

BOSSIER PARISH POLICE JURY  
BENTON, LOUISIANA  
MINUTES  
July 3, 2012

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The Bossier Parish Police Jury met in regular and legal session on the 3<sup>rd</sup> day of July, 2012, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Rick Avery, called the meeting to order. The invocation was given by Mr. Jerome Darby, and the pledge of allegiance was led by Mr. Glenn Benton. The Parish Secretary, Ms. Cindy Dodson, called the roll, with all members present, as follows:

Mr. Rick Avery	Mr. Jerome Darby
Ms. Wanda Bennett	Mr. Wayne Hammack
Mr. Glenn Benton	Mr. Mac Plummer
Mr. Bob Brotherton	Mr. Doug Rimmer
Mr. Jimmy Cochran	Mr. Fred Shewmake
Mr. Sonny Cook	Mr. Jack Skaggs

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Others present were Mr. Patrick Jackson, Parish Attorney; Mr. Joe E. "Butch" Ford, Jr., Parish Engineer; Ms. Cindy Dodson, Parish Secretary.

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Sheriff Julian Whittington was recognized by the President. Sheriff Whittington stated that he looks forward to working with the police jury during his term as Bossier Parish Sheriff.

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Ms. Marilyn Black, resident of Benton, LA, expressed concern regarding regulations for the fencing of above-ground swimming pools. She stated that fencing is required around in-ground pools but there are no regulations pertaining to the fencing of above-ground pools. Ms. Black reported that according to statistics, 11% of drowning accidents occur in above-ground pools. She stated that her son lives in a subdivision where the covenants require fencing around above-ground pools, but that those regulations are not enforced.

Mr. Patrick Jackson, Parish Attorney, stated that there are no state or parish laws regulating requirements for enclosure of residential pools. He advised that most homeowner insurance policies do require fencing around in-ground pools, but since above-ground pools are not typically financed with a home, insurance is not required. Mr. Jackson stated that the police jury could consider regulations pertaining to residential pool enclosures with the proposed parishwide zoning regulations for areas within the five mile radius of Bossier City and Benton. He stated that the police jury does not have any authority to regulate such issues in the unincorporated areas of the parish where no zoning regulations exist. Mr. Jackson stated that the police jury cannot enforce restrictive covenants for subdivisions, advising that the Homeowners Association should be responsible for the enforcement of regulations pertaining to the fencing of swimming pools if such regulations are contained in the restrictive covenants.

Ms. Black provided statistics for drowning accidents in Louisiana, and requested that the police jury consider reviewing this matter further. This matter was referred to the Road/Subdivision Regulations Committee for further review.

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Mr. Jackson advised of a complaint from Mr. Wayne Maxwell regarding the placement of a manufactured home in a 20-foot private right-of-way on property owned by Mr. Ken Hudson. He stated that the right-of-way provides Mr. Maxwell access to his property. He stated that he has advised Mr. Maxwell that this is a civil matter as the right-of-way does not belong to the public and is located on Mr. Hudson's private property. He stated that the police jury has no authority in this matter.

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Ms. Dodson announced the public meeting to adopt property tax millage rates for the year 2012. She stated that at the June 20, 2012, regular meeting, it was the consensus of members that the Bossier Parish Police Jury will not roll forward its property tax millage rates for the year 2012. **Motion was made by Mr. Shewmake, seconded by Mr. Darby, to adopt an ordinance levying the 2012 property tax millage rates for the General Alimony Tax, Highway Tax, Library Tax, Health Unit Tax and Corrections Facilities Tax.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4435

BE IT ORDAINED by the Bossier Parish Police Jury of the Parish of Bossier, State of Louisiana, in a public meeting held on July 3, 2012, and conducted in accordance with the open meetings law, that the following millage rates be and hereby are levied upon the dollar assessed valuation of all property subject to ad valorem taxation within said parish for the year 2012 for the purpose of raising revenue:

General Alimony Tax	Millage	
Mill Key #1026008	Outside Bossier City	2.68 mills
Mill Key #1026009	Inside Bossier City	1.34 mills
Highway Tax		
Mill Key #1026018		2.01 mills
Library Tax		
Mill Key #1026015		7.57 mills
Health Unit Tax		
Mill Key #1026013		0.83 mill
Corrections Facilities Tax		
Mill Key #1026051		3.00 mills

The ordinance was offered by Mr. Shewmake, seconded by Mr. Darby. It was duly adopted on this 3<sup>rd</sup> day of July, 2012, with the following vote recorded:

AYES: Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cochran, Mr. Cook, Mr. Darby, Mr. Hammack, Mr. Plummer, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs  
NAYS: None

ABSTAIN: None  
ABSENT: None  
CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Plummer, seconded by Mr. Cochran, to levy a user fee of \$36.00 per year for the purpose of paying the costs of any and all emergency medical transportation and services in the Bossier Parish Emergency Medical Services District for the year 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4436

AN ORDINANCE PROVIDING FOR THE LEVY OF A USER FEE OF \$36.00 PER YEAR (MILL KEY #1026053) FOR THE PURPOSE OF PAYING THE COSTS OF ANY AND ALL EMERGENCY MEDICAL TRANSPORTATION AND ALL EMERGENCY SERVICES IN THE BOSSIER PARISH EMERGENCY MEDICAL SERVICE DISTRICT, PARISH OF BOSSIER, STATE OF LOUISIANA, FOR THE YEAR 2012, IN ACCORDANCE WITH THE LAW.

