

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING
HELD ON, MONDAY, MAY 2, 2011 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, May 2, 2011 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>	(6)
Charles Jackson	District A
Mack Calhoun	District B
Walt Caldwell	District C
Ollibeth Reddix	District D
Shane Smiley	District E
Pat Moore	District F
<u>Members Absent</u>	(0)

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

APPROVAL OF AGENDA:

The president asked if there were any additions to the agenda. There were none. Motion offered by Dr. Reddix, seconded by Mr. Jackson to approve the agenda. Motion passed without opposition.

PUBLIC COMMENT PERIOD:

The president spoke regarding the public comment period. No one appeared or came forth during this time in the meeting.

A motion to adopt the minutes of the Regular Police Jury Meeting including the Committee Meetings held on April 18, 2011 and the Special Meeting held on April 26, 2011, was offered by Mr. Jackson, seconded by Mr. Calhoun. Motion passed without opposition.

The president announced the following service awards for the month of May 2011.

911 OFFICE
DELISA PARKER – 5 YRS

GREEN OAKS
ADRIAN LUSK – 20 YRS

VISITORS:

The president recognized visitor Michael Sivils of Ouachita RV Park. Ben Marshall, Attorney for Mr. Sivils spoke to the jury. Mr. Marshall spoke regarding the flooding of the park due to rainfall. Mr. Marshall asked that the jury allow public works to work with Mr. Sivils to try to alleviate the problem. Mr. Sivils presented pictures to the jury of the flooded property. Discussion ensued. The jury asked that Mr. Holtzclaw speak regarding the matter. Mr. Holtzclaw indicated that he had been out to the area and had done some preliminary work. Mr. Holtzclaw stated that additional information was needed to assess the problem fully. Mr. Holtzclaw stated that he would get with public works and report back to the jury and Mr. Sivils. No other action was taken on this matter.

The president recognized Judge Sharon Marchman and John Sanders. Judge Marchman stated that Mr. Sanders was not present due to family illness. Judge Marchman spoke regarding a project that would construct a classroom building at the detention center with construction funds left over from a previous construction project, and additional funds from the 2011 operating fund balance. Discussion ensued.

Bill Land presented a preliminary design for the building. Mr. Rhodes spoke regarding the mandates that are currently required and the new state mandates that will go into effect in 2012. A lengthy discussion ensued. After discussion, a motion was offered by Dr. Reddix. A second motion was offered by Mr. Caldwell, seconded by Mr. Smiley to defer action on this project until the next meeting of the jury. The motion offered by Mr. Caldwell was submitted to a vote. The motion failed with Caldwell and Smiley voting yes, and Moore, Reddix, Jackson, and Calhoun voting no. A motion was offered by Dr. Reddix, seconded by Ms. Moore to authorize the construction of the classroom building as presented. Motion passed with Reddix, Calhoun, Jackson, Moore voting yes; Smiley voting no, and Caldwell abstaining from the vote.

The president spoke to the large number of visitors in the audience and asked that they limit their comments to three minutes each. The president recognized Gertrude Scott of 59 Langford Drive located in the Pine Bayou Subdivision. Ms. Scott spoke regarding the flooding within the subdivision and her home, and asked that the jury help alleviate the problem. No action was taken on this matter.

The president recognized Sherry Nelson, 116 Warwick Drive, Lakewood Estates, Monroe. Ms. Nelson spoke regarding the recent flooding of her home and the poor response from the 911 Office. Discussion ensued. Mr. Smiley asked that Public Works evaluate the drainage ditch located within the subdivision. Mr. Smiley asked Mr. Lott to

investigate the 911 calls and ensure that the calls are handled appropriately. No other action was taken on this matter.

The president recognized Mark Parker, Pastor of The Full Gospel Church, 2500 Ticheli Road. Mr. Parker spoke regarding the flooding of the church. Mr. Parker asked that the jury help the community with drainage in the area. Mr. Caldwell explained in depth how funds are used within the parish and how funds are obtained. Mr. Caldwell stated that it was very hard for the jury to address drainage issues within the parish due to a lack of funding. Dr. Reddix expressed to the audience that a community effort has to take place to address drainage issues. Dr. Reddix stated that a drainage tax may be the solution. Ms. Moore spoke regarding the Comprehensive Drainage Plan. No action was taken on this matter.

The president recognized Calvin Hawkins of 2309 Whitney Drive located in Monroe. Mr. Hawkins spoke regarding the flooding in the Pine Bayou Subdivision. Mr. Hawkins stated that the additional new subdivisions in the area are the main cause of the problems in the area. Mr. Hawkins also stated that the jury should assess the developers of the subdivisions for the problems related to the flooding. No action was taken on this matter.

