

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
April 4, 2007
www.mybossier.com

The Bossier Parish Police Jury met in regular and legal session on the 4th day of April, 2007, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Winfred Johnston, called the meeting to order. The invocation was given by Mr. Eddy Shell and the pledge of allegiance was led by Mr. Henry Mitchell. The Secretary-Treasurer, Ms. Cheryl Martin, called the roll, with all members present, as follows:

Mr. William Altimus	Mr. Winfred Johnston
Mr. Rick Avery	Mr. Hank Meachum
Mr. Jimmy Cochran	Mr. Henry Mitchell
Mr. Brad Cummings	Mr. Jeff Rogers
Mr. Jerome Darby	Mr. Eddy Shell
Mr. Wayne Hammack	Mr. Jesse Williams

Others present were Mr. Bill Altimus, Parish Administrator; Mr. Patrick Jackson, Parish Attorney, Mr. Joe E. "Butch" Ford, Jr., Parish Engineer; Ms. Cheryl Martin, Secretary-Treasurer.

Mr. Williams, Mr. Shell and Mr. Johnston presented a resolution adopted by the police jury to Ms. Anna Whittington, Benton High School senior, recognizing her for her many accomplishments in environmental conservation. Mr. Williams read the resolution, as follows:

RESOLUTION

WHEREAS, Miss Anna Whittington, a senior at Benton High School, was recently named Louisiana's Youth Conservationist of the Year by the Louisiana Wildlife Federation, one of the state's most prestigious awards; and

WHEREAS, Anna is involved in the coordination of many activities at the Cypress Nature Study Center where she has dedicated more than 1,500 hours of service working to promote both wildlife and environmental conservation; and

WHEREAS, Anna is very active in many aspects of the 4H Program and among her many 4H accomplishments, was selected to be the 2005-2006 Louisiana 4H Shooting Sports Ambassador to represent the shooting sports program at civic events and to assist at state competitions; and

WHEREAS, Anna was active in the organization of the 4H W.I.L.D. Conservation Ambassadors who worked in the collection and transport of Christmas trees to Lafourche Parish for use in coastal restoration efforts, and has received many recognitions for outstanding water quality work; and

WHEREAS, Anna is a role model for young students and is to be admired for her commitment to important environmental issues. She has earned the respect of environmental organizations throughout the state.

NOW, THEREFORE, BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 4th day of April, 2007, that it does hereby recognize and commend Miss Anna Whittington for her many outstanding achievements and does wish her well in all her future endeavors.

The resolution was offered by Mr. Williams, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 4th day of April, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin advised that Mr. Delbert Terry will address the police jury at its April 18, 2007 regular meeting.

Ms. Beatrice Record, 5082 Highway 80, Haughton, advised of problems due to the location of a commercial business located next to her residence on Highway 80. She stated that Greystone Drilling leases the property next to her property and operates 24 hours per day, seven days per week. Ms. Record complained about the noise and discussed health and environmental issues. She stated that fumes from the commercial spray painting being done by Greystone has caused health problems for her and advised that she has contacted the Department of Environmental Quality regarding this matter. Ms. Record stated that DEQ has found dust residue. She encouraged the jury to consider prohibiting the location of a commercial business in a residential area in the future development of Bossier Parish.

Mr. Rogers advised that this property is zoned for commercial use and is located in his police jury district. He stated that Sawyer Drilling, a similar operation, was operating at this location when Ms. Record bought her property. Ms. Record stated that there were no problems with the previous business.

Ms. Record advised that the Bossier Parish Sheriff's Department has responded to calls regarding excessive noise at the business. Mr. Williams stated that the Sheriff's Department should enforce noise regulations, but stated that the police jury has no jurisdiction in this matter.

Mr. Sam Marsiglia, Bossier City-Parish MPC, advised that due to the nature of this business, they are allowed to operate 24 hours, seven days a week. He stated that inspectors for the MPC have asked Ms. Record to contact them when the spray painting is being done so they can witness any overspray which may be occurring. Mr. Marsiglia stated that the Department of Environmental Quality has found no violations.

Mr. Andrew Jacobs spoke on behalf of Greystone Drilling and the owners of the property, advising that the Department of Environmental Quality has investigated complaints regarding possible paint overspray and found no violations. He stated Greystone Drilling has obtained all required permits.