SECTION 1. BE IT ORDAINED by the Bossier Parish Police Jury, acting as the governing authority of the Bossier Parish Emergency Medical Service District, in regular and legal session on the 3<sup>rd</sup> day of July, 2012, that in accordance with law, a user fee of \$36.00 per year for the year 2012, shall be assessed persons owning each residential or commercial structure either occupied or unoccupied, located wholly or partly within the boundaries of the said District, each residential or commercial structure being defined as each residential or commercial unit in a structure and each housing unit within a multiple structure, and a mobile home, as defined in R. S. 9:1149.s(3), for the purpose of paying the costs of any and all emergency medical transportation and all emergency services incidental thereto, as authorized and approved at a special election held in said District on October 16, 1993.

SECTION 2. BE IT FURTHER ORDAINED, etc., that the proper administrative officers of the Parish of Bossier, State of Louisiana, be and they are hereby empowered, authorized and directed to extend said user fee against assessment roll of said District for the year 2012, and to make the collection of the user fee imposed for and on behalf of said District, according to law, and that the user fee herein levied shall become a permanent lien and privilege on all property subject to said user fee as set forth by law, and the collection shall be enforceable in the manner provided by law.

The ordinance was offered by Mr. Plummer, seconded by Mr. Cochran. It was duly adopted on this 3<sup>rd</sup> day of July, 2012, with the following vote recorded:

AYES: Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cochran, Mr. Cook, Mr. Darby, Mr. Hammack, Mr. Plummer, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs

NAYS: None

ABSTAIN: None

ABSENT: None

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Ms. Bennett, seconded by Mr. Skaggs, to adopt an ordinance levying an acreage tax of eight cents per acre on all forest lands and cut-over potential forest lands situated in Bossier Parish for the year 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4437

AN ORDINANCE TO LEVY AN ACREAGE TAX (MILL KEY #1026043) OF EIGHT CENTS PER ACRE ON ALL FOREST LANDS AND CUT-OVER POTENTIAL FOREST LANDS, SITUATED IN BOSSIER PARISH, LOUISIANA, AND TO AUTHORIZE AND DIRECT THE ASSESSOR IN AND FOR BOSSIER PARISH, LOUISIANA, TO ASSESS AND EXTEND SAID TAX ON THE TAX ROLL, AND TO AUTHORIZE AND DIRECT TAX TO BE COLLECTED BY THE SHERIFF AND EX-OFFICIO TAX COLLECTOR IN AND FOR BOSSIER PARISH, LOUISIANA, AND AUTHORIZE THE EXPENDITURE OF SAID FUNDS COLLECTED, ALL ACCORDING TO LAW.

SECTION 1. BE IT ORDAINED by the Police Jury of Bossier Parish in regular and legal session on the 3<sup>rd</sup> day of July, 2012, that for the year 2012 there shall be levied on acreage a tax of eight cents per acre on all forest lands and cut-over potential forest lands situated in Bossier Parish, Louisiana.

SECTION 2. BE IT FURTHER ORDAINED, etc., that this acreage tax shall be assessed and extended on the tax roll of Bossier Parish, Louisiana, by the Parish Assessor in the same manner as the assessment and extension on the tax rolls of the other taxes.

SECTION 3. BE IT FURTHER ORDAINED, etc., that said acreage tax shall be collected by the Sheriff and Ex-Officio Tax Collector of Bossier Parish, Louisiana, in the same manner as other parish taxes and when so collected shall be remitted to the Department of the Government having jurisdiction over the practice of forestry for deposit into the State Forestry Fund.

SECTION 4. BE IT FURTHER ORDAINED, etc., that said acreage tax shall be collected and deposited all in accordance with the law.

The ordinance was offered by Ms. Bennett, seconded by Mr. Skaggs. It was duly adopted on this 3<sup>rd</sup> day of July, 2012, with the following vote recorded:

AYES: Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cochran, Mr. Cook, Mr. Darby, Mr. Hammack, Mr. Plummer, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs

NAYS: None

ABSTAIN: None

ABSENT: None

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Larry Landry, Director of Public Utilities, stated that the six-month averaging of sewerage rates for residential customers of Consolidated Waterworks/Sewerage District No. 1 is being considered. He stated that averaging sewerage rates during the period of September 15th through March 15th is recommended, and stated that collections should be sufficient to meet the district’s funding obligations. Mr. Landry recommended that customers use separate meters for water and sewerage, as this allows the homeowner more control.

Ms. Bennett requested that maintenance expenses for the sewer system be considered while considering adjustments to sewer rates, to ensure that fees collected will cover future maintenance costs. Mr. Landry advised that he has received positive feedback from customers regarding the maintenance to date on the sewerage/water lines and that all expenses have been taken into consideration.

Mr. Hammack stated that if the parish continues to grow and additional customers are added to the sewer system, it may become possible in the future to reduce sewer rates. Mr. Benton stated that the parish is working to provide a service to parish residents, and will strive to keep the rates as low as possible. He stated that he does not recommend separate meters for the sewer customers in an effort to keep fees to a minimum.

After further discussion, **motion was made by Mr. Rimmer, seconded by Mr. Benton, to approve a six-month averaging of sewerage rates for all residential customers within the Consolidated Waterworks/Sewerage District No. 1, for the period of September 15th through March 15th.**

The President called for public comment. Ms. Laura Adley requested additional information concerning the separate meters. Mr. Benton stated that if a customer requests a separate meter for water and sewerage use, they are responsible for fees associated with deposits, installation of an additional meter, and plumbing fees, in addition to sewer fees.

