

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD ON,
TUESDAY, FEBRUARY 19, 2013 AT 5:39 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 Tuesday, February 19, 2013 at 5:39 p.m., and was duly convened by Mr. Shane Smiley, President.

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

<u>Members Present</u>	(6)
Scotty Robinson	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)
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APPROVAL OF AGENDA:

The president asked if there were any additions or amendments to the agenda. Mr. Mitchell stated that there were two items to add to the agenda. The first was to add Jennifer Haneline with the Louisiana Public Health Institute as a visitor and to add a resolution under Ms. Moore's name for a resolution endorsing a health task force in Ouachita Parish. Mr. Mitchell stated that this item was inadvertently left off of the agenda. The second item was a travel request for Doretha Bennett to be added to the Finance Committee meeting. Mr. Mitchell stated that action for this item was needed before the next meeting of the Jury in order to purchase an airline ticket. Motion offered by Dr. Reddix seconded by Mr. Calhoun to add the two items to the agenda. Motion passed without opposition.

Motion offered by Mr. Calhoun, seconded by Dr. Reddix 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 February 4, 2013 was offered by Mr. Caldwell seconded by Ms. Moore. Motion passed without opposition.

VISITORS:

The president recognized Jennifer Haneline with the Louisiana Public Health Institute. Ms. Haneline spoke regarding the health equity task force and stated that the task force would identify the health issues people face in the parish and make recommendations to help such issues. Mr. Smiley stated that this item was added to Ms. Moore’s agenda and asked to take the matter up at this time.

Ms. Moore, seconded by Dr. Reddix offered the following resolution for adoption.

RESOLUTION NO. 13-07

A RESOLUTION ENDORSING THE HEALTH EQUITY TASK PROPOSED BY THE LOUISIANA PUBLIC HEALTH INSTITUTE; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Louisiana Public Health Institute has proposed the formation of a Health Equity Task Force to identify health equity/health disparity concerns specific to Ouachita Parish and to make recommendations to mitigate such issues;

WHEREAS, the Ouachita Parish Police Jury recognizes that such a task force could provide information beneficial to the citizens of Ouachita Parish; and,

WHEREAS, the Ouachita Parish Police Jury has been advised that the mayors of the City of Monroe and the City of West Monroe have endorsed the proposed Health Equity Task Force made subject of this Resolution.

NOW, THEREFORE:

BE IT RESOLVED that the Ouachita Parish Police Jury does hereby state its endorsement of the Health Equity Task Force for Ouachita Parish proposed by the Louisiana Public Health Institute.

The above resolution was adopted the 19th day of February 2013. Mr. Caldwell opposed.

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ENGINEERING REPORT:

The president recognized Mr. Crosby, Engineer.

Mr. Crosby spoke regarding the 2012 Road Program and stated that the roads in the program are Keystone Road and Harmon Johnson Road. Mr. Crosby stated that Keystone Road is broken into two sections and that soil borings have been obtained. Mr. Crosby stated that it would be mid-summer before they start on the roads and that the total budget for the two roads is \$1.45 million.

Mr. Crosby spoke regarding Hannah's Run and stated that it would fit for statewide flood control and that he would be talking to DOTD regarding the project.

Mr. Crosby spoke regarding Green Springs and stated that he has met with Public Works and talked to DOTD and they would be revising the plans.

Mr. Crosby spoke regarding the OCC Sewer project and stated that the project is substantially complete and the contractor currently has the documents to sign.

Mr. Crosby spoke regarding East Town & Country and Raccoon Bayou and stated that both projects are on hold for another 30-45 days until Oak Circle and Green Springs are moved further along.

Mr. Crosby spoke regarding Vernon Drive and stated that he previously reported that it would be approximately \$6,000 for pre-application and \$15,000 for full application to send to DOTD's statewide flood control program.

Mr. Crosby spoke regarding the Disaster Recovery drainage projects. Mr. Crosby stated that the Martin Luther King project is in the 45 day lien period and is substantially complete. Mr. Crosby stated that he is waiting on the broker's opinion for the temporary servitude for the J-1D project. Mr. Crosby stated that Highland Subdivision project will be complete within the next week and that he will be bringing a change order before the Jury for approval. Mr. Crosby stated that the H-1 Canal notice to proceed will be March 4. Mr. Crosby stated that he has the broker's opinion on the T-1A Canal and that plans and specifications will be ready by March 21.