Eletha Murray, 502 Greenwood Drive, Monroe spoke regarding the flooding at her home. Ms. Murray asked if there was a plan or a proposed plan to alleviate the problem in the area. Discussion ensued. Mr. Holtzclaw stated that funds had been secured from the Statewide Flood Control Program for the area. Mr. Holtzclaw stated that additional information had been requested by the state before the project could proceed. Mr. Holtzclaw noted that the information would be provided with the help of the Homeland Security Office.

Mr. Caldwell asked Mr. Mitchell to explain how sandbags are distributed in the parish. Mr. Mitchell stated that the parish cannot give away sandbags unless an emergency situation is declared.

Julia Smith, 2403 South 6th, Monroe spoke regarding the flooding of her home due to a drainage ditch located behind her house. Ms. Smith stated that the trash in the ditch was the cause for the flooding in her area. Discussion ensued. No action was taken on this matter.

Henrietta Thomas of 2401 South 6th of Monroe spoke regarding the flooding of her home which was caused by the drainage ditch located behind her home.

Rodney Williams of 69 Langford Drive stated that a possible solution to the flooding problem would be to open up Young's Bayou. Mr. Williams stated that he believe this would alleviate the problem in the area. No action was taken on this matter.

Donnie Bright of 119 Anita Drive, Monroe spoke regarding an area along Jackson Street and Buckhorn Bend Drive. Mr. Bright stated that the culvert or drainage ditch needed to be cleaned out so that the water could flow. No action was taken on this matter.

Wyatt Wilson of Pine Bayou Subdivision stated that he felt the solution would be to get the water directed to the river from the subdivision.

Rev. John Sewell spoke regarding the flooding within the parish. Rev. Sewell commended the Public Works Department and spoke regarding the operation of the Homeland Security Office. Rev. Sewell asked that the jury consider getting additional staff for the Homeland Security Office.

Ms. John Ethel Minifield of 1300 Walton Lane spoke regarding the flooding in the area. Ms. Minifield asked that the jury address the problem by any means and to put the issue on the ballot. Ms. Minifield invited the jurors to the next neighborhood meeting.

Ronald Hunt, Sr. of 1907 Medra Drive, Monroe stated that there are three streets that flood within the neighborhood, Crescent Drive, Walton Lane and Oaklawn Drive. Mr. Hunt asked that the jury address the matter. Mr. Jackson spoke regarding the need for a drainage tax. Discussion ensued. No action was taken on this matter.

Calvin Murray of 502 Greenwood Drive stated that a drainage tax would be a solution to the problems in the area. Mr. Murray stated that educating the public would be a good way to start. Mr. Murray stated that he will commit the resources of his radio station to the jury to educate the public about the problem and the possible tax.

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DEPARTMENT HEAD REPORTS

The following department heads presented monthly reports.

CODE ENFORCEMENT: Deputy Wayne Heckford

Deputy Heckford stated that 40,000 pounds of hazardous household materials were collected during the recent Household Hazardous Waste Collection event. Deputy Heckford noted that this was inadvertently left out of his monthly report.

FIRE DEPARTMENT: Chief Patrick Hemphill

Chief Hemphill stated that he had no additional items, but would follow-up on the 911 call that was made during the storm that was not handled properly.

HOMELAND SECURITY & EMERGENCY PREPAREDNESS

AGENCY: Mr. Tracy Hilburn

Mr. Hilburn updated the jury on the storm related issues. Mr. Hilburn stated that individuals from the state will be in the parish later in the week to evaluate the storm and flood damage. Discussion ensued. No other action was taken on the matter.

HOUSING:

Ms. Peggy Steele, Director

Ms. Steele spoke regarding the flood related issues affecting the residents under the housing program.

MOSQUITO CONTROL:

Ms. Shannon Rider, Director

Ms. Rider stated that night spraying for mosquitoes would start this week and that the impact of the storm would not take effect until 7 to 10 days from now.

911 OFFICE:

Mr. Craig Lott

Mr. Lott stated that the volume of calls went up during the storm of April 26th. Mr. Lott stated that his agency was working diligently to implement systems to better serve the parish by establishing an inter-agency network system.

Mr. Caldwell stepped out during this portion of the meeting.

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A motion to recess the regular meeting and convene as the Personnel Committee Meeting was offered by Dr. Reddix, seconded by Mr. Jackson. Motion passed without opposition. Mr. Caldwell was not present for the vote.

