

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD ON,
MONDAY, AUGUST 16, 2010 AT 5:34 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 16, 2010, at 5:34 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>	(5)
Charles Jackson	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

Walt Caldwell, District C juror gave the invocation and led the pledge of allegiance.

APPROVAL OF AGENDA:

The president asked if there were any additions to the agenda. There were none. Motion offered by Ms. Moore, seconded by Mr. Calhoun to approve the agenda. Motion passed without opposition. Dr. Reddix was not present for the vote.

PUBLIC COMMENT PERIOD:

The president spoke regarding the recent change in the open meeting law requiring a mandatory public comment period. Mr. Mitchell explained that the new law went into effect on August 15th and requires that the Public Comment Period take place at each public meeting prior to voting on any action. Mr. Mitchell stated that this time would be at the beginning of each meeting unless otherwise specified.

The president asked for a motion to adopt the minutes of the Regular Police Jury Meetings including the Committee Meetings held on July 19, 2010 and August 2, 2010. Mr. Caldwell noted a correction on the August 2, 2010, minutes page 10. Motion offered by Ms. Moore, seconded by Mr. Calhoun to adopt the minutes of the jury held on July 19th and August 2nd, 2010. Motion passed with Mr. Caldwell abstaining and Dr. Reddix absent.

PUBLIC HEARING:

The president convened a Public Hearing on Ordinance No. 8966 An ordinance supplementing and amending Chapter 15, of the compiled ordinances of Ouachita Parish governing "offenses --

miscellaneous" to regulate the placement of certain signs on public property or rights-of-way in the unincorporated areas of Ouachita Parish, Louisiana; and, further providing with respect thereto. No one appeared to speak in favor of or against the ordinance. A motion to close the public hearing was offered by Mr. Caldwell, seconded by Mr. Jackson. Motion passed without opposition.

Dr. Reddix appeared at this time in the meeting.

VISITORS:

The president recognized Robin Toms, the new director of the parish library. The president welcomed Ms. Toms to the parish. Ms. Toms stated that she was looking forward to working with the jury.

The president recognized Tana Trichel, who was not present at the meeting.

The president recognized Carl Wilson of 11191 Hwy 3, Farmerville, Louisiana. Mr. Wilson spoke regarding the treatment that he and a friend received after visiting the Family Justice Center. Discussion ensued. Mr. Mitchell suggested setting up a meeting with Ms. Judy Bell of the Wellspring and Mr. Wilson to establish a dialog. No other action was taken on this matter.

The president recognized Dr. Mitchell Young of 3703 Westminister Avenue, Monroe. Dr. Young spoke regarding domestic violence and abuse in the parish. No action was taken on this matter.

Mr. Robert Slaughter of 336 Kendall Ridge Drive, West Monroe requested a variance of 7 feet within the right of way. Mr. Mitchell noted that this item was on Mr. Murray's agenda at the end of the meeting. The president asked if any juror had a problem addressing the matter at this time. No one had a problem with taking the matter up at this time. Mr. Mitchell spoke regarding the matter and stated that the variance didn't prevent any problems in the road right of way. Discussion ensued. Mr. Holtzclaw spoke regarding the matter. Mr. Holtzclaw stated after reviewing the variance and possible future improvements to the road, he did not foresee a problem with it. Discussion ensued again. Mr. Cecil Willis, 200 Kendall Ridge Drive spoke regarding the matter. A lengthy discussion ensued. Mr. Jackson addressed the jury and the residents regarding the matter. Motion offered by Mr. Jackson, seconded by Mr. Caldwell that the jury take no action on the structure built in the setback area. Motion passed without opposition.

The president recognized visitor Rita Brown, 1100 Ridge Drive, West Monroe. Ms. Brown spoke regarding the conditions of her neighborhood in the College Point area and asked that the jury do whatever possible to clean the area up. The jury asked that Ms. Brown provide a list of addresses to Deputy Heckford and follow up with her later in the week.

The president asked for a motion to recess the regular meeting in favor of the Finance Committee meeting. 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

Mr. Jackson, Chairman called the Finance Committee meeting to order at 6:50 p.m. Mr. Jackson recognized Mr. Cammack.

Mr. Cammack spoke regarding the claims statement for the period of July 16, 2010 through August 12, 2010 and recommended approval. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to approve the claims for the stated period. Motion passed without opposition.

Mr. Cammack spoke regarding the plans submitted by Bill Land for the courthouse fire protection/alarm system to the State Fire Marshall. Mr. Cammack stated that there should be some movement before the end of the year. No other action was taken on the matter.