**Votes were cast and the motion carried unanimously.**

RESOLUTION

A RESOLUTION PROVIDING FOR THE AVERAGING OF RESIDENTIAL SEWERAGE RATES FOR CUSTOMERS WITHIN THE CONSOLIDATED WATERWORKS/SEWERAGE DISTRICT NO. 1 OF THE PARISH OF BOSSIER, STATE OF LA, SAID AVERAGING TO BE EFFECTIVE FOR THE SIX-MONTH PERIOD OF SEPTEMBER 15 – MARCH 15 OF EACH YEAR.

BE IT RESOLVED, by the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, State of LA, that it does hereby establish a six-month averaging of sewerage rates for residential customers within the District.

BE IT FURTHER RESOLVED, that said six-month averaging of residential sewerage rates shall take place during the period of September 15 – March 15 of each year, with said six-month rates to be re-averaged on an annual basis.

BE IT FURTHER RESOLVED, that said six-month averaging of residential sewerage rates shall be calculated in accordance with the schedule of fees for residential sewerage usage as established by Resolution of the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, State of LA, adopted on January 19, 2010, and amended on February 17, 2010.

The resolution was offered by Mr. Rimmer, seconded by Mr. Benton. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Butch Ford, Parish Engineer, recommended that the low bid of Benton & Brown, LLC, in the amount of \$498,321.50, be accepted for the Kingston Road Asphaltic Concrete Wearing Course Project No. 2012-362. **Motion was made by Mr. Skaggs, seconded by Ms. Bennett, to award the bid for the Kingston Road Asphaltic Concrete Wearing Course Project No. 2012-362, to Benton & Brown, LLC, low bidder meeting bid specifications in accordance with bids received on June 26, 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bid results are as follows:

Bidder:	Bid Amount:
Benton & Brown, LLC	\$498,321.50
Best Yet Builders, LLC	\$558,388.35

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Mr. Butch Ford, Parish Engineer, recommended that the low bid of Horton Construction Company, Inc., in the amount of \$92,070.30, be accepted for the Melville Place Subdivision, Unit No. 1, Concrete Street Repair Project No. 2012-363. **Motion was made by Mr. Benton, seconded by Mr. Rimmer, to award the bid for the Melville Place Subdivision, Unit No. 1, Concrete Street Repair Project No. 2012-363, to Horton Construction Company, Inc., low bidder meeting bid specifications in accordance with bids received on June 26, 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bid results are as follows:

Bidder:	Bid Amount:
Fessler & Bowman, Inc.	\$130,942.24
F. J. Burnell, Inc.	\$126,594.80
Douglas Construction Company, Inc.	\$144,900.00
Horton Construction Company, Inc.	\$ 92,070.30
RVP Construction, Inc.	\$111,046.40

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Mr. Butch Ford, Parish Engineer, recommended that the low bid of Horton Construction Company, Inc., in the amount of \$78,976.60, be accepted for the Creekside Subdivision Concrete Street Repair Project No. 2012-364. **Motion was made by Mr. Cook, seconded by Mr. Cochran, to award the bid for the Creekside Subdivision Concrete Street Repair Project No. 2012-364, to Horton Construction Company, Inc., low bidder meeting bid specifications in accordance with bids received on June 26, 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bid results are as follows:

Bidder:	Bid Amount:
Fessler & Bowman, Inc.	\$100,660.38
F. J. Burnell, Inc.	\$107,157.40
Douglas Construction Company, Inc.	\$ 94,490.00
Horton Construction Company, Inc.	\$ 78,976.60
RVP Construction, Inc.	\$ 93,430.50

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Mr. Butch Ford, Parish Engineer, recommended that the low bid of Horton Construction Company, Inc., in the amount of \$95,285.60, be accepted for the Bay Hills North and South Subdivisions Concrete Street Repair Project No. 2012-366. **Motion was made by Ms. Bennett, seconded by Mr. Shewmake, to award the bid for the Bay Hills North and South Subdivisions Concrete Street Repair Project No. 2012-366, to Horton Construction Company, Inc., low bidder meeting bid specifications in accordance with bids received on June 26, 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bid results are as follows:

Bidder:	Bid Amount:
Fessler & Bowman, Inc.	\$119,943.06
F. J. Burnell, Inc.	\$129,750.90
Douglas Construction Company, Inc.	\$150,043.00
Horton Construction Company, Inc.	\$ 95,285.60
RVP Construction, Inc.	\$113,220.80

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Mr. Butch Ford, Parish Engineer, recommended that the low bid of RVP Construction, Inc., in the amount of \$43,290.60, be accepted for the Catch Basin-Multiple Locations (Bridgewater Bay/Dogwood Park Subdivisions) Drainage Project No. 2012-358. **Motion was made by Mr. Benton, seconded by Mr. Cochran, to award the bid for the Catch Basin-Multiple Locations (Bridgewater Bay/Dogwood Park Subdivisions) Drainage Project No. 2012-358, to RVP Construction, Inc., low bidder meeting bid specifications in accordance with bids received on June 26, 2012.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bid results are as follows:

Bidder:	Bid Amount:
Douglas Construction Company, Inc.	\$54,619.00
RVP Construction, Inc.	\$43,290.60

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Mr. Butch Ford, Parish Engineer, requested that the matter of awarding the bid for the Bayou Bend/Oak Creek Subdivisions Concrete Street Repair Project No. 2012-367 be tabled, to be considered at the July 18, 2012, regular meeting. **Motion was made by Mr. Benton, seconded by Mr. Cochran, to table the matter of awarding the bid of the Bayou Bend/Oak Creek Subdivisions Concrete Street Repair Project No. 2012-367, to be considered at the July 18, 2012, regular meeting.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Ms. Dodson announced the public hearing to consider the approval of the minor Plat of Survey for Jimmy Lane Kent, located in Section 32, Township 19 North, Range 11 West, Bossier Parish, LA. The matter was tabled on June 20, 2012.