PERSONNEL COMMITTEE MEETING

The chairperson, Ms. Moore called the Personnel Committee meeting to order at 8:07 p.m.

The chairperson recognized Mr. Cammack. Mr. Cammack spoke regarding the Special Projects Coordinator, and requested a 5% probationary increase. Motion offered by Dr. Reddix, seconded by Mr. Calhoun to approve the 5% increase for the Special Projects Coordinator. Motion passed without opposition. Mr. Caldwell was not present for the vote.

The chair recognized Craig Lott, 911 Director. Mr. Lott requested to hire Kelly Claunch in the position of Computer Technician. Motion offered by Mr. Jackson, seconded by Mr. Smiley to approve the request with a correction to the salary. Motion passed without opposition. Mr. Caldwell was not present for the vote.

The chair recognized Mr. Rhodes, Director of Green Oaks Detention Center. Mr. Rhodes requested to open the position of Juvenile Detention Supervisor. Motion offered by Dr. Reddix, seconded by Mr. Jackson to approve the request to open the position. Motion passed without opposition.

There being no other business to come before this committee, a motion to adjourn was offered by Ms. Moore, seconded by Mr. Jackson. Motion passed without opposition.

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PUBLIC WORKS COMMITTEE MEETING

The chairman, Mack Calhoun called the Public Works Committee meeting to order at 8:11 p.m. The chairman recognized Mr. Murray, Public Works Director.

Mr. Murray updated the jury on the issues related to the recent storm and flooding within the parish. Mr. Murray stated that 21 roads were closed due to down trees, 16 roads were closed due to high water, and 3 roads were washed out. Mr. Murray noted that crews worked over the weekend to get all the roads clear.

Mr. Murray spoke regarding debris management. Mr. Murray stated that his department was not set up for debris management. Discussion ensued. Mr. Smiley stated that he has requested that Mr. Hilburn of Homeland Security look into the matter for possible reimbursement through GOSEP. No other action was taken on this matter.

Mr. Caldwell returned at this point in the meeting.

Mr. Calhoun spoke regarding a culvert on Vernon Street. Mr. Calhoun asked Mr. Holtzclaw to look at the impact of replacing the culvert with a larger one.

Mr. Calhoun commended the work of the Public Works Department during the recent storm.

There being no other business to come before this committee, a motion to adjourn and reconvene the regular meeting was offered by Mr. Calhoun, seconded by Mr. Caldwell. Motion passed without opposition.

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MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Jackson, District A.

MR. CHARLES JACKSON, DISTRICT A:

Mr. Jackson introduced the following ordinance.

ORDINANCE NO. 8980 (INTRODUCTION)

**AN ORDINANCE CREATING ROAD LIGHTING DISTRICT NO. 44
(REMINGTON ESTATES SUBDIVISION) WITHIN THE PARISH OF**

OUACHITA, STATE OF LOUISIANA, AND DEFINING AND DESCRIBING THE BOUNDARIES THEREOF.

WHEREAS, Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, authorizes parish governing authorities to create road lighting districts; and

WHEREAS, this Police Jury, acting as the governing authority of the Parish of Ouachita, State of Louisiana, now wishes to create a road lighting district within the Parish with such boundaries as are hereinafter set forth;

NOW, THEREFORE:

BE IT ORDAINED by the Police Jury of the Parish of Ouachita, State of Louisiana, that:

SECTION 1: By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of Ouachita, State of Louisiana, which Road Lighting District shall comprise and embrace all of that territory within Remington Estates Subdivision, as recorded in Plat Book 20, page 40 of the Conveyance Records of Ouachita Parish, Louisiana.

SECTION 2: The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 44 of the Parish of Ouachita, State of Louisiana**" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

SECTION 3: The official seal of the Parish of Ouachita, State of Louisiana, be and the same is hereby adopted as the official seal of the District and the official journal of this Police Jury shall be the official journal of the District.

The above Ordinance was introduced on the 2nd day of May, 2011.

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Mr. Jackson introduced the following Ordinance No. 8981.

**ORDINANCE NO. 8981
(INTRODUCTION)**

AN ORDINANCE AMENDING SECTION 14-1, DECREASING THE SPEED LIMIT ON HERITAGE DRIVE FROM TWENTY-FIVE (25) MILES PER

HOUR TO FIFTEEN (15) 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 Heritage Drive, a parish road located in District A of Ouachita Parish;

WHEREAS, residents have requested that the speed limit be decreased to fifteen miles-per-hour (15 mph) on said Road:

WHEREAS, decreasing the speed limit to fifteen miles-per-hour (15 mph) on Heritage 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

Heritage Drive - 15 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.