Mr. Crosby spoke regarding Moore Road Bridge and stated the plans were submitted to DOTD on February 6 and they are currently being reviewed. Mr. Crosby also stated that the environmental review letters and utility packages have been sent out. Mr. Crosby stated that the right-of-way maps are being prepared. Mr. Crosby stated that letting is tentatively set for April 2014.

Mr. Crosby spoke regarding Lonewa drainage and stated that the plats are ready to be signed. Once they are signed, he will submit the plats to Jay and then they will be recorded. Mr. Caldwell asked Mr. Murray to look at adding an adjacent ditch to the spray program.

Mr. Crosby spoke regarding the 2010-2011 Road Striping Program and stated that he met with Public Works and there are a few items to take care of and that he would be bringing some substantial completions before the Jury for approval.

Mr. Crosby spoke regarding St. Andrews Drive and stated that the road is in bad condition and that the estimate is \$258,000 to repair the problems.

Mr. Crosby spoke regarding Bernelle Lake Subdivision and stated that a drainage swale should be cut along the rear of the lots and into the adjacent pond and a fifteen foot drainage servitude should be placed along the swale instead of letting the water sheet flow. The developer was not

in favor of doing this; therefore, Mr. Crosby recommended denying minor subdivision approval. The president recognized Dale Bernelle. Mr. Bernelle stated that he was the property owner and that he did not have a problem with the sheet flow since the water naturally drains to the pond. Discussion ensued. Mr. Mitchell suggested that Mr. Bernelle and Mr. Crosby meet to discuss revisions to the subdivision.

Motion offered by Mr. Robinson, seconded by Mr. Calhoun to recess the regular meeting in favor of the finance committee meeting. Motion passed without opposition.

FINANCE COMMITTEE MEETING

The chairman, Mr. Caldwell, called the finance committee meeting to order at 6:27 p.m. The chairman recognized Mr. Cammack, Treasurer.

Mr. Cammack presented the claim statement for the period of January 18, 2013 through February 14, 2013 and recommended approval. Motion offered by Dr. Reddix, seconded by Mr. Smiley to approve the claims for the period stated as recommended by the Treasurer. Motion passed without opposition.

Mr. Cammack spoke regarding the bid results for furniture for the Assessor's office and asked to table the matter until March 4. Motion offered by Mr. Robinson, seconded by Mr. Smiley to table the matter. Motion passed without opposition.

The chairman recognized Chief Hemphill, Fire Department. Chief Hemphill spoke regarding the purchase of fire apparatus and stated that the item was budgeted and would be on the state contract. Motion offered by Dr. Reddix, seconded by Mr. Calhoun to approve the purchase of the fire apparatus. Motion passed without opposition.

Mr. Cammack spoke regarding the travel request for Doretha Bennett to travel to the Disability Employment Initiative Grantee National Meeting in Washington, D.C. on March 12-13, 2013. Mr. Cammack stated that it is required for Ms. Bennett to attend in order to receive funds. Motion offered by Dr. Reddix, seconded by Ms. Moore to approve the travel request. Motion passed without opposition.

There being no further business to come before this committee, a motion to adjourn the finance committee meeting and reconvene the regular meeting was offered by Mr. Robinson, seconded by Mr. Smiley. The finance committee meeting was adjourned at 6:32 p.m.

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MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Robinson, District A.

MR. SCOTTY ROBINSON, DISTRICT A:

Mr. Robinson stated that he did not have any additional items.

The president recognized Mr. Calhoun, District B.

MR. MACK CALHOUN, DISTRICT B:

Mr. Calhoun introduced the following ordinance.

ORDINANCE NO. 9010

AN ORDINANCE AMENDING SECTION 14-1 (255) DECREASING THE SPEED LIMIT ON HATTAWAY ROAD TO TWENTY-FIVE (25) MILES PER HOUR; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, a decrease of the speed limit on Hattaway Road has been requested by local residents and appears to serve the public interest;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and regular session that Section 14-1 (255) of the Compiled Ordinances of the Ouachita Parish Police Jury, be and hereby amended as follows, to-wit:

Section 14.1. Speed Limits

(255) Hattaway Road, twenty-five (25) miles per hour

BE IT FURTHER ORDAINED that Notice of this proposed increase in be published in the Official Journal of the Ouachita Parish Police Jury on February 21 and February 28, 2013, and that a Public Hearing be held on March 4, 2013, to hear comments from all interested parties as to the proposed decrease in speed limit on Hattaway Road to 25 miles per hour.