Mr. Cammack spoke regarding the Energy Efficiency Grant and stated that recommendations had been submitted at the last meeting. Mr. Cammack noted that the engineer was working on specifications for the proposed project and would be put out for bid soon. Discussion ensued. Mr. Calhoun stated that he would be more than happy to provide his expertise when needed. After discussion, no other action was taken on the matter.

Mr. Cammack spoke regarding the Generator Project within the parish. Mr. Cammack stated that advertisement for bids were done last week and that possibly at the next meeting of the jury recommendations would be brought back for approval. Discussion ensued. No other action was taken on this matter.

Mr. Cammack passed out a proposed budget calendar and asked that the jury review it for timeliness. Discussion ensued. Mr. Jackson stated that the budget meetings would be on the off Mondays at 6 p.m.

Mr. Cammack stated that his office was working on the State Appropriation Grant in the amount of \$30,000. Mr. Cammack stated that a cooperative endeavor agreement would be brought back at the next meeting of the jury. No action was taken on this item.

Mr. Cammack stated that revenue ordinance for 2010 will be ready for introduction at the jury's next meeting. Mr. Jackson asked that Mr. Cammack send out the budget assumptions to each juror. Mr. Cammack spoke briefly regarding the projected increase in the employer's contribution to the retirement system. No action was taken on this matter.

There being no other business to come before the committee, a motion to adjourn and reconvene the regular meeting was offered by Mr. Jackson, seconded by Mr. Caldwell. The committee meeting was adjourned at 7:06 p.m.

MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Jackson, District A.

MR. CHARLES JACKSON, DISTRICT A:

Mr. Jackson stated that he had no additional items and thanked the jurors for their attention on the matter regarding Westlakes Subdivision.

The president recognized Mr. Calhoun, District B.

MR. MACK CALHOUN, DISTRICT B:

Mr. Calhoun asked Mr. Holtzclaw to speak regarding the Cheniere Lake Area 3 Bathrooms. Mr. Holtzclaw indicated that there were only 2 items left on the checklist and that he had spoken with the contractor. Mr. Holtzclaw stated that he would report back to the jury at its next meeting.

Mr. Calhoun spoke regarding the drainage issues and improvements on Britton Road. Mr. Calhoun stated that a cost estimate had been prepared on the project and asked that the jury be provided a copy for review. Mr. Calhoun asked that the matter be placed back on the agenda for the next meeting. No action was taken on the matter.

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

RESOLUTION NO. 10-38

A RESOLUTION REQUESTING THE LOUISIANA STATE MINERAL BOARD TO ADVERTISE FOR AN OIL, GAS AND MINERAL LEASE ON PROPERTY OWNED BY THE OUACHITA PARISH POLICE JURY; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Ouachita Parish Police Jury is the owner of certain property in Sections 33 & 34, T 18 N, R 2 E, Ouachita Parish, Louisiana, more particularly described on Exhibit "A" attached hereto; and

WHEREAS, Theophilus Oil, Gas & Land Services, L.L.C. has requested that a mineral lease covering said property be advertised for bid; and

WHEREAS, the Ouachita Parish Police Jury deems it advisable to advertise the above described tract for mineral lease by the Louisiana State Mineral Board;

NOW, THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury in legal and regular session that the Louisiana State Mineral Board be hereby requested and authorized to advertise for bids for an oil, gas and mineral lease on the tracts of land owned by the Ouachita Parish Police Jury as described on Exhibit "A" attached hereto and made a part hereof, containing 6.83+/- acres, more or less.

The above Resolution was adopted on this 16th day of August 2010.

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Mr. Calhoun offered the following ordinance for introduction.

ORDINANCE NO. 8967
(Introduction Only)

AN ORDINANCE AMENDING SECTION 14-1, DECREASING THE SPEED LIMIT ON CONNIE WALTERS ROAD FROM THIRTY-FIVE (35) MILES PER HOUR TO TWENTY-FIVE (25) MILES PER HOUR; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Ouachita Parish Police Jury has heretofore established a specific speed limit of thirty-five (35) mph on Connie Walters Road, a parish road located in District B of Ouachita Parish;

WHEREAS, residents have requested that the speed limit be decreased to twenty-five miles-per-hour (25 mph) on said Road:

WHEREAS, decreasing the speed limit to thirty-five miles-per-hour (25 mph) on Connie Walters Road 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

Connie Walters Road – 25 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.

The above ordinance was introduced on the 16th day of August 2010.

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The president recognized Mr. Caldwell, District C.

MR. WALT CALDWELL, DISTRICT C:

Mr. Caldwell asked that Mr. Holtzclaw speak regarding the status of Skate Lane. Mr. Holtzclaw stated that this project would be advertised for bids on Friday, August 20th. No other action was taken on this matter.