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Mr. Jackson spoke regarding the operations at the Correctional Center and possible privatizing the facility. Mr. Jackson offered a motion to authorize the study of the privatization of the jail and authorize Mr. Mitchell to look at the legalities associated with that, seconded by Mr. Caldwell. Discussion ensued. Motion passed without opposition.

Mr. Jackson spoke regarding the budget for the Correctional Center. Mr. Jackson stated that the budget changes were needed because of the failed election, and the shortfall in the budget due to the lack of DOC prisoners. Discussion ensued. After discussion, Mr. Jackson introduced the following ordinance.

**ORDINANCE NO. 8982
(INTRODUCTION)**

AN ORDINANCE AMENDING ORDINANCE NO. 8974, ANNUAL OPERATING BUDGET FOR THE OUACHITA CORRECTIONAL CENTER, A SPECIAL REVENUE FUND FOR YEAR 2011, AND FURTHER PROVIDING WITH RESPECT THERETO.

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The president recognized Mr. Calhoun, District B.

MR. MACK CALHOUN, DISTRICT B:

Mr. Calhoun spoke regarding the funds recently received from Louisiana Local Government Assistance Program. Motion offered by Mr. Calhoun, seconded by Mr. Jackson to accept the funds in the amount of \$35,000 for the purpose of purchasing an emergency generator for the Cadeville Water District, and authorizing the president to sign the contract. Motion passed without opposition.

The president recognized Mr. Caldwell, District C.

MR. WALT CALDWELL, DISTRICT C:

Mr. Caldwell asked that the matter regarding the Hannah's Run Control Structure be deferred to the next meeting of the jury.

The president recognized Dr. Reddix, District D.

DR. OLLIBETH REDDIX, DISTRICT D:

Dr. Reddix asked Mr. Mitchell to speak regarding the effects of the storm on J. S. Clark Cemetery. Mr. Mitchell stated that he had seen pictures of one vault that had been affected by the storm. Discussion ensued.

MR. SHANE SMILEY, DISTRICT E:

The president spoke regarding the LGAP Funds for Lakeview Park Drive. A motion was offered by Mr. Smiley, seconded by Mr. Caldwell to accept the funds in the amount of \$44,000, for the purpose of replacing cross drains on Lakeview Park Drive; and authorize the president to sign the contract. Motion passed without opposition.

The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore spoke briefly regarding the flooding assessment in the parish during the recent storm. No action was taken on the matter.

Ms. Moore asked that the matter regarding the Comprehensive Drainage Plan be deferred to the next meeting of the jury. Ms. Moore stated that she would be going to Baton Rouge on Tuesday for Northern Exposure.

ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer.

FISCAL: Mr. Brad Cammack, Treasurer

Mr. Cammack stated that he had no items. Mr. Cammack updated the jury of the ongoing audit and stated that we were a month ahead compared to last year. The president recognized Chief Hemphill, Fire Department.

FIRE: Chief Pat Hemphill, Fire Department

Chief Hemphill stated that he had no items.

The president recognized Mr. Mitchell, Assistant District Attorney.

LEGAL: Mr. Jay B. Mitchell, Assist. Dist. Attorney

Mr. Mitchell spoke regarding Change Order No. 1– Burney Subdivision/Hwy 139 Sewer Project. Mr. Mitchell stated that the change order revises pipe quantities and adds items for additional clearing. A brief discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to accept the change order as requested. Motion passed without opposition.

Mr. Mitchell spoke regarding the revocation of a portion of Charmingdale Drive East. Mr. Mitchell stated that the unused right-of-way on Charmingdale Drive-East was being used to gain access to property owned by Ms. Haley. Ms. Haley had asked that the right of way be revoked to deter this activity. A brief discussion ensued. After discussion, the following ordinance was offered for introduction by Ms. Moore:

ORDINANCE NO. 8983

AN ORDINANCE REVOKING A PORTION OF THE UNUSED RIGHT-OF-WAY DEDICATED FOR “CHARMINGDALE DRIVE EAST”; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, by Ordinance No. 8478 adopted on October 6, 1997, the Ouachita Parish Police jury accepted the dedication of a public road right-of-way designated as “Charmingdale Drive – East” and depicted on a plat by Harrison & Associates, Inc. dated January, 1997, said Ordinance and plat being filed in the Records of the Ouachita Parish Clerk of Court at in Conveyance Book 1731, Page 385;

WHEREAS, a public road known as “Canaan Drive” has been constructed in the easternmost portion of said right-of-way; however, said public road ends in a cul-de-sac more than 800 feet east of the west end of said right-of-way, leaving the westernmost 800’ of this right-of-way unused for a public roadway;

