

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
January 2, 2002

The Bossier Parish Police Jury met in regular and legal session on this 2nd day of January, 2002, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Jesse Williams, called the meeting to order. The invocation was given by Mr. Dennis Woodward and the pledge of allegiance was led by Mr. Jimmy Cochran. The Secretary-Treasurer, 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	Dr. Eddy Shell
Mr. Wayne Hammack	Mr. Jesse Williams

Others present were Mr. Dennis Woodward, Parish Administrator; Mr. Patrick Jackson, Parish Attorney; Cheryl Martin, Secretary-Treasurer.

The President called for the election of officers for the Bossier Parish Police Jury for the year 2002, asking for nominations for President. **Motion was made by Mr. Hammack, seconded by Mr. Avery, to nominate Mr. Bill Altimus as President of the Bossier Parish Police Jury for the year 2002. Motion was made by Mr. Cummings, seconded by Mr. Rogers, that nominations cease and Mr. Altimus be elected as President of the Bossier Parish Police Jury for 2002 by acclamation. Motion carried, with Mr. Altimus abstaining from vote.**

Mr. Williams called for nominations for Vice President of the Bossier Parish Police Jury for 2002. **Motion was made by Mr. Hammack, seconded by Dr. Shell, to nominate Mr. Cochran as Vice President for 2002. Motion was made by Mr. Cummings, seconded by Mr. Rogers, that nominations cease and Mr. Cochran be elected as Vice President of the Bossier Parish Police Jury for 2002 by acclamation. Motion carried unanimously.**

Mr. Altimus presented an out-going president's plaque to Mr. Williams and expressed appreciation to him for his service as police jury president for 2001.

Motion was made by Mr. Hammack, seconded by Mr. Avery, to appoint Mr. Dennis Woodward as Bossier Parish Administrator for a one-year term. Motion carried unanimously.

Motion was made by Mr. Cummings, seconded by Mr. Hammack, to appoint Ms. Cheryl Martin as Secretary-Treasurer for a two-year term. Motion carried unanimously.

Motion was made by Dr. Shell, seconded by Mr. Hammack, to deviate from the agenda to add Ms. Betty Perkins as Item No. 11. Motion carried unanimously.

Sealed bids were opened and read aloud for the purchase of one five-yard dump truck for the Bossier Parish Highway Department, as follows:

Bidder:	Bid Amount:
Allen Truck Sales & Service	\$44,807.14
Shreveport Truck Center	\$36,000.00
Twin State Trucks, Inc.	\$36,500.00

Motion was made by Dr. Shell, seconded by Mr. Rogers, to take the bids under advisement, to be tabulated and awarded at the January 16 regular meeting. Motion carried unanimously.

Motion was made by Mr. Avery, seconded by Mr. Rogers, to accept the low bid of Benton and Brown, Inc., for the hot-mix asphaltic concrete overlay of 0.6 mile of Valerie Lane, in accordance with bids received on December 19, 2001. Motion carried unanimously.

Bid results are as follows:

Bidder:	Bid Amount:
Best-Yet Builders, LLC	\$94,500.00
Benton and Brown, Inc.	\$68,875.00

RESOLUTION

A resolution accepting the bid of Benton and Brown, Inc., of Bossier City, Louisiana, for the construction of street paving improvements on Valerie Lane from Stewart Road to its western terminus at the eastern side of Lot 25, Jeanie Lee Estates, Unit 2, and authorizing the President and Secretary of the Police Jury of the Parish of Bossier, State of Louisiana, to execute a contract on behalf of said Parish for such work.

WHEREAS, the Police Jury of the Parish of Bossier, State of Louisiana, acting as the governing authority (the "Governing Authority") of the Parish of Bossier, State of Louisiana (the "Parish"), published a notice in the official journal of the Parish, in accordance with law, advertising for sealed bids for the construction of street paving improvements on Valerie Lane from Stewart Road to its western terminus at the eastern side of Lot 25, Jeanie Lee Estates, Unit 2; and

WHEREAS, in accordance with the advertisement provided for in said resolution, bids for said construction were opened and received on December 19, 2001, at TWO O'CLOCK (2:00) p.m.; and

WHEREAS, Benton and Brown, Inc., of Bossier City, Louisiana, submitted the lowest and best price for the street paving improvements to be constructed by this Governing Authority;

NOW, THEREFORE, BE IT ORDAINED by the Governing Authority that:

SECTION 1. That the bid or proposal submitted to the Governing Authority on December 19, 2001, by Benton and Brown, Inc., of Bossier City, Louisiana, for the construction of street paving improvements on Valerie Lane from Stewart Road to its western terminus at the eastern side of Lot 25, Jeanie Lee Estates, Unit 2, as set forth in a resolution adopted by the Governing Authority on October 17, 2001, ordering such improvements constructed, and in accordance with the plans and specifications prepared by Dennis Woodward, Parish Administrator for the Parish, said bid proposal being in the amount of Sixty-Eight Thousand Eight Hundred Seventy-Five Dollars (\$68,875.00), and being the lowest and best bid received for the performance of the work contemplated, be and the same is hereby accepted, and a contract for said street paving improvements be and the same is hereby awarded to the said Benton and Brown, Inc., of Bossier City, Louisiana.

SECTION 2. That the President and Secretary of this Governing Authority be and the same are hereby empowered, authorized and directed to execute a contract with the said Benton and Brown, Inc., of Bossier City, Louisiana, on behalf of, in the name of and under the official seal of the Parish, which contract shall be substantially in the following words and figures, to-wit:

STATE OF LOUISIANA

PARISH OF BOSSIER

This agreement, between the BOSSIER PARISH POLICE JURY, Benton, Louisiana, and BENTON AND BROWN, INC., Bossier City, Louisiana, constitutes a contract between the two parties for certain road improvement work to be done in Bossier Parish.

The BOSSIER PARISH POLICE JURY, having advertised in accordance with the laws of the State of Louisiana for certain road improvement work to be done, accepted the low bid submitted by BENTON AND BROWN, INC. along with necessary contract bonds on said projects, as listed below.

This will constitute authority from the BOSSIER PARISH POLICE JURY for BENTON AND BROWN, INC. to proceed with road improvement work in Bossier Parish, Louisiana, in accordance with specifications set forth in bid documents, as follows:

VALERIE LANE OVERLAY PROJECT: The hot-mix asphaltic concrete overlay of approximately 0.6 mile of Valerie Lane 2" thick and 20' wide, including related construction items."

Asphaltic Concrete Wearing Course

2" thick	775.0 tons	\$ 45.00 per ton
Stone Base Course	1,000 cu. yds.	\$ 34.00 per cu. yd.

WITNESS

BOSSIER PARISH POLICE JURY

BY: _____

BENTON AND BROWN, INC.

BY: _____

SWORN TO and subscribed before me, notary, on this _____ day of _____, 2002.

NOTARY PUBLIC

SECTION 3. That the obligations of the Parish, under the contract hereby authorized for the construction of said street paving improvements, shall be payable from the contribution made by the Parish and the funds derived from the levy and collection of local or special assessments on the properties abutting the streets, or portion thereof, improved and/or from the issuance and sale of Paving Certificates of the Parish in the manner provided in Sub-Part A, Part I, Chapter 7, Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

SECTION 4. That this resolution shall be published in one (1) issue of the official journal of the Parish, and a certified copy thereof shall be filed with the Clerk of Court and Ex-Officio Recorder of Mortgages in and for the Parish, to be by him duly recorded in the Mortgage Records of said Parish.

The resolution was offered by Mr. Avery, seconded by Mr. Rogers. Upon unanimous vote, it was duly adopted on this 2nd day of January, 2002.

CHERYL G. MARTIN
SECRETARY-TREASURER

BILL ALTIMUS, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin announced the public hearing to consider the selection of two structures in the Tall Timbers Subdivision to be purchased through the Federal Emergency Management Agency HMGP Unmet Needs Program. Mr. Woodward advised that funding in the amount of \$209,000 is available, and there are five residents who wish to pursue buy-out of their home through the FEMA Unmet Needs Program, as follows:

George and Anita Hilburn, 643 Pine Cone Drive
Shawn and Carmen Cheney, 635 Pine Cone Drive
Bryan Canup, 637 Pine Cone Drive
Elisha and Alma Jones, 645 Pine Cone Drive
Darold and Gabriele Spillman, 631 Pine Cone Drive

Mr. Woodward stated that as funds are available for the buy-out of only two homes, a random drawing of two homeowners' names is being considered as a fair means of selecting the properties to be purchased.

Mr. George Hilburn spoke from the audience, suggesting that in determining how the funds are to be used the police jury and FEMA should be certain that the homeowner is serious in pursuing the buy-out application. Mr. Hilburn further recommended that residents who purchased their home prior to April, 1991, and were unaware of the probability of flooding at the time of purchase, should be considered first. Mr. Avery stated that property disclosure documents should contain information regarding any past or potential flooding problems, and agreed that the police jury should consider whether a homeowner knew at the time of purchase that there was a potential for flooding.

The following residents of Tall Timbers Subdivision addressed the jury; Mr. George Hilburn, Ms. Alma Jones, Mr. Shawn Cheney, and Mr. Darold Spillman. It was noted that Mr. Bryan Canup is out of town on military duty. Ms. Jones stated that she purchased her property in 1980 and there was no disclosure statement at the time of purchase. Mr. Spillman stated that he purchased his home in 1986 and Mr. Hilburn stated that he purchased his home in 1978. Mr. Cheney advised that he purchased his home in 1998, and stated that he did sign a disclosure statement at the time of purchase which advised of prior flooding.