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The president recognized Mr. Caldwell, District C.

MR. WALT CALDWELL, DISTRICT C:

Mr. Caldwell asked Mr. Mitchell when it would be appropriate to grant authority to Mr. Crosby to let Keystone Road. Mr. Mitchell stated that it would be better for Mr. Crosby ask the Jury for permission to let the project once plans and specifications are complete.

Mr. Caldwell spoke regarding the Bayou Desiard ecosystem restoration project and stated that this was a capital outlay project and that there are some modifications needed to address issues in Bayou Desiard. Motion offered by Mr. Caldwell, seconded by Ms. Moore to grant Mr. Crosby authority to file modifications in order to not lose funding for the project. Motion passed without opposition.

The president recognized Dr. Reddix, District D.

DR. OLLIBETH REDDIX, DISTRICT D:

Dr. Reddix stated that they are working on the rental rate analysis for Section 8.

Dr. Reddix introduced the following ordinance.

ORDINANCE NO. 9011

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE COMPILED ORDINANCES OF OUACHITA PARISH TO PROVIDE PENALTIES FOR THE VIOLATION OF EXISTING ABATEMENT ORDINANCES CONCERNING JUNK, DERELICT STRUCTURES, AND UNCUT GRASS AND WEEDS; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, presently Ouachita Parish Police Jury ordinances prohibiting the keeping of junk, abandoned automobiles, derelict structures and uncut grass/weeds on properties in the unincorporated areas of Ouachita Parish provide for compliance orders and allow the Ouachita Parish Police Jury to recover abatement costs, but do not provide fines or penalties for violation;

WHEREAS, the experience gained from administrative enforcement through the Ouachita Parish Environmental Hearing Officer and the Ouachita Parish Code Enforcement Officers shows that the prospect of penalties for the violations of these orders is necessary to give certain property owners an incentive to keep their properties from falling into violation; and,

WHEREAS, the Ouachita Parish Police Jury finds that the prospect of fines for the violation of these Ordinances should increase compliance with these important ordinances and should reduce enforcement actions and the costs thereof.

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and regular session that the following provisions of the Compiled Ordinances of Ouachita Parish, Louisiana be, and hereby are, supplemented and amended to add the following provisions (*new language in italics*):

Section I.

(Abandoned Automobiles and other junk)

“Sec. 8-3 Abandoned automobiles, major appliances and other junk; disposition.

...(h) Penalty: The owner and/or occupant of property whereon items are stored or abandoned in violation of this Section shall be subject to a fine of not more than \$200.00 dollars for a first violation. In the event of subsequent violations on the same property this fine shall be increased to not more than \$500.00 ”

Section II.
(Derelict Structures)

“ Sec. 3 ½-82.Repair and condemnation; *Penalty.*

It shall be unlawful for any person, firm or corporation to fail to repair or to allow a derelict structure to remain on any lot or parcel of ground within the corporate limits of the Parish of Ouachita outside of any municipality located therein. *In addition to the remedies set forth below concerning repair and condemnation, a violation of this provision shall subject such property owner to a fine of not more than \$200.00 dollars for a first violation. In the event of subsequent violations on the same property this fine shall be increased to not more than \$500.00”*

Section III.
(Unkempt Grass and Weeds)

“Sec. 24-16. Grass and Weeds on lots in residential areas. *Penalty.*

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. *In addition to the remedies set forth below, a violation of this provision shall subject such property owner to a fine of not more than \$200.00 dollars for a first violation. In the event of subsequent violations on the same property this fine shall be increased to not more than \$500.00*

Section IV.

The provisions of this Ordinance shall become effective April 1, 2013.