WHEREAS, the owner of the contiguous property north of this unused right-of-way has requested that this portion of right-of-way be revoked in order that she can protect her property from trespassers in ATV’s and trucks who use the dedicated right-of-way to gain access to her property ; and,

WHEREAS, there appears no public purpose for the continued existence of the above-described portion of the right-of-way of Charmingdale Drive-East;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and Regular Session that the westernmost 800' of Charmingdale Drive – East as dedicated and established by a Ordinance no. 8478 and a plat filed at Conveyance Book 1731, Page 385 of the Records of the Clerk of Court of Ouachita Parish be, and hereby is, revoked.

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

PUBLIC WORKS: Mr. John Tom Murray, Director

Mr. Murray stated that his department should complete the removal of storm debris this week.

The president recognized Mr. Holtzclaw, Parish Engineer.

ROADS & DRAINAGE: Mr. Tom Holtzclaw, Engineer

Mr. Holtzclaw spoke regarding the remaining funds from the 2010 LGAP Project for Barr Lane. Mr. Holtzclaw stated that the amount remaining was approximately \$22,000. Mr. Holtzclaw stated that he had conferred with Public Works and determined that the funds could best be used on Aulds Lane. Discussion ensued. After discussion, the following Resolution was offered by Mr. Jackson, seconded by Mr. Caldwell.

RESOLUTION NO. 11-18

A RESOLUTION REQUESTING AUTHORITY TO APPLY FUNDS REMAINING FROM LGAP CONTRACT NO. 0809-0CH-001 TO THE REHABILITATION OF AULDS LANE; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the State of Louisiana has awarded certain grants to the Ouachita Parish Police Jury under the FY 2010-11 Louisiana Local Government Assistance Program (“LGAP”), including LGAP Contract No. 0809-OCH-001 providing \$57,300 for the construction of a much-needed extension of Barr Lane to intersect with Laird Road;

WHEREAS, construction of said extension of Barr Lane was completed at a cost of \$35,783 leaving a balance of \$21,517 remaining under LGAP Contract No. 0809-OCH-001;

WHEREAS, Aulds Lane, a parish road adjacent to Barr Lane is in serious need of rehabilitation work which could be accomplished with the funds remaining under LGAP Contract No. 0809-OCH-001; and,

WHEREAS, the rehabilitation of Aulds Lane would serve a number of businesses and residents located thereon and, like the construction of the Barr Lane Extension already accomplished under LGAP Contract No. 0809-OCH-001, would improve the flow of traffic in this growing area of Ouachita Parish;

NOW, THEREFORE:

BE IT RESOLVED that the Ouachita Parish Police Jury hereby requests a modification of LGAP Contract No. 0809-OCH-001 to authorize the expenditure of the \$21,517 balance of said contract on the rehabilitation of Aulds Lane;

BE IT FURTHER RESOLVED that the President be, and is hereby, authorized to execute such documents as are reasonable and necessary to give effect to the modification of the LGAP Contract No. 0809-OCH-001 as requested herein.

The above resolution was adopted the 2nd day of May 2011. No opposition.

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Mr. Holtzclaw spoke regarding Magnolia Street and Angela Drive. Mr. Holtzclaw passed out information relative to the repair or reconstruction of the two streets for the jury to consider. Mr. Holtzclaw stated that the cost to repair Angela was approximately \$90,000 and the cost to repair Magnolia was approximately \$282,000. No action was taken on this matter.

BEER AND WHISKEY APPLICATIONS:

Mr. Mitchell spoke regarding the beer and whiskey applications and recommended approval. Motion offered by Mr. Caldwell, seconded by Dr. Reddix to approve the applications as submitted. Motion passed without opposition.

- 1) **JACKSON, JOHN D. DBA U-PAK-IT #429, 2005 MARTIN LUTHER KING JR., DRIVE, MONROE, LA 71202 RETAIL BEER “CLASS B”, RETAIL LIQUOR “CLASS D”, 2011 NEW OWNER**

- 2) **SINGH, BALRAJ DBA SSTURNA ENTERPRISES, LLC., 1013 HWY 557, WEST MONROE, LA 71292, RETAIL BEER “CLASS B”, 2011 NEW OWNER**

There being no other business to come before the jury, a motion to adjourn was offered by Mr. Caldwell, seconded by Mr. Smiley. The meeting was adjourned at 9:35 p.m.

A D J O U R N !

Shane Smiley, President

Deborah H. Sewell, Recording Secretary

Adopted June 6, 2011