Mr. Bruce Ivy, Greystone Drilling, stated that their paint operations are within DEQ regulations and limits, and advised that Greystone Drilling is in compliance.

Mr. Rogers stated that Ms. Record has made a valid point for consideration in the future development of Bossier Parish, but stated that the police jury has no jurisdiction in this matter.

Dr. David Brian, Mr. Bob Key and Mr. Steve McManus, Bossier Parish Emergency Medical Services District, requested the jury's assistance in site preparation for construction of its proposed Swan Lake Road facility. Dr. Brian stated that the land for the facility was donated to Bossier EMS by the Shehee family and advised that construction plans

have been approved by the Fire Marshal. Mr. Ford, Parish Engineer, stated that the EMS District has requested ditch work, de-grassing and fill dirt. Mr. Ronnie Andrews, Public Works Director, stated that the estimated cost for the requested work is approximately \$21,000. **Motion was made by Mr. Avery, seconded by Mr. Mitchell, to approve the request of the Bossier Parish Emergency Medical Services District, for assistance with site preparation for construction of an EMS facility on Swan Lake Road. Mr. Shell offered an amendment to the motion, to include a letter of appreciation to the Shehee family for the donation of this property to the EMS District. Motion, as amended, carried unanimously.**

Sealed bids were opened and read aloud for the in-place cement stabilized base course and asphaltic concrete wearing course of approximately 2.73 miles of the Swan Lake Road beginning 205 linear feet from the edge of Airline Drive, Project No. 2007-02, as follows:

Bidder:	Bid Amount:
Specialty Trackhoe & Dozer Service, Inc.	\$547,728.00
Benton & Brown, LLC	\$547,456.10
Best Yet Builders, LLC	\$596,451.87

Ms. Martin advised that each bidder has provided the required bid bond and has indicated their Louisiana contractor's license number on the bid envelope. **Motion was made by Mr. Rogers, seconded by Mr. Darby, to take the bids under advisement to be reviewed and awarded at the April 18, 2007 regular meeting. Motion carried unanimously.**

Sealed bids were opened and read aloud for the in-place cement stabilized base course and asphaltic concrete wearing course of approximately 3.436 miles of the Deen Point Road beginning 262 linear feet from the edge of Airline Drive, Project No. 2007-04, as follows:

Bidder:	Bid Amount:
Specialty Trackhoe & Dozer Service, Inc.	\$595,836.73
Benton & Brown, LLC	\$590,255.51
Best Yet Builders, LLC	\$640,925.72

Ms. Martin advised that each bidder has provided the required bid bond and has indicated their Louisiana contractor's license number on the bid envelope. **Motion was made by Mr. Avery, seconded by Mr. Shell, to take the bids under advisement to be reviewed and awarded at the April 18, 2007 regular meeting. Motion carried unanimously.**

Sealed bids were opened and read aloud for the purchase of one (1) new rubber tire wheel loader for the Bossier Parish Highway Department, as follows:

Bidder	Bid Amount
H & E Equipment Services	\$90,616.00
Louisiana Machinery Company, Inc.	No Bid
Nortrax	\$101,149.00
Scott Construction Equipment Company	\$98,000.00

Motion was made by Mr. Altimus, seconded by Mr. Hammack, to take the bids under advisement, to be reviewed and awarded at the April 18, 2007 regular meeting. Motion carried unanimously.

Sealed bids were opened and read aloud for the purchase of one (1) new 20-ton class hydraulic track-type excavator for the Bossier Parish Highway Department, as follows:

Bidder:	Bid Amount:
H & E Equipment Services	\$125,309.00
Louisiana Machinery Company, Inc.	No Bid
Nortrax	\$141,199.00
Scott Construction Equipment Company	\$127,000.00

Motion was made by Mr. Avery, seconded by Mr. Mitchell, to take the bids under advisement to be reviewed and awarded at the April 18, 2007 regular meeting. Motion carried unanimously.

Sealed bids were opened and read aloud for the purchase of one (1) new 16' mechanical folding goose neck trailer, 50 ton capacity, for the Bossier Parish Highway Department, as follows:

Bidder:	Bid Amount:
Blackman Trailer Sales, LLC	No Bid
H & E Equipment Services	\$63,423.00
Nortrax South	No Bid
Scott Construction Equipment Company	\$54,350.00
Twin State Trucks, Inc.	No Bid

Motion was made by Mr. Cummings, seconded by Mr. Rogers, to take the bids under advisement, to be reviewed and awarded at the April 18, 2007 regular meeting. Motion carried unanimously.