Mr. Ford stated that the proposed minor plat provides for the subdividing of a 7.406 acre tract of land owned by Mr. Kent's father, to allow the donation of a two-acre parcel to Jimmy Kent. He stated that the proposed minor plat indicates a 20-foot servitude of passage from Kent Drive to the two-acre tract of land. Mr. Ford stated that the 20-foot servitude of passage crosses property owned by Mr. Kent's aunt, and that it is his understanding that this is a dedicated servitude.

Mr. Ford stated that in 2011, the Kent family requested that the parish accept Kent Drive into the parish road system for maintenance. He stated that Kent Drive does not meet parish road requirements, and advised that there is also a single-lane railroad crossing on the road that must be improved. Mr. Ford stated that parish regulations prohibit the subdividing of any additional lots on Kent Road until the road is brought up to parish standards. He stated that there are approximately nine residences located off Kent Drive.

Mr. Jackson stated that this request is in conflict with parish ordinances prohibiting the development of a subdivision on non-approved roadways, but stated that parish ordinances do allow the subdividing of family land among family members.

Ms. Bennett requested that Mr. Kent provide documentation to Mr. Ford showing the dedicated servitude of passage. After further discussion, **motion was made by Ms. Bennett, seconded by Mr. Cook, to table the public hearing to consider the approval of the minor Plat of Survey for Jimmy Lane Kent, located in Section 32, Township 19 North, Range 11 West, Bossier Parish, LA, pending receipt of documentation verifying that the 20-foot servitude of passage is publicly dedicated.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** This matter is to be considered at the July 18, 2012, regular meeting.

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Ms. Dodson announced the public hearing to consider the application of the Bossier City-Parish MPC to revert the zoning classification of a 64.47 acre tract of land from I-1, Light Industrial District, to the previous R-LD, Residential-Low Density District. The application received a favorable recommendation from the Bossier City-Parish MPC.

Mr. Sam Marsiglia, Bossier City-Parish MPC, advised that the 64.47 acre tract of land is located in south Bossier Parish and has never been utilized for an industrial use. Mr. Marsiglia stated that this property is a portion of the property for the proposed Bossier Park.

There being no opposition, **motion was made by Mr. Brotherton, seconded by Mr. Plummer, to approve the application of the Bossier City-Parish MPC, as presented.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4438

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 64.47 ACRE TRACT OF LAND FROM I-1, LIGHT INDUSTRIAL DISTRICT, TO THE PREVIOUS R-LD, RESIDENTIAL-LOW DENSITY DISTRICT

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 3<sup>rd</sup> day of July, 2012, 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 64.47 acre tract of land from I-1, Light Industrial District, to the previous R-LD, Residential-Low Density District, to revert the zoning, being more particularly described as follows: A certain tract of land containing 20.00 acres, more or less, situated in Sections 27 and 28, Township 17 North, Range 12 West, Bossier Parish, Louisiana, being more particularly described as follows:

Commencing at a found ¾" iron rod at the northwest corner of Lot 2, Sligo Industrial Park, Unit No. 1, as recorded in the Conveyance Book 1364, Page 596 of the records of Bossier Parish, Louisiana and proceed South a distance of 2522.06 feet; thence proceed West a distance of 628.58 feet to a set ½" iron pipe and the POINT OF BEGINNING; thence proceed South 52° 00' 41" West a distance of 704.77 feet to a set ½" iron pipe; thence proceed South 48° 06' 18" West a distance of 166.00 feet to a set ½" iron pipe; thence proceed North 32° 21' 31" West a distance of 1013.78 feet to the apparent mean low water line (left descending) of Red Chute Bayou; thence proceed along said mean low water line the following eight courses and distances:

- North 58° 22' 59" East a distance of 144.72 feet;
- North 59° 43' 23" East a distance of 147.71 feet;
- North 56° 17' 30" East a distance of 99.11 feet;
- North 31° 52' 51" East a distance of 76.70 feet;
- North 23° 07' 44" East a distance of 22.90 feet;
- North 37° 54' 26" East a distance of 77.43 feet;
- North 42° 32' 43" East a distance of 188.12 feet;
- North 32° 59' 43" East a distance of 144.37 feet;

Thence leaving said mean low water line proceed South 32° 21' 31" East a distance of 1093.89 feet to the POINT OF BEGINNING, all as further shown on a Map of Survey prepared by Coyle Engineering Co., Inc., dated February 1, 2012, and being subject to any and all servitudes, easements and/or rights of way record or of use.