Mr. Mitchell stated that he feels the homeowners who have lived at their residence longer and suffered the worst flooding should be considered first. Mr. Rogers stated those homeowners who were aware of potential flooding problems when they purchased their home should be

disqualified. Mr. Woodward stated that additional funds will be available through FEMA for future purchases. Mr. Hammack agreed that homeowners who have been there longer should be considered first, and urged that additional funds be pursued. **Motion was made by Mr. Johnston, that the two homeowners who have lived at this location for the longest period of time be selected for buy-out of their home through the FEMA HMGP Unmet Needs Program.**

There was discussion on the motion. Ms. Jones stated that she feels the homeowners who have suffered the longest and have invested money into their homes to recover from flooding events should be considered first. Mr. Rogers suggested that two names be drawn from the three homeowners who have owned their home for the longest period of time. **Mr. Johnston's motion died due to lack of a second.**

Motion was made by Mr. Rogers, seconded by Mr. Hammack, that two names be drawn from the three homeowners who have owned their home longest, and that the other residents will remain on a list for future FEMA buy-out funds. Motion carried unanimously.

The following names were placed in the drawing for random selection: George and Anita Hilburn, Darold and Gabriele Spillman and Elisha and Alma Jones. Darold and Gabriele Spillman, and Elisha and Alma Jones were selected, and their homes will be purchased through the Federal Emergency Management Agency HMGP Unmet Needs program. Mr. George Hilburn will be first to receive the next available funding.

Motion was made by Mr. Meachum, seconded by Mr. Cummings, to schedule a public hearing on February 6, 2002, to consider the application of W. A. Lucky, III, to the Bossier City MPC for a zoning amendment to change the zoning classification of a tract of land located in Section 28, Township 17 North, Range 12 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to R-1, One-Family Residence District, for an addition to an existing subdivision (The Orchard, Unit 4). Motion carried unanimously.

Motion was made by Mr. Rogers, seconded by Mr. Darby, to schedule a public hearing on February 6, 2002, to consider the application of Creative Kids Daycare & Learning Center, Inc., to the Bossier City MPC for a zoning amendment to change the zoning classification of

the west 1/2 of Lot 7, Williams Subdivision, Bossier Parish, LA, from R-A, Residence Agriculture District, to B-1, Transitional Business District, for a daycare center. Motion carried unanimously.

Motion was made by Mr. Rogers, seconded by Mr. Hammack, to schedule a public hearing on February 6, 2002, to consider the application of Jomar, LLC, to the Bossier City MPC for a zoning amendment to change the zoning classification of a tract of land located in Section 8, Township 18 North, Range 12 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to R-1, One-Family Residence District, for a single family residential subdivision.

Motion was made by Mr. Avery, seconded by Mr. Rogers, to schedule a public hearing on February 6, 2002, to consider a request of the Bossier City-Parish Metropolitan Planning Commission for an amendment to Bossier Parish Ordinance No. 3749, which establishes regulations for telecommunication facilities/tower. Motion carried unanimously.

Ms. Stephanie Edmiston, Bossier City-Parish MPC, advised that current provisions require that there be no more than three antenna groupings from three different telecommunications carriers on any single monopole, unless technological advances in the design of the antennas make them minimally obtrusive. She stated that it is recommended that this provision be deleted, advising that in working with various telecommunications carriers, the MPC has determined it will be less obtrusive to add an additional antenna than to build another tower.

Ms. Edmiston further stated that an amendment to fall zone provisions is recommended to provide that this requirement may be waived if the applicant provides a statement from a Louisiana licensed engineer attesting that any damage resulting from tower failure, wind, ice loading or other factors that could impact the tower structure would be wholly limited to property that is under the lease or ownership control of the applicant.

Motion was made by Mr. Avery, seconded by Mr. Hammack, to accept streets and drainage in Bayou Bend Subdivision, Units 4 and 5, into the parish road system for permanent

maintenance. Motion carried unanimously. Mr. Woodward advised that the required maintenance bond has been provided. Mr. Rowe, Public Works Director, stated that the streets are concrete and meet all parish specifications.

RESOLUTION

WHEREAS, The Bossier Parish Police Jury in regular and legal session convened on the 2nd day of January, 2002, has received a request from Bayou Bend Development, Inc., that the parish accept into its system for permanent maintenance the streets and drainage in Bayou Bend Subdivision, Units 4 and 5, Bossier Parish, Louisiana.

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 26, Section 107 of the Bossier Parish Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury that it does accept the two-year maintenance bond of The Bossier Company, Inc., for maintenance, 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 the streets and drainage located in Bayou Bend Subdivision, Units 4 and 5, Bossier Parish, Louisiana.

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

The resolution was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 2nd day of January, 2002.

CHERYL G. MARTIN
SECRETARY-TREASURER

BILL ALTIMUS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Avery, seconded by Dr. Shell, to approve the reappointment of Mr. Loy Moore and Mr. Percy Hubbard to the Industrial Development Board of Bossier Parish for six-year terms each, terms to expire 1/27/08. Motion carried unanimously.

Motion was made by Mr. Johnston, seconded by Mr. Mitchell, to approve the appointment of Mr. Tommy Boggs to the Industrial Development Board of Bossier Parish to fill the unexpired term of Mr. Ed Beck which expires 1/27/06. Motion carried unanimously.

Ms. Betty Perkins requested an extension of time in which to bring her property at 311 Cycle Plant Road into compliance with Bossier Parish property standards regulations. **Motion was made by Mr. Johnston, seconded by Mr. Hammack, to allow Ms. Betty Perkins an extension of 30 days in which to bring her property located at 311 Cycle Plant Road into compliance with Bossier Parish property standards regulations. Motion carried unanimously.**

Mr. Woodward presented correspondence from Bossier City Mayor George Dement regarding the proposed joint project to provide lighting for the David H. Broussard Baseball/Softball Complex at Rusheon Middle School. He stated that Mayor Dement has recommended that a meeting of representatives of Bossier City, the police jury and school board, be scheduled to discuss financial participation in such projects, and to review all joint projects and subsequent use and access by funding participants. Mr. Jackson, Parish Attorney, stated that the Bossier Parish School Board does have the responsibility to provide for athletic activities, advising that this is an allowed expense but is not required. After discussion, Mr. Altimus requested that the matter be referred to the Parks and Recreation Committee for review.

Mr. Jackson, Parish Attorney, reported that he has reviewed the proposed agreement with Cook and Morehart, Certified Public Accountants, for the 2001 Bossier Parish Police Jury audit, and recommends approval. **Motion was made by Mr. Avery, seconded by Mr. Hammack, to authorize the President to execute an agreement with Cook and Morehart, Certified Public Accountants, for**

the audit of Bossier Parish Police Jury financial records for the year 2001. Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 2nd day of January 2002, that Bill Altimus, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, an agreement with Cook and Morehart, Certified Public Accountants, for the audit of Bossier Parish Police Jury financial records for the year 2001.

The resolution was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 2nd day of January, 2002.

CHERYL G. MARTIN
SECRETARY-TREASURER

BILL ALTIMUS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Hammack, seconded by Mr. Rogers, to adjourn into executive session to discuss the matter of Kenneth Jenkins, Ken Ward, Ph. D., and George F. Brown vs. Secretary of State, Commissioner of Elections and Bossier Parish Police Jury. Motion carried unanimously.

Motion was made by Mr. Mitchell, seconded by Mr. Williams, to authorize the President to execute closing documents in connection with the purchase of approximately 100 acres of the Coile property across from the existing penal farm for location of the maximum security jail facility, subject to execution of a cooperative agreement for the Bossier Sheriff's Department to purchase 25 acres of this property from the Bossier Parish Police Jury. Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 2nd day of January 2002, that Bill Altimus, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents in connection with the police jury's purchase of property from Mr. Kenneth Coile located on Old Plain Dealing Road across from the existing Bossier Parish penal farm for location of a maximum security jail.

The resolution was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 2nd day of January, 2002.

CHERYL G. MARTIN
SECRETARY-TREASURER

BILL ALTIMUS, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Williams reported that no progress has been made by Mr. Clarence Cobb in bringing his property at 1034 Cattleman's Trail into compliance with Bossier Parish property standards regulations.

Mr. Avery asked the status of the installation of a red light on Airline Drive at Wemple Road. Mr. Woodward stated that contracts for the project have been approved and executed. He stated that Notice to Proceed with the project will be issued shortly.

Ms. Martin reported on meetings with courthouse department heads regarding a proposal for a change to 26 yearly pay periods, and the option of direct deposit of employee paychecks. **Motion was made by Mr. Cummings, seconded by Mr. Rogers, to proceed with the change to 26 yearly pay periods for Bossier Parish Police Jury employees, and the option of direct deposit for employee paychecks, to be effective as soon as practicable in 2002. Motion carried, with Mr. Mitchell opposing.**

Mr. David Poston asked the status of the abandonment of a dedicated public easement off Adner Road. Mr. Rogers advised that the matter was addressed at the December 19, 2001 regular meeting and no further action was taken.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 2nd day of January, 2002, the meeting was adjourned by the President at 3:45 p.m.,

CHERYL G. MARTIN
SECRETARY-TREASURER

BILL ALTIMUS, PRESIDENT
BOSSIER PARISH POLICE JURY