Sealed bids were opened and read aloud for the purchase of one (1) new (6X4) cab and chassis with rolling tailboard and heavy duty winch for the Bossier Parish Highway Department, as follows:

Bidder:	Bid Amount:
Allen's Truck Sales & Service, Inc.	No Bid
Barloworld Truck Center	\$135,501.00
Peterbuilt of Shreveport	No Bid
Shreveport Mack Sales, Inc.	\$102,000.00
Twin States Trucks, Inc.	\$110,761.51

Motion was made by Mr. Cummings, seconded by Mr. Shell, to take the bids under advisement, to be

reviewed and awarded at the April 18, 2007 regular meeting. Motion carried unanimously.

Motion was made by Mr. Williams, seconded by Mr. Darby, to authorize the advertising for bids for a five-month supply of asphaltic concrete paving material for the Bossier Parish Highway Department. Motion carried unanimously. Bids are to be received May 2, 2007.

Ms. Martin announced the public hearing to consider the application of Robert Aiello to the Benton-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located along Linton Road just north of Cypress Park entrance and south of Summit Drive in Section 26, Township 20 North, Range 13 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to R-1, Single Family Residence District, for a residential subdivision. This matter was tabled on March 21, 2007 for research of an unnamed road on the property. The application received a favorable recommendation from the Benton-Parish Metropolitan Planning Commission.

Mr. Ford, Parish Engineer, stated that there is no record that the parish has maintained the unnamed road located on the Aiello property. Mr. Jackson, Parish, Attorney, stated that after extensive research of parish records, the police jury cannot substantiate that a public road existed. The Lilly Road crosses the southwestern portion of the Aiello property and can be used to provide access to landlocked property at the end of the road. Mr. Aiello stated that this road does not affect the proposed subdivision. Mr. Ralph Eason stated that at one time the unnamed road existed, but that he understands the police jury's position in this matter. The Lilly Road is parish maintained up to Mr. LeRoy Surry's property, and Mr. Surry has agreed to provide Mr. Eason access to his property which is located past Mr. Surry's property.

Motion was made by Mr. Williams, seconded by Mr. Hammack, to approve the application of Mr. Robert Aiello for a zoning amendment, as presented. Motion carried unanimously.

ORDINANCE NO. 4148

AN ORDINANCE AMENDING ORDINANCE NO 922 OF 1981, THE BENTON-PARISH METROPOLITAN PLANNING COMMISSION ZONING REGULATIONS, TO CHANGE THE ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED IN SECTION 26, TOWNSHIP 20 NORTH, RANGE 13 WEST, BOSSIER PARISH, LOUISIANA, FROM R-A, RESIDENCE AGRICULTURE DISTRICT, TO R-1, SINGLE FAMILY RESIDENCE DISTRICT.

BE IT ORDAINED by the Police Jury of Bossier Parish, Louisiana, in regular and legal session convened on this 4th day of April, 2007, that Ordinance No. 922 of 1981 of the Police Jury of Bossier Parish, Louisiana, is hereby amended to change the zoning classification from R-A, Residence-Agriculture District, to R-1, Single Family Residence District, on a tract of land located in Section 26, Township 20 North, Range 13 West, Bossier Parish, LA.

A tract of land being the Southeast Quarter of the Southeast Quarter (SE/4 of SE/4) of Section 26, Township 20 North, Range 13 West, Bossier Parish, Louisiana, less and except tracts described in Conveyance Book 445, Page 78 and Conveyance Book 500, Page 131 of the records of Bossier Parish, Louisiana.

Applicant: Robert Aiello

Purpose: Residential subdivision along Linton Road

The ordinance was offered by Mr. Williams, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 4th day of April, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin announced the public hearing to consider the application of Summit Developers, LLC to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located on the east side of Benton Road south of Haymeadow Drive, in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to R-LD, Residential Low Density District, for Cypress Bend Subdivision. The application received a favorable recommendation from the Bossier City-Parish Metropolitan Planning Commission.