A certain tract of land containing 44.47 acres, more or less, situated in Section 28, Township 17 North, Range 12 West, Bossier Parish, Louisiana, being more particularly described as follows:

Commencing at a found ¾" iron rod at the northwest corner of Lot 2, Sligo Industrial Park, Unit No. 1, as recorded in the Conveyance Book 1364, Page 596 of the records of Bossier Parish, Louisiana and proceed South a distance of 3066.70 feet; thence proceed West a distance of 1307.60 feet to a set ½" iron pipe and the POINT OF BEGINNING; thence proceed South 48° 06' 18" West a distance of 1227.62 feet to a set ½" iron pipe; then proceed South 07° 47' 57" East a distance of 346.95 feet to a set ½" iron pipe; thence proceed South 49° 44' 11" West a distance of 488.70 feet to the apparent mean low water line (left descending) of Red Chute Bayou; thence proceed along said mean low water line the following

- North 06° 16' 19" West a distance of 295.38 feet;
- North 00° 20' 04" East a distance of 245.86 feet;
- North 00° 51' 48" West a distance of 315.75 feet;
- North 14° 21' 09" West a distance of 233.88 feet;
- North 47° 58' 25" West a distance of 142.99 feet;
- North 81° 39' 28" West a distance of 120.21 feet;
- North 36° 55' 08" West a distance of 84.37 feet;
- North 35° 32' 50" West a distance of 185.22 feet;
- North 03° 57' 45" West a distance of 114.07 feet;
- North 08° 35' 39" East a distance of 144.36 feet;
- North 22° 06' 37" East a distance of 112.60 feet;
- North 28° 32' 50" East a distance of 140.17 feet;
- North 55° 42' 39" East a distance of 82.01 feet;
- North 57° 22' 39" East a distance of 126.23 feet;
- North 71° 51' 35" East a distance of 104.62 feet;
- North 68° 19' 13" East a distance of 152.47 feet;
- North 78° 26' 05" East a distance of 140.20 feet;
- North 77° 52' 47" East a distance of 221.77 feet;
- North 60° 34' 55" East a distance of 187.20 feet;
- North 59° 52' 25" East a distance of 137.20 feet;

Thence leaving said mean low water line proceed South 32° 21' 31" East a distance of 1013.78 feet to the POINT OF BEGINNING, all as further shown hereon, and being subject to any and all servitudes, easements and/or rights-of-way of record or of use.

Applicant: Bossier City-Parish Metropolitan Planning Commission

Purpose: To revert zoning

The ordinance was offered by Mr. Brotherton, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Ms. Dodson announced the public hearing to consider the application of Roy Gene Hicks, III, to the Benton-

Parish MPC for a zoning amendment to change the zoning classification of a 30.023 acre tract of land along Linton Road, located in Section 3, Township 19 North, Range 13 West, from R-A, Residential-Agriculture District, to R-1, One-Family Residence District, for a residential subdivision. The application received a favorable recommendation from the Benton-Parish MPC.

Mr. Roy Gene Hicks, III, stated that the development of a subdivision is planned on the 30.023 acre tract of land off Linton Road. He stated that a final plat for the proposed subdivision is not complete and requested an extension of time. Mr. Avery stated that this public hearing is for a zoning amendment only and that a finalized plat is not required at this time. Ms. Penwell advised that the Benton-Parish MPC has approved the zoning amendment.

Ms. Bennett advised that she will not support any requests made by Mr. Hicks due to past history between Mr. Hicks and the parish. Ms. Bennett stated that there are too many unanswered questions pertaining to the proposed subdivision, and that Mr. Hicks began working on the property prior to any zoning being approved.

Mr. Hicks stated that he is trying to bring development and other business opportunities to the Benton area, and he is not being given a fair opportunity to move forward.

Mr. Hicks stated that the 26<sup>th</sup> Judicial District Court found him not guilty in the previous lawsuit filed by the police jury regarding his alleged operation of a business in a residential subdivision. Mr. Jackson stated that a judgment was rendered issuing a permanent injunction against Mr. Hicks and his business from conducting a commercial/business operation in a residential subdivision. He stated that Mr. Hicks was granted 30 days to remove all business operations from the residential subdivision. Mr. Jackson stated that several months later, Mr. Hicks was found to be in contempt of court for violation of the original judgment with fines and penalties being suspended if Mr. Hicks came into compliance with the original judgment. Mr. Hicks stated that he misunderstood the ruling of the court.

Ms. Penwell, Benton-Parish MPC, advised that this hearing is for zoning only and that Mr. Hicks is not authorized to begin building any structures on the property at this time. After further discussion, **motion was made by Mr. Benton, seconded by Mr. Shewmake, to approve the application of Roy Gene Hicks, III, for a zoning amendment, as presented.**

The President called for public comment. There being none, **votes were cast and the motion failed, with the following vote recorded:**

**AYES: Mr. Avery, Mr. Benton, Mr. Hammack, Mr. Shewmake**  
**NAYS: Ms. Bennett, Mr. Brotherton, Mr. Cook, Mr. Cochran, Mr. Darby, Mr. Plummer, Mr. Skaggs**  
**ABSTAIN: None**  
**ABSENT: Mr. Rimmer**

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Ms. Dodson announced the public hearing to consider the application of Roy Gene Hicks, III, to the Benton-Parish MPC for a zoning amendment to change the zoning classification of a 5.425 acre tract of land consisting of a partition Tract C and Tract D in Ester Miles Estate Lot 8-F, located in Section 3, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-3, Community and Central Business District, for a storage unit facility. The application received an unfavorable recommendation from the Benton-Parish MPC.