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MR. SHANE SMILEY, DISTRICT E:

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

RESOLUTION NO. 13-05

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE CONSTRUCTION OF SIDEWALKS IN THE AREA OF JACK HAYES ELEMENTARY SCHOOL (STATE PROJECT NO. H.010092) (FEDERAL AID PROJECT NO. H010092); AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Louisiana Department of Transportation and Development (LA-DOTD) has proposed an Agreement with the Ouachita Parish Police Jury to facilitate a project for the construction of sidewalks in the area of Jack Hayes Elementary School in Ouachita Parish, said project being identified as State Project No. H.010092 and as Federal Aid Project No. H.010092; and,

WHEREAS, the Ouachita Parish Police Jury finds that the above-described project is a worthwhile public project that will benefit the citizens of Ouachita Parish and that the Agreement proposed by LA-DOTD is in order;

NOW, THEREFORE:

BE IT RESOLVED by the Ouachita Parish Police Jury in regular and legal session that the President be, and is hereby, authorized to execute the proposed Agreement with LA-DOTD for the project to construct sidewalks in the area of Jack Hayes Elementary School in Ouachita Parish, said project being identified as State Project No. H.010092 and as Federal Aid Project No. H.010092

The above resolution was adopted on the 19th day of February, 2013. No opposition.

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Mr. Smiley seconded by Dr. Reddix offered the following resolution for adoption.

RESOLUTION NO. 13-06

A RESOLUTION SUPPORTING A GRANT APPLICATION UNDER THE “SAFE ROUTES TO SCHOOL” PROGRAM; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the Louisiana Department of Transportation and Development has established the “Safe Routes to School” Program for the purpose of assisting local communities in planning, developing and implementing projects and activities which will improve pedestrian safety in the vicinity of schools; and

WHEREAS, the Ouachita Parish School Board has identified Swartz Upper Elementary, Swartz Lower Elementary; Jack Hayes Elementary; and, Riser Elementary/Middle as schools having a need for improved pedestrian facilities to accommodate children walking to and from school; and

WHEREAS, the Ouachita Parish Police Jury finds that an application seeking funding for the construction of such pedestrian facilities in the vicinity of the above-named schools is in the public interest and warrants support;

NOW THEREFORE:

BE IT RESOLVED in legal session convened on the 19th day of February, 2013, that the Ouachita Parish Police Jury hereby evidences its support of applications for funding under the Louisiana Safe Routes to School Program to fund the construction of improved pedestrian facilities in the vicinity of Swartz Upper Elementary School, Swartz Lower Elementary School, Jack Hayes Elementary School, and Riser Elementary/Middle Schools;

BE IT FURTHER RESOLVED that the Ouachita Parish Police Jury hereby agrees to assist the Ouachita Parish School Board by providing the engineering services necessary for said grant applications with such engineering services to be performed at OPPJ expense by the firm of Lazenby & Associates; and,

BE IT FURTHER RESOLVED that Shane Smiley, President, is hereby authorized and empowered to execute such correspondence or documents as are necessary and proper in connection with or in support of the above-described applications for grant assistance under the "Safe Routes to School" Program.

The above resolution was adopted the 19th day of February 2013. No opposition.

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The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore asked for an update on the Hadley Bridge. Mr. Murray stated that the project is in the final stages.

ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer.

FISCAL: Mr. Brad Cammack, Treasurer

Mr. Cammack stated that he did not have any additional items.

The president recognized Mr. Mitchell, Assistant District Attorney.

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

Mr. Mitchell spoke regarding the Cooperative Purchasing Agreement between the 911 Office and the Caddo Parish Sheriff's Department and stated that this agreement would allow the Caddo Parish Sheriff's Department to piggyback off of the request for proposals for the computer assisted dispatching equipment. Motion offered by Mr. Robinson, seconded by Dr. Reddix to approve the Cooperative Purchasing Agreement. Motion passed without opposition.

Mr. Mitchell asked to defer the matter concerning the Industrial Development Board of Ouachita Parish, Inc.

Mr. Mitchell informed the Jury that Jim Nolan, Ward 8 Justice of the Peace, has passed away and that an interim will be appointed by the state.

The president recognized Mr. Murray, Public Works Director.

PUBLIC WORKS: Mr. John Tom Murray, Director

Mr. Murray spoke regarding the minor subdivision approval for Bernelle Lake Subdivision located in District F and recommended denying approval. Motion offered by Ms. Moore, seconded by Mr. Caldwell to deny minor subdivision approval based on the recommendation of the Public Works director and parish engineer. 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. Robinson, seconded by Ms. Moore. The meeting was adjourned at 6:43 p.m.

A D J O U R N !

Shane Smiley, President

Karen Cupit, Recording Secretary