Mr. Charles Coyle, Coyle Engineering Co., Inc., stated that the property consists of approximately 200 acres and is located on the east side of Benton Road north of Courtney Lane. He stated that the proposed development will be served by Bossier City water and advised that a private centralized sewer system is planned. Mr. Coyle stated that all proposed streets will be built to parish road specifications. He stated that a total of 497 lots are planned for the entire development.

There being no opposition, **motion was made by Mr. Avery, seconded by Mr. Meachum, to approve the application of Summit Developers, LLC, for a zoning amendment as presented. Motion carried unanimously.**

ORDINANCE NO. 4149

AN ORDINANCE TO AMEND BOSSIER PARISH ORDINANCE NO. 3908 OF 2003, WHICH ADOPTED A UNIFIED DEVELOPMENT CODE FOR THE BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION AND THE PARISH OF BOSSIER, LOUISIANA, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED IN SECTION 20, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LA, FROM R-A, RESIDENTIAL AGRICULTURE DISTRICT, TO R-LD, RESIDENTIAL LOW DENSITY DISTRICT.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 4th day of April, 2007, that Ordinance No. 3908 of 2003 (Unified Development Code) of the Police Jury of Bossier Parish, is hereby amended to change the zoning classification of a tract of land located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to R-LD, Residential Low Density District, being more particularly described as follows:

The South 200 Hundred (200) acres of Section 20, Township 19 North, Range 13 West, Bossier Parish, Louisiana, lying East of Williams Bayou and Louisiana Highway 3 and LESS AND EXCEPT a tract of land located in Section 20, Township 19 North, Range 13 West, Bossier Parish, Louisiana, further described as follows: Beginning at the point of intersection of the South Boundary of said Section 20 and the Easterly right-of-way line of Louisiana Highway 3; Run Thence easterly along said section line a distance of 433.33 feet; Thence leaving said section line run northwesterly parallel to the Easterly right-of-way line of Louisiana Highway 3 to the intersection with the center of Williams Bayou;

Run thence along the center of Williams Bayou to the Easterly right-of-way line of Louisiana Highway 3; run thence southerly along said Easterly right-of-way line to the point of beginning of said tract, containing 12.5 acres, more or less.

Applicant: Summit Developers, LLC

Purpose: Cypress Bend Subdivision

The ordinance was offered by Mr. Avery, seconded by Meachum. Upon unanimous vote, it was duly adopted on this 4th day of April, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin announced the public hearing to consider the application of Summit Developers, LLC to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located on the east side of Benton Road south of Haymeadow Drive in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to B-2, Limited Business District, for a commercial development along Benton Road in front of the Cypress Bend Subdivision. The application received a favorable recommendation from the Bossier City-Parish Metropolitan Planning Commission.

Mr. Charles Coyle, Coyle Engineering Co., Inc., stated that this property fronts on Benton Road. He stated that the developer has requested the commercial zoning now so that any potential buyers of property in the proposed subdivision will be aware that the commercial zoning exists. Mr. Coyle stated that the developer has met all MPC buffer requirements between the residential and commercially zoned properties.

There was discussion of access to Louisiana Highway 3. Mr. Coyle stated that this will be up to the developer, but that permits for Highway 3 access will likely be requested.

Mr. Randy Caudle expressed appreciation to the developer for requesting B-2 zoning only.

There being no opposition, **motion was made by Mr. Avery, seconded by Mr. Mitchell, to approve the application of Summit Developers, LLC, for a zoning amendment as presented. Motion carried unanimously.**

ORDINANCE NO. 4150

AN ORDINANCE TO AMEND BOSSIER PARISH ORDINANCE NO. 3908 OF 2003, WHICH ADOPTED A UNIFIED DEVELOPMENT CODE FOR THE BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION AND THE PARISH OF BOSSIER, LOUISIANA, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED IN SECTION 20, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LA, FROM R-A, RESIDENTIAL AGRICULTURE DISTRICT, TO B-2, LIMITED BUSINESS DISTRICT.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 4th day of April, 2007, that Ordinance No. 3908 of 2003 (Unified Development Code) of the Police Jury of Bossier Parish, is hereby amended to change the zoning classification of a tract of land located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-2, Limited Business District, being more particularly described as follows:

A tract of land located in Section 20, Township 19 North, Range 13 West, Bossier Parish, Louisiana, further described as follows: Beginning at the point of intersection of the South Boundary of said Section 20 and the Easterly right-of-way line of Louisiana Highway 3; Run Thence easterly along said section line a distance of 433.33 feet; Thence leaving said section line run northwesterly parallel to the Easterly right-of-way line of Louisiana Highway 3 to the intersection with the center of Williams Bayou; Run thence along the center of Williams Bayou to the Easterly right-of-way line of Louisiana Highway 3; run thence southerly along said Easterly right-of-way line to the point of beginning of said tract, containing 12.5 acres, more or less.