**Motion was made by Ms. Bennett, seconded by Mr. Hammack, to uphold the unfavorable recommendation of the Benton-Parish Metropolitan Planning Commission, and deny the application of Roy Gene Hicks, III, for a zoning amendment.**

Mr. Hammack called for discussion on the motion. Mr. Hicks stated that he plans to construct a nice storage unit facility for boats, campers, recreational vehicles or trailers, advising that this will provide a storage area for people around the lake, and for residents who live in subdivisions with restrictive covenants that prohibit the parking of such vehicles at their home.

Ms. Nancy Penwell, Benton-Parish MPC, stated that this is family property that has been partitioned, and advised that the Benton-Parish MPC rendered an unfavorable recommendation because they felt the Linton Road area is primarily residential and is not a suitable location for B-3 zoning.

Mr. Hicks stated that he obtained signatures of 83% of the residents of North Point Estates Subdivision, Glen Cove Drive, Water's Edge Subdivision, Family Circle, Bridgewater Bay Subdivision, Sweetwater Oaks Subdivision, Bay Hills North Subdivision, Woodlake North Subdivision, Preston Bay Subdivision and Covington Street that support the proposed storage unit facility. He stated that businesses do exist on Linton Road, and that a storage unit facility will not increase traffic on Linton Road.

Mr. Roy Gene Hicks, Sr., stated that he feels Ms. Bennett is always against his grandson, and stated that many people are in favor of the proposed storage facility. He stated that there have been no problems with a storage unit facility located on Airline Drive near churches and subdivisions.

**Votes were cast on the motion to uphold the unfavorable recommendation of the Benton-Parish MPC.**

Ms. Lucy Cooper spoke from the audience and asked that a public comment period be allowed. Mr. Avery apologized and requested that the pending votes be rescinded, and the voting board cleared. He invited Ms. Cooper to speak.

Ms. Lucy Cooper, 125 Rambo Road, Benton, LA, addressed the jury on behalf of the citizens. She stated that the requested B-3 zoning will allow Mr. Hicks to build a proposed 100-unit storage facility with 75 of the 100 units to be used for recreational vehicle and boat storage. Ms. Cooper stated that the proposed storage unit will include privacy fencing, hedging, and locked and coded entrances with security cameras. She stated that the proposed storage facility addresses the needs of a lake community and that the citizens of the area are in favor. Ms. Cooper urged the jury to consider the wishes of the citizens. She stated that the residents who reside within one to one-half mile of the proposed storage unit facility are in support of this zoning amendment.

Ms. Cooper stated that boat and recreational vehicle traffic already exists due to the park and lake in this area. She stated that only petitions with full addresses indicating proximity to the site of the proposed storage facility should be considered. Ms. Cooper stated that a specific zoning was granted less than one mile from this property, and that the police jury has the authority to overturn a recommendation by the Benton-Parish MPC.

Ms. Penwell advised that when a B-3 zoning is requested in any area, the Benton-Parish MPC carefully considers the various types of businesses allowed under the B-3 zoning classification. She stated that there is concern regarding what type of business may locate at this location in the future if Mr. Hicks' business should close. She stated that the Benton-Parish MPC does not feel that a B-3 zoning is appropriate for this area.

Ms. Cooper advised that the residents feel that the B-3 zoning is appropriate for this area and the proposed

storage facility is a fit for the community.

Ms. Winnie Gilliard, 1271 Linton Road, stated that she lives across the street from the site of the proposed storage unit facility, and is not in favor of B-3 zoning at this location.

Ms. Penwell stated that residents within 300 feet of the proposed zoning amendment were notified of the zoning request.

Ms. Leota Bullock, on behalf of her son and daughter-in-law that live at 1312 Linton Road, advised that they object to the proposed B-3 zoning, advising that they feel this type of business will create a traffic hazard on Linton Road. She stated that Mr. Hicks did not speak with them to discuss his proposed plans.

Mr. Joe Hardman, 1304 Linton Road, stated that he lives adjacent to the site of the proposed storage facility and expressed his opposition to the proposed zoning amendment. He stated that the surrounding property is all residential. Mr. Hardman stated that a storage unit facility will create increased traffic and noise on weekends when residents are resting or attending church. Mr. Hardman advised that Mr. Hicks did not speak with him to discuss his proposed plans.

Ms. Yvonne Akins, 137 Robin Lane, advised that she lives approximately 400 feet off Airline Drive near three storage unit facilities and numerous other businesses. She stated that Bossier Parish is growing and residents need to understand that with growth, businesses will continue to build near residential areas and traffic will continue to increase. She stated that the storage unit facilities in her area have not caused any additional traffic or noise.

Mr. Benton advised that notices were sent to residents living within 300 feet of the proposed zoning amendment, and that the property owners that live near this area are the ones that the Benton-Parish MPC and the police jury are trying to protect. After further discussion, **motion was made by Mr. Benton, seconded by Mr. Brotherton, to uphold the unfavorable recommendation of the Benton-Parish Metropolitan Planning Commission, and deny the application of Roy Gene Hicks, III, for a zoning amendment.**

The President called for any further public comment. Mr. Hicks presented an aerial photograph of the property, advising that the home located on the south side of the property is vacant and that Ms. Gilliard's home cannot be seen from this property.

**Votes were cast and the motion carried unanimously.**

\*\*\*

Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Sunflower Pointe Subdivision, located in Section 23, Township 17 North, Range 13 West, Bossier Parish, LA.

Mr. Ford stated that this is a 15-acre tract of land owned by family heirs, and stated that the heirs have requested that the tract be subdivided. He stated that a new driveway is being built as requested, and that he recommended approval of the plat.

