary approval of Indian Hills Manufactured Home Subdivision, Unit 1. Mr. Calhoun asked Mr. Harrison to speak regarding the matter. The president recognized Mr. Robert George, Engineer for the project. Mr. George spoke regarding the matter of the sewage treatment plans for the subdivision. Discussion ensued. Motion by Mr. Calhoun, seconded by Ms. Moore to deny preliminary approval of Indian Hills Manufactured Homes Subdivision as recommended by the parish engineer. Motion passed with no opposition.

Mr. Murray spoke regarding the matter of preliminary approval for Chauvin Place, Unit 2 Subdivision. Mr. Harrison spoke briefly about the matter. Discussion ensued. Motion by Mr. Smiley, seconded by Mr. Caldwell to deny preliminary approval of Chauvin Place, Unit 2 Subdivision as recommended by the parish engineer. Motion passed with no opposition.

Mr. Murray spoke regarding the procedures for reporting a work request. Discussion ensued. No action taken on this matter.

The president recognized Mr. Harrison. Mr. Harrison reported he had no items.

There being no other business to come before this body. Motion to adjourn offered by Mr. Smiley, seconded by Mr. Calhoun. The meeting was adjourned at 9:10 p.m.