Mr. Caldwell asked Mr. Mitchell to speak regarding the request to reopen Power Avenue. Mr. Mitchell indicated that he had not gotten a response back from the state. Mr. Caldwell asked that the matter be placed back on the agenda for the next meeting.

Mr. Caldwell asked Mr. Holtzclaw about possible CDBG funding for Power Avenue. Mr. Holtzclaw indicated that nothing had been done, but he would be meeting with Gary Fontana to discuss the matter.

Mr. Caldwell asked Mr. Murray to speak regarding the dumping on the property located on Power Avenue. Mr. Murray stated that he had not gotten any feedback from the Town of Sterlington. Mr. Murray indicated that the dirt would possibly be moved back to the public works dirt pit.

Mr. Caldwell asked Mr. Holtzclaw to speak regarding the drainage issues within Treasure Island. Mr. Holtzclaw stated that he had not spoken with the corps regarding the issue, but would report back at the next meeting.

Mr. Caldwell asked Mr. Holtzclaw to schedule a meeting to address the homeowners about the drainage issues within Frenchmen's Bend Subdivision. Mr. Holtzclaw stated that he had spoken with the Charles Taylor of S. E. Huey Engineers and provided him with a copy of the updated FEMA Floodplain Maps.

Mr. Caldwell asked Mr. Holtzclaw to update the jury on the Bayou Desiard Restoration Project. Mr. Holtzclaw indicated that he had met with Mr. Janway of the City of Monroe regarding the project. Mr. Holtzclaw stated that progress was being made and that a meeting will be set up in the next couple of weeks to discuss the matter further. Discussion ensued. No other action was taken on this matter.

Mr. Caldwell spoke regarding the FEMA Floodplain Map Updates. Mr. Caldwell apologized to Craig Lott and the 911 staff for not acknowledging their input in compiling the list of properties that was provided to the residents of the parish. Mr. Holtzclaw stated that he would be working with Lisa Richardson of the Pemit Office to compile a list of questions for FEMA officials to possibly set up a public forum to address the issues. Discussion ensued. Mr. Cammack stated that letters would be mailed out this week to the residents and a protest form would be posted on the website. No other action was taken on the matter.

Mr. Caldwell asked that all matters be placed back on the agenda for the next meeting as well as a cost estimate for Moon Lake and FEMA PAL Update.

The president recognized Dr. Reddix, District D.

DR. OLLIBETH REDDIX, DISTRICT D:

Dr. Reddix asked Mr. Mitchell to speak regarding the cooperative endeavor agreement for J. S. Clark Cemetery and Swanson Correctional Facility. Mr. Mitchell stated that the agreement was being reviewed by the state. Mr. Mitchell stated that he would follow-up with the state on the agreement. Dr. Reddix stated that the advisory committee had formed and met twice. Dr. Reddix invited Mr. Holtzclaw to meet with the group on August 25th at 6 p.m. Discussion ensued. Mr. Holtzclaw informed the jury that the city was looking at securing funds for an additional pump station in the area of the cemetery. No action was taken on the matter

MR. SHANE SMILEY, DISTRICT E:

The president spoke regarding an Amendment to the LaJet Agreement. Mr. Cammack stated that an additional \$25,000 had been added to the agreement for transportation. Mr. Cammack added that Mr. Tims requested approval of the amendment. Motion offered by Mr. Smiley, seconded by Mr. Jackson to approve the amendment to the LaJet Agreement in the amount of \$25,000. Motion passed without opposition.

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

RESOLUTION 10- 39

**A RESOLUTION AUTHORIZING ACQUISITION OF THE NECESSARY
RIGHTS-OF-WAY FOR THE FINKS HIDEAWAY ROAD PROJECT; AND
FURTHER PROVIDING WITH RESPECT THERETO.**

WHEREAS, the Ouachita Parish Police Jury is responsible for requiring the rights-of-way necessary for the Fink's Hideaway Road Project (State Project No. 742-06-0101)(F.A.P. No. 3706(512);

WHEREAS, the Ouachita Parish Police Jury has contracted for the engineering, survey, abstract, appraisal and other services necessary to acquire such rights-of-way in compliance with applicable State and Federal laws and regulations;

WHEREAS, such pre-acquisition work has been completed for several of the right-of-way parcels necessary for this important public road project and it is anticipated that the pre-acquisition work for the remaining parcels will be completed shortly; and

WHEREAS, the acquisition of these rights-of-way is necessary for this project to move forward to bidding and construction without undue delay;

NOW, THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury in legal and regular session that the acquisition of rights-of-way for the Fink's Hideaway Road Project (State Project No. 742-06-0101)(F.A.P. No. 3706(512), be, and hereby is, authorized, in accordance with the plans and specifications for such project and the abstracts, appraisals and other evaluations of each such right-of-way parcel;