Applicant: Summit Developers, LLC

Purpose: Commercial development in front of Cypress Bend Subdivision

The ordinance was offered by Mr. Avery, seconded by Meachum. Upon unanimous vote, it was duly adopted on this 4th day of April, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin announced the public hearing to consider the request of Earl and Theda Johnson to subdivide Lot 36 of Montgomery Suburban Acres, Gray Circle, Benton, LA, into two separate lots for residential purposes. Mr. Russell Johnson stated that the Benton-Parish MPC has approved the proposal, and stated that a petition signed by all landowners in the subdivision indicating their approval of the proposal has been provided. There being no opposition, **motion was made by Mr. Williams, seconded by Mr. Shell, to approve the subdivision of Lot 36, Montgomery Suburban Acres, into two lots for residential purposes. Motion carried unanimously.**

Ms. Martin announced the public hearing to consider approval of the plat of the proposed development of Choctaw Ridge Subdivision, located in Section 15, Township 18 North, Range 12 West, Bossier Parish, LA. She advised that a letter has been received from Raley and Associates, Inc., requesting that this matter be tabled for consideration at the April 18, 2007 regular meeting. **Motion was made by Mr. Rogers, seconded by Mr. Mitchell, to table the public hearing to consider approval of the plat of the proposed development of Choctaw Ridge Subdivision, to be considered at the April 18, 2007 regular meeting. Motion carried unanimously.**

Motion was made by Mr. Altimus, seconded by Mr. Shell, to table discussion of the Highway Fund and Health Unit Fund millage tax renewals, to allow Mr. Altimus to further research this matter. Motion carried unanimously.

Motion was made by Mr. Shell, seconded by Mr. Hammack, to adopt a resolution authorizing Mr. Altimus to execute a Cooperative Endeavor Agreement with the State of Louisiana in connection with the Extension of Crouch Road and Swan Lake Road/Reconstruction of Swan Lake Road to I-220, Planning and Construction. (Capital Outlay Project #50-J08-06B-03) Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 4th day of April, 2007, that William R. Altimus, Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, a Cooperative Endeavor Agreement with the State of Louisiana in connection with the Extension of Crouch Road and Swan Lake Road/Reconstruction of Swan Lake Road to I-220, Planning and Construction. (Capital Outlay Project #50-J08-06B-03), and to act on behalf of the Bossier Parish Police Jury in all matters pertaining to this project.

The resolution was offered by Mr. Shell, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 4th day of April, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Cochran, seconded by Mr. Hammack, to adopt a resolution authorizing the Tax Assessor and Sheriff to employ Brian A. Eddington on a contingency fee basis as legal counsel in the on-going litigation over the assessment and ad valorem taxation of certain pipeline properties in Bossier Parish. Motion carried unanimously.

RESOLUTION

WHEREAS, there is on-going litigation over the assessment and ad valorem taxation of certain pipeline property located in Bossier Parish and the Assessor and Sheriff have been named as defendants in the following suits and/or proceedings:

Texas Eastern Transmission Corp., et. al. v. Louisiana Tax Commission, et al.

Suit No. 105,559, 26th Judicial District Court

Reliant Energy Arkla and Reliant Energy Gas Transmission Co. v. Louisiana Tax Commission, et al

Suit No. 108,137, Div. "C", 26th Judicial District Court

Texas Gas Transmission Corp., et al. v. Louisiana Tax Commission, et al.

Suit No. 108,138, 26th Judicial District Court

Transcontinental Gas Pipeline Corp., et al. v. Louisiana Tax Commission, et al.