There being no opposition, **motion was made by Mr. Plummer, seconded by Mr. Brotherton, to approve the plat of the proposed development of Sunflower Pointe Subdivision, located in Section 23, Township 17 North, Range 13 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Dogwood South Subdivision, Unit No. 14a, being a resubdivision of Lots 423-426 of Dogwood South Subdivision, Unit No. 14, located in Section 8, Township 18 North, Range 12 West, Bossier Parish, LA.

Mr. Charlie Coyle, Coyle Engineering Company, Inc., advised that the developer has requested that all lots currently plotted within the Levee Board easement along Red Chute Bayou, be combined into one lot, with ownership of the one lot being transferred to the Homeowners Association for Dogwood South Subdivision.

There being no opposition, **motion was made by Mr. Benton, seconded by Mr. Skaggs, to approve the plat of the proposed development of Dogwood South Subdivision, Unit No. 14a, being a resubdivision of Lots 423-426 of Dogwood South Subdivision, Unit No. 14, located in Section 8, Township 18 North, Range 12 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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**Motion was made by Ms. Bennett, seconded by Mr. Plummer, to schedule a public hearing on July 18, 2012, to consider approval of the Minor Plat for Kenneth Wayne Edwards, located in Section 27, Township 20 North, Range 13 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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**Motion was made by Ms. Bennett, seconded by Mr. Brotherton, to schedule a public hearing on July 18, 2012, to consider the approval of the Minor Plat of Survey for Thaila Chris Hall, located in Section 28, Township 20 North, Range 13 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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**Motion was made by Mr. Skaggs, seconded by Mr. Brotherton, to adopt an ordinance approving the request for operation of an entrance gate to restrict and/or regulate vehicular access to The Crossing at Wemple Subdivision.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

#### ORDINANCE NO. 4439

AN ORDINANCE TO AUTHORIZE THE OPERATION OF A SECURITY GATE SYSTEM IN THE CROSSING AT WEMPLE SUBDIVISION, AND TO AUTHORIZE THE PLACEMENT OF SUCH ENCROACHMENT UPON ARBOR PLACE, LOCATED IN SECTION 33, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LA.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 3<sup>rd</sup> day of July, 2012, that in accordance with Ordinance No. 3504 of August 13, 1997, it does hereby approve the placement of a security access gate system upon Arbor Place, The Crossing at Wemple Subdivision, Bossier Parish, Louisiana.

The ordinance was offered by Mr. Skaggs, seconded by Mr. Brotherton. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Benton, seconded by Mr. Skaggs, to accept the streets and drainage in Dogwood South Subdivision, Unit No. 15, into the parish road system for permanent maintenance.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4440

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 3<sup>rd</sup> day of July, 2012, has received a request from Logan Land Development, LLC, that the parish accept into its system for permanent maintenance, the streets and drainage in Dogwood South Subdivision, Unit No. 15, Bossier Parish, Louisiana; and

WHEREAS, the said streets and drainage have been completed in accordance with the specifications of the Bossier Parish Police Jury; and

WHEREAS, a two-year maintenance bond has been executed in favor of the Bossier Parish Police Jury to guarantee against failure of said streets and drainage as to material and workmanship as required by Chapter 110, Section 110-201 of the Bossier Parish Code of Ordinance.

WHEREAS, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury that it does accept the two-year maintenance bond of Logan Land Development, LLC, including labor and materials, for the above captioned streets and drainage.

BE IT FURTHER RESOLVED, that the Bossier Parish Police Jury does hereby accept into the parish maintenance system for continuous maintenance, streets and drainage located in Dogwood South Subdivision, Unit No. 15, Bossier Parish, Louisiana:

Dogwood South – 0.172 mile

BE IT FURTHER RESOLVED, that a certified copy of this ordinance be recorded in the Office of the Clerk of Court, Bossier Parish, Louisiana, together with the maintenance bond.

The Ordinance was offered by Mr. Benton, seconded by Mr. Skaggs. Upon vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Cook, seconded by Mr. Cochran, to accept the streets and drainage in Gray Duck North Subdivision, Unit No. 4, into the parish road system for permanent maintenance.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4441

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 3<sup>rd</sup> day of July, 2012, has received a request from Benton & Brown, LLC, that the parish accept into its system for permanent maintenance, the streets and drainage in Gray Duck North Subdivision, Unit No. 4, Bossier Parish, Louisiana; and

WHEREAS, the said streets and drainage have been completed in accordance with the specifications of the Bossier Parish Police Jury; and

WHEREAS, a two-year maintenance bond has been executed in favor of the Bossier Parish Police Jury to guarantee against failure of said streets and drainage as to material and workmanship as required by Chapter 110, Section 110-201 of the Bossier Parish Code of Ordinance.

WHEREAS, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury that it does accept the two-year maintenance bond of Benton & Brown, LLC, including labor and materials, for the above captioned streets and drainage.

BE IT FURTHER RESOLVED, that the Bossier Parish Police Jury does hereby accept into the parish maintenance system for continuous maintenance, streets and drainage located in Gray Duck North Subdivision, Unit No. 4, Bossier Parish, Louisiana:

Canvas Back Drive – 0.193 mile

Black Scoter Drive – 0.146 mile

Masked Duck Circle – 0.045 mile

BE IT FURTHER RESOLVED, that a certified copy of this ordinance be recorded in the Office of the Clerk of Court, Bossier Parish, Louisiana, together with the maintenance bond.