BE IT FURTHER RESOLVED by the Ouachita Parish Police Jury in legal and regular session that the President be, and hereby is, authorized to execute such acts as are reasonable and necessary for the acquisition of said rights-of-way in accordance with the plans and specifications for such project and the abstracts, appraisals and other evaluations of each such right-of-way parcel;

BE IT FURTHER RESOLVED that where necessary for the acquisition of such rights-of-way the District Attorney be and hereby is authorized to institute expropriation proceedings for the acquisition of such rights-of-way, including such proceedings to determine the measure of just compensation due conveying landowners;

The above Resolution was adopted on the 16th day of August 2010. No opposition.

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Mr. Calhoun left the meeting at this time.

The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore asked that the matter regarding Ordinance No. 8966 be deferred until the September 7th meeting of the jury.

Ms. Moore asked Mr. Mitchell to speak regarding the Auto Shred/Mush Water Canal CEA. Mr. Mitchell stated that a draft of the cooperative endeavor agreement had been done, but there were some items that still needed to be worked out. Mr. Mitchell indicated that he would bring the

matter back to the jury after the details had been worked out. No other action was taken on this matter.

Mr. Calhoun returned at this point in the meeting.

Ms. Moore stated that there were 3 candidates being considered for the position of Grant Consultant. Ms. Moore indicated that possibly by the second meeting in September, a recommendation would be brought back to the jury.

Ms. Moore spoke regarding the Tanglewood Heights Subdivision. Ms. Moore stated that the Whites Ferry Road Church of Christ had adopted the neighborhood, and would be sponsoring a community function for back to school over the weekend. No action taken on this matter.

Ms. Moore stated that she had met with Mr. Holtzclaw and Mr. Murray regarding Harmon Johnson and Caples Road to get feedback on how to proceed with soliciting funds for these two roads. No action was taken on the matter.

Ms. Moore offered the following ordinance for introduction:

**ORDINANCE NO. 8968
(INTRODUCTION)**

**AN ORDINANCE LIMITING CERTAIN TRUCK TRAFFIC ON TICHELI ROAD
IN THE UNINCORPORATED AREA OF OUACHITA PARISH; PROVIDING AN
ENFORCEMENT MECHANISM AND PENALTIES THEREFORE; AND FURTHER
PROVIDING WITH RESPECT THERETO.**

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ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer.

FISCAL: Mr. Brad Cammack, Treasurer

Mr. Cammack spoke regarding the FEMA Flood Plain Map listing on the website. No action was taken on the matter.

The president recognized Chief Hemphill, Fire Department.

FIRE: Chief Pat Hemphill, Fire Department

Chief Hemphill stated that he had no items. Chief Hemphill spoke briefly regarding the placement of fire hydrants and the fire rating.

The president recognized Mr. Mitchell, Assistant District Attorney.

LEGAL: **Mr. Jay B. Mitchell, Assist. Dist. Attorney**
Mr. Mitchell indicated that he had no items.

The president recognized Mr. Murray, Director of Public Works.

PUBLIC WORKS: Mr. John Tom Murray, Director

Mr. Murray expressed thanks to the media for publishing information regarding the FEMA Floodplain Maps.

The president recognized Mr. Holtzclaw, Engineer.

ROADS & DRAINAGE: Mr. Tom Holtzclaw, Engineer

Mr. Holtzclaw spoke regarding change orders for the following projects-Vancil Road, Good Hope and Louisiana Avenue. Mr. Holtzclaw recommended approval of all the change orders for the three projects. Discussion ensued. Motion offered by Mr. Jackson, seconded by Mr. Caldwell to approve the change orders as presented on the three projects. Motion passed without opposition.

Mr. Holtzclaw noted that work had begun on Dellwood & Hadley Streets.

The president recognized Mr. Rhodes, Director of Green Oaks Detention Center

GREEN OAKS: Mr. Mike Rhodes, Director

Mr. Rhodes spoke regarding the termination of three staff members, namely Carroll Bell, Tavoris Cox and Gary Melton. Discussion ensued. None of the employees were present at the meeting. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to approve the termination of Carroll Bell, Tavoris Cox, and Gary Melton effective immediately. Motion passed without opposition.

BEER AND WHISKEY APPLICATIONS:

There were none.

There being no other business to come before the jury, motion to adjourn was offered by Mr. Jackson, seconded by Mr. Caldwell. The meeting was adjourned at 8:07 p.m.

A D J O U R N!

Shane Smiley, President

Deborah H. Sewell, Recording Secretary

Adopted 9/7/10