Suit No. 491,194 c/w 491,250, 19th Judicial District Court

Centerpoint Mississippi River Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 503,907, 19th Judicial District Court

Centerpoint Mississippi River Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 516,577, 19th Judicial District Court

Centerpoint Mississippi River Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 528,765, 19th Judicial District Court

Centerpoint Mississippi River Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 540,103, 19th Judicial District Court

Centerpoint Energy Gas Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 503,908, 19th Judicial District Court

Centerpoint Energy Gas Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 516,576, 19th Judicial District Court

Centerpoint Energy Gas Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 528,767, 19th Judicial District Court

Centerpoint Energy Gas Transmission Corp v. Louisiana Tax Commission, et al.

Suit No. 540,102, 19th Judicial District Court

WHEREAS, as this litigation proceeds it has become necessary for the Assessor to defend the assessments in legal proceedings;

WHEREAS, such a defense will necessitate the Assessor and Sheriff contracting with legal counsel;

WHEREAS, in an effort to limit the costs of such legal counsel, which cost is ordinarily borne proportionately by the ad valorem taxing bodies in this Parish, the Assessor intends on engaging legal counsel on a contingency fee basis,

with any fees coming only from any additional taxes collected as a result of the new assessments of the above referenced tax payers; and

WHEREAS, the Bossier Parish Police Jury will benefit from the collection of any additional ad valorem taxes collected with the assistance of the legal counsel contracted by the Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Bossier Parish Police Jury in a duly called open meeting does hereby authorize the Assessor and Sheriff to engage BRIAN A. EDDINGTON, Attorney at Law as legal counsel for its benefit in the above referenced proceedings on a contingency fee basis, not to exceed 10% of the additional taxes, interest and penalties collected for its benefit pursuant to the decision of the Louisiana Tax Commission in the above referenced proceedings or by judgment of a reviewing Court and does hereby obligate and encumber an amount not to exceed 10% of the additional taxes (including taxes paid under protest), interest and penalties collected for its benefit for the payment of said legal fees.

BE IT FURTHER RESOLVED by the Bossier Parish Police Jury, that the Assessor and the Sheriff be and are hereby authorized to pay said legal fees to the legal counsel contracted by the Assessor to provide legal services in the above referenced matters prior to or contemporaneously with the disbursement of any additional taxes, interest and penalties to it.

The resolution was offered by Mr. Cochran, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 4th day of April, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Williams, seconded by Mr. Avery, to approve the reappointment of Mr. Jaeger Browning to the Benton-Parish MPC Board of Appeals for a five-year term which expires April 30, 2012. Motion carried unanimously.

Motion was made by Mr. Altimus, seconded by Mr. Shell, to declare the following adjudicated properties as surplus, and to authorize the advertising for bids for the sale of said properties. Motion carried unanimously. Bids will be received May 2, 2007.

1. East 60 feet of Lots 9 & 10, Block D. Resub of part of Macks Bayou Plantation, Bossier City, Bossier Parish, LA; minimum bid \$1,500.00
2. Lot 10, less East 60 feet of Block D, Resub of Lots 5, 6, 7 & South 1/2 of Lot 8, Macks Bayou Plantation, Bossier City, Bossier Parish, LA; minimum bid \$2,350.00

Mr. Altimus advised of a letter of appreciation from Bossier Parish Technical School for funding assistance from the police jury.

Mr. Altimus reported that the police jury's applications for grant funding through the Local Government Assistance Program have been approved. He advised that funding has been approved for improvements to Spring Branch Road, the extension of the Sligo Water System, and for weed eradication in Lake Bistineau. Mr. Altimus advised that applications from both Claiborne and Webster parishes for funding for weed eradication in Lake Bistineau have also been approved and there should be sufficient funding to proceed with this project.

It was requested that a letter be sent to the Department of Wildlife and Fisheries and to Representative Billy Montgomery to request assistance with weed eradication in Cypress Lake.

Mr. Altimus advised that Mr. Jackson, Parish Attorney, has arranged through the Ethics Board, a training program for members of various boards in the parish. It was recommended that police jury appointees be mandated to attend, and to invite others entities to participate as well.

Mr. Altimus requested that the current moratorium on billboard signs be lifted for the area within the Bossier City-Parish MPC five-mile jurisdiction. He stated that the Benton-Parish MPC is currently reviewing sign regulations for the area within its five-mile jurisdiction, and should be adopting an ordinance soon. **Motion was made by Mr. Altimus, seconded by Mr. Meachum, to lift the moratorium on billboard signs in the area located within the five-mile jurisdiction of the Bossier City-Parish MPC. Motion carried unanimously.**

Mr. Altimus advised that Ms. Cheryl Martin, Secretary-Treasurer, has been nominated for the Athena Award.

Mr. Ford reported that Wilbur Smith Associates has been contacted to review the proposed extension of zoning regulations in the parish and regarding updates to the Unified Development Code.

Mr. Ford advised that Mr. Bo Williams, developer, has been required to pay taxes on a small portion of Princeton Lane and has requested that the police jury accept this portion of the road into its road maintenance system. The staff is to review this matter for clarification with the Tax Assessor's office as Princeton Lane is a parish road.

Motion was made by Mr. Williams, seconded by Mr. Rogers, to authorize the advertising for bids for the following concrete street projects, bids to be received May 2, 2007. Motion carried unanimously.

- Forest Hills Subdivision - concrete ditch paving
- Bayou Bend Subdivision - concrete ditch paving
- Creekside Subdivision - concrete street repairs
- Preston Bay Subdivision - concrete street repairs

Mr. Ford stated that repairs to LeOaks Drive will be included in the parish road overlay program.

Mr. Ford presented a proposal from Civil Design Group, LLC, in the amount of \$11,710.00 for engineering

services for the preparation of a master plan for the Haughton Athletics recreational complex. He stated that the proposal will provide a master plan for development of 30 acres and will include proposed site utilities such as water, electrical and sewer service. Mr. Rogers reviewed exclusions of the proposal, advising that it does not include survey work, geotechnical engineering, detailed engineering and construction document development, or any related construction phase activities. **Motion was made by Mr. Rogers, seconded by Mr. Meachum, to accept the proposal of Civil Design Group, LLC, as presented. Motion carried unanimously.**

Motion was made by Mr. Shell, seconded by Mr. Darby, to schedule a public hearing on May 2, 2007, to consider approval of the plat of the proposed development of Le Maison Court, Unit No. 1, located in Section 8, Township 19 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.

Motion was made by Mr. Shell, seconded by Mr. Darby, to schedule a public hearing on May 2, 2007, to consider approval of the plat of the proposed development of Palmetto Park Subdivision, Unit No. 9, located in Section 9, Township 19 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.

Motion was made by Mr. Williams, seconded by Mr. Cochran, to schedule a public hearing on May 2, 2007, to consider the application of D. Ray Perkins to the Benton-Parish MPC for a zoning amendment to change the zoning classification of a 35.410 acre tract of land located in Section 11, Township 20 North, Range 13 West, Bossier Parish, LA., from R-A, Residence Agriculture District to R-1, Single Family Residence District, for a residential subdivision, and to schedule a public hearing on May 2, 2007, to consider approval of the plat of the proposed development of Perkins Estates Subdivision, located in Section 11, Township 20 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.

Motion was made by Mr. Avery, seconded by Mr. Cochran, to schedule a public hearing on May 2, 2007, to consider approval of the plat of Airline Estates, Unit No. 1, located in Section 16, Township 19 North, Range 13 West, Bossier Parish, LA. Motion carried, with Mr. Williams opposing.

Motion was made by Mr. Avery, seconded by Mr. Mitchell, to schedule a public hearing on May 2, 2007, to consider approval of the plat of the proposed development of Park Ridge Subdivision, Unit 1, located in Section 5, Township 18 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.

Mr. Ford presented correspondence from FEMA dated March 20, 2007, advising that the Flood Insurance Rate Maps for Bossier Parish are ready to be updated, and advised that the last step is to have the levees on the Red River certified. He stated that following hurricanes Katrina and Rita, the law requires that the design, construction and maintenance of all levees recognized by FEMA must meet specific certification requirements as outlined in the Code of Federal Regulations. Mr. Ford stated that if the police jury does not comply with the specified certification requirements, the parishwide Flood Insurance Rate Maps for Bossier Parish will be issued with the levee no longer shown as providing protection from the base flood and subsequently, the area impacted will be classified as a special flood hazard area causing mandatory flood insurance purchase requirements. He stated that this would affect approximately 75% of the citizens in Bossier Parish.

Mr. Ford stated that FEMA has provided two options for meeting the certification requirements. He stated that the first option is respond to FEMA within 30 days with all documentation to meet the certification requirements. Mr. Ford stated that based on his review, this option is not possible and stated that the second option allows the police jury to enter into a PAL (Provisionally Accredited Levees) Certification Agreement with FEMA within 90 days. The levees would then be labeled a PAL and would remain on the maps as such, and the police jury has two years from the signing of the agreement to complete the levee certification process.