The Ordinance was offered by Mr. Cook, seconded by Mr. Cochran. Upon vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

\*\*\*

**Motion was made by Mr. Skaggs, seconded by Mr. Plummer, to accept the streets and drainage in Kingston Plantation Subdivision, Unit No. 3A, into the parish road system for permanent maintenance.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4442

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 3<sup>rd</sup> day of July, 2012, has received a request from Specialty Trackhoe & Dozer Services, Inc., that the parish accept into its system for permanent maintenance, the streets and drainage in Kingston Plantation Subdivision, Unit No. 3A, Bossier Parish, Louisiana; and

WHEREAS, the said streets and drainage have been completed in accordance with the specifications of the Bossier Parish Police Jury; and

WHEREAS, a two-year maintenance bond has been executed in favor of the Bossier Parish Police Jury to guarantee against failure of said streets and drainage as to material and workmanship as required by Chapter 110, Section 110-201 of the Bossier Parish Code of Ordinance.

WHEREAS, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury that it does accept the two-year maintenance bond of Specialty Trackhoe & Dozer Services, Inc., including labor and materials, for the above captioned streets and drainage.

BE IT FURTHER RESOLVED, that the Bossier Parish Police Jury does hereby accept into the parish maintenance system for continuous maintenance, streets and drainage located in Kinston Plantation Subdivision, Unit No. 3A, Bossier Parish, Louisiana:

- Kingston Plantation – 0.420 mile
- Sugar Cane Lane – 0.045 mile
- Cattails Trail – 0.090 mile

BE IT FURTHER RESOLVED, that a certified copy of this ordinance be recorded in the Office of the Clerk of Court, Bossier Parish, Louisiana, together with the maintenance bond.

The Ordinance was offered by Mr. Skaggs, seconded by Mr. Plummer. Upon vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

\*\*\*

**Motion was made by Mr. Hammack, seconded by Mr. Shewmake, to ratify acceptance of a proposal from David Volentine in an amount not to exceed \$12,500 for the appraisal of property for the South Bossier Park, and to authorize the President to execute documents.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 3<sup>rd</sup> day of July, 2012, that Rick Avery, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents or contracts in connection with the proposal of David Volentine in an amount not to exceed \$12,500 for appraisal of property for the South Bossier Park.

The resolution was offered by Mr. Hammack, seconded by Mr. Shewmake. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

\*\*\*

**Motion was made by Mr. Cook, seconded by Mr. Plummer, to approve the reappointment of Ms. Eddie Scott and Mr. Gary Lyles to the Bossier Parish Fire District No. 7 Board of Commissioners for two-year terms each, terms to expire July 31, 2014.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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**Motion was made by Ms. Bennett, seconded by Mr. Skaggs, to approve the Certificate of Substantial Completion of the Cypress Forest Drainage Improvements Project No. 2011-329, and to authorize the President to execute documents.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 3<sup>rd</sup> day of July, 2012, that it does hereby approve the Certificate of Substantial Completion of the Cypress Forest Drainage Improvements Project No. 2011-329.

BE IT FURTHER RESOLVED that Rick Avery, President, be and is hereby authorized to execute any and all documents in connection with said Certificate of Substantial Completion.

The resolution was offered by Ms. Bennett, seconded by Mr. Skaggs. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of July, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

\*\*\*

Mr. Sammy Halphen, Director of Public Safety, presented a report on the recent assessment of courthouse security. He stated that the United States Fire Marshall's Office requires a complete assessment report to be filed with their office, and advised that the assessment includes security outside and inside the courthouse, elevators, and fire systems. Mr. Halphen stated the local fire department also participated in examining all fire systems to ensure proper operation. He stated that he feels confident that the courthouse is secure, advising that additional improvements for security are being reviewed.

Mr. Halphen reported that the recent fire drill at the courthouse was a success, stating that the courthouse was completely evacuated within five minutes.

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Mr. Ford advised that striping is complete on Bellevue Road, and that substantial completion of the project should be received shortly.

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Mr. Ford provided updates on the Palmetto Road, Parks Road, Poole Road, and Arthur Ray Teague Parkway Extension projects.

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Mr. Ford provided a report on the Shadow Lake Dam repairs, advising that Mr. Logan will begin work soon. He stated that the plans are approved, and advised that Coyle Engineering Company, Inc., will inspect the project to ensure that the work is done according to plans.

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A visitor from the audience requested an update on the Eastwood/Merrywoods Statewide Flood Control Project. Mr. Ford advised that state funding in the amount of \$900,000 has been approved for the project, and that the parish has received authorization to begin right-of-way acquisition. He stated that he hopes to begin right-of-way acquisition shortly.

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Mr. Mark Coutee, Road Superintendent, presented an update on activities of the highway department and on several road projects in the parish. He stated that nine miles of the 2012 Road Overlay Program are now complete.

Mr. Coutee presented photographs of the clean-up efforts in Claiborne Parish due to a recent storm, advising that parish crews have been assisting Claiborne Parish in their clean-up efforts for the last week.

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Ms. Bennett presented an email from a resident of Bellevue Road extending appreciation for the improvements to Bellevue Road.

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Mr. Darby requested that Mr. Kenny Loftin attend the July 18, 2012, finance meeting to provide a report on funding for the Juvenile Detention Facility.

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Mr. Patrick Jackson, Parish Attorney, advised that he will not be present at the July 18, 2012, finance and regular meeting due to military obligations.

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 3<sup>rd</sup> day of July, 2012, the meeting was adjourned by the President at 3:45 p.m.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY