

MINUTES  
BENTON, LOUISIANA  
January 21, 2004  
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The Bossier Parish Police Jury met in regular and legal session on this 21st day of January, 2004, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Jimmy Cochran, called the meeting to order. The invocation was given by Mr. Eddy Shell and the pledge of allegiance was led by Mr. Wayne Hammack. 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	Mr. Eddy Shell
Mr. Wayne Hammack	Mr. Jesse Williams

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

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**Motion was made by Mr. Hammack, seconded by Mr. Rogers, to adopt the minutes of the December 3, 2003 regular meeting, as published. Motion carried unanimously.**

**Motion was made by Mr. Shell, seconded by Mr. Williams, to adopt the minutes of the December 17, 2003 regular meeting, as published. Motion carried unanimously.**

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The Honorable Joan L. Carraway, Bossier Parish Clerk of Court, administered the Oath of Office to police jury members for their upcoming four-year term of office. It was noted that Mr. Darby was not present at this time and will meet with Ms. Carraway at a later time.

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Mr. Cochran called for the election of officers for the Bossier Parish Police Jury for the year 2004. **Motion was made by Mr. Cummings, seconded by Mr. Mitchell, to nominate Mr. Rick Avery as President of the Bossier Parish Police Jury for 2004. Motion carried, with Mr. Avery abstaining from vote.**

Mr. Cochran called for nominations for Vice President of the Bossier Parish Police Jury for 2004. **Motion was made by Mr. Mitchell, seconded by Mr. Johnston, to nominate Mr. Jeff Rogers as Vice President of the Bossier Parish Police Jury for 2004. Motion carried, with Mr. Rogers abstaining from vote.**

Mr. Avery presented an out-going President's plaque to Mr. Cochran for his service as President for 2003 and a portion of 2002.

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**Motion was made by Mr. Cummings, seconded by Mr. Meachum, to amend the agenda to appoint the Secretary-Treasurer, and to appoint the Parish Administrator. Motion carried, with Mr. Altimus abstaining from vote.**

**Motion was made by Mr. Hammack, seconded by Mr. Shell, to reappoint Mr. Bill Altimus as Bossier Parish Administrator for a one-year term. Motion carried, with Mr. Altimus abstaining from vote.**

**Motion was made by Mr. Rogers, seconded by Mr. Cochran, to reappoint Ms. Cheryl Martin as Secretary-Treasurer for a two-year term. Motion carried unanimously.**

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Sealed bids were opened and read aloud for the construction of the North Fire Station for Bossier Parish Fire District No. 7, to be located at 396 Highway 537, Bossier Parish, LA. Mr. Brad Graff, Cothren, Graff, Smoak Engineering, Inc., opened bids as follows:

Bidder:	Bid Amount	
Del-Ray Contractors, LLC	Base Bid	\$ 65,834.00
	Additive Alternate No. 1	\$ 6,800.00
Douglas Construction & Remodeling, Inc.	Base Bid	\$ 78,158.00
	Additive Alternate No. 1	\$ 8,607.00
Pace Contracting, LLC	Base Bid	\$ 76,072.00
	Additive Alternate No. 1	\$ 2,500.00
Dunn Construction, LLC	Base Bid	\$ 73,000.00
	Additive Alternate No. 1	\$ 12,000.00
Southern Commercial Construction, LLC	Base Bid	\$ 79,798.00
	Additive Alternate No. 1	\$ 7,000.00
Boggs Contracting Group, Inc.	Base Bid	\$103,388.00
	Additive Alternate No. 1	\$ 13,350.00

Mr. Graff stated that each bidder has provided the required bid bond, and has acknowledged Bid Addendum No. 1. Contractor's license numbers are indicated on each bid. **Motion was made by Mr. Johnston, seconded by Mr. Cochran, to take the bids under advisement, to be tabulated and awarded at the February 4, 2004 regular meeting. Motion carried unanimously.**

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**Motion was made by Mr. Meachum, seconded by Mr. Cummings, to acknowledge receipt of bids opened and read aloud at 10:00 a.m., January 21, 2004, for the construction of a two-bay fire station for Bossier Parish Fire District No. 6, to be tabulated and awarded at the February 4, 2004 regular meeting. Motion carried unanimously.** The proposed fire station is to be located near the intersection of Oliver Road and Camp Zion Road. Bid results are as follows:

Bidder	Total Base Bid:
Douglas Construction	\$ 94,903.00
Boggs Contracting Group, Inc.	\$107,021.00
ZAC Construction Co., Inc.	\$ 96,950.00
GNB, Inc.	\$109,297.00
Chester Pitts Construction	\$109,792.00

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Ms. Martin announced the public hearing to consider the request of Cingular Wireless for Planning Approval and a 50' height variance on an R-A tract, 8538 Barksdale Boulevard, Bossier Parish, LA, to locate a 250' telecommunications tower. (west side of Highway 71/Barksdale Boulevard, north of Highway 527 intersection) The application received a favorable recommendation from the Bossier City-Parish MPC. There being no opposition, **motion was made by Mr. Meachum, seconded by Mr. Mitchell, to approve the request of Cingular Wireless, as presented. Motion carried unanimously.**

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Ms. Martin announced the public hearing to consider approval of the plat of the proposed development of Hicks Road Estates, located in Section 16, Township 20 North, Range 12 West, Bossier Parish, LA. Mr. Ford, Parish Engineer, stated that there is an existing road, and that the plat indicates a 60' road right-of-way dedicated to the parish. He stated that individual water wells and individual septic systems are proposed. Mr. Ford stated that additional property is available east of the proposed subdivision, and questioned whether additional development is planned. The developer, stated that there is a 40-acre tract remaining and that he hopes to sell the entire tract. He stated that if the tract is subdivided, he plans only to offer two 20-acre tracts. Mr. Ford stated that a masterplan of the entire tract is needed. The developer stated that there are restrictive covenants for the proposed development, and that a landowner has requested that the covenants be amended to include provisions which specify the types of livestock allowed in this subdivision. **Motion was made by Mr. Johnston, seconded by Mr. Mitchell, to approve the proposed development of Hicks Road Estates subject to receipt of a final plat which includes the adjoining 40-acre tract, and upon Mr. Ford's review of the amended restrictive covenants. Motion carried unanimously.**

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Ms. Martin announced the public hearing to consider a request of the Benton-Parish MPC for an amendment to its zoning regulations to remove the land use Mobile Home from "Uses By Right" within the R-A, Residence-Agriculture District, and the R-1, One-Family Residence District, and adding the land use Mobile Home to "Special Exception Uses" within the R-A and R-1 Districts, and to amend Definitions by changing the definition of a mobile home.

Mr. Jackson, Parish Attorney, stated that all single family residences should be considered equally. He stated that current regulations allow both stick-built homes and mobile homes within the R-A and R-1 Districts, and that this proposal would recognize a mobile home as a special exception use within these zoning classifications.

Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that Bossier City MPC regulations allow a mobile home in the R-A, Residence-Agriculture District, as a Use By Right. Mr. Altimus stated that he feels these regulations should remain consistent within both the Benton and Bossier City MPC jurisdictions.

**Motion was made by Mr. Williams, seconded by Mr. Shell, to table this matter to allow Mr. Jackson to meet and discuss the issue with Mr. Bob Brown, Benton-Parish MPC. Mr. Altimus offered an amendment to the motion that Mr. Sam Marsiglia, Bossier City