Mr. Ford stated that the Corps of Engineers and the Bossier Parish Levee Board will be involved in the levee certification process and has advised that it may be July before they know if the required funding for this project will be available. Mr. Altimus recommended that the police jury verify that the Corps of Engineers will have funding to do the levee certification before the PAL agreement is signed.

Motion was made by Mr. Altimus, seconded by Mr. Cochran, to authorize a letter to FEMA to request an extension of the 90-day time limit for signing the PAL Certification Agreement in which to verify with the Corps of Engineers that funding for the certification process will be available. Motion carried unanimously. A copy of the letter is to be sent to local legislators.

Ms. Martin advised that the first regular police jury meeting in July is scheduled on the July 4 holiday. **Motion was made by Mr. Meachum, seconded by Mr. Rogers, to reschedule the first regular police jury meeting in July to be held on July 5, 2007. Motion carried unanimously.**

Mr. Ronnie Andrews, Public Works Director, reported on the 2007 road overlay program. Jurors were provided a copy of the program indicating which road projects have been completed. Mr. Meachum requested that Mr. Andrews check on Lakefront Road, advising that additional material may be needed.

Mr. Johnston stated that a bus turnaround may be needed at Plain Dealing Elementary School and requested that Mr. Andrews review this matter.

Mr. Andrews reported that the new building at the highway department is complete. Mr. Altimus stated that additional renovations at the highway department are planned.

Mr. Andrews reported that work has begun on the Duckwater Landing extension project. He stated that parish crews are working on the Cypress Park beach, making minor repairs on the North Bossier Park walking trail and are cutting grass on Airline.

Mr. Rogers requested that a notice be sent to the owner of property at 785 Randy Lane regarding property standards violations at this address. He further requested that a condemnation hearing be scheduled to consider condemnation of property at 100 Hilltop Road. **Motion was made by Mr. Rogers, seconded by Mr. Mitchell, to notify the owner of property at 785 Randy Lane, and to schedule a condemnation hearing on April 18, 2007, to consider condemnation of property at 100 Hilltop Road, in accordance with property standards regulations. Motion carried unanimously.**

Mr. Mitchell advised of beaver problems in Carriage Oaks Subdivision and requested that a State trapper be contacted.

Mr. Cummings advised that the Meadowview Elementary School has been awarded grant funds in the amount of \$250,000 through the Louisiana Department of Transportation and Development for the Safe Ride and Walk to School Program. He stated that an announcement ceremony is planned at the school on April 23 at 9:30 a.m.

Mr. Meachum advised of a request from the Town of Haughton for use of the parish grapple truck for a clean-up day in the Town of Haughton on April 28. He stated that the Town of Haughton will pay all parish labor costs. **Motion was made by Mr. Meachum, seconded by Mr. Cummings, to authorize the Town of Haughton to use the parish grapple truck during a clean-up day in Haughton on April 28, with the Town of Haughton paying labor costs. Motion carried unanimously.**

Motion was made by Mr. Meachum, seconded by Mr. Cummings, to schedule a public hearing on May 2, 2007, to consider abandonment of a portion of the Jack Caplis Road located off Highway 71. Motion carried unanimously.

Motion was made by Mr. Meachum, seconded by Mr. Williams, to send a notice to the owner of property on Amber Circle to advise of property standards violations at this location. Motion carried unanimously.

Mr. Avery reported on a meeting of the Subdivision Regulations Committee, advising that various changes are being considered. He stated that local engineers will be asked to provide input and ideas before proposed changes are finalized.

Motion was made by Mr. Avery, seconded by Mr. Cochran, to schedule a condemnation hearing on May 2, 2007, to consider condemnation of property at 2526 Vanceville Road, in accordance with property standards regulations. Motion carried unanimously.

Mr. Avery advised of a complaint regarding a drainage problem on Swan Lake Road near the Legacy development. Mr. Ford will review this matter.

Mr. Williams advised of a letter of appreciation from the Benton High School athletic club for police jury funding assistance.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 4th day of April, 2007, the meeting was adjourned by the President at 4:40 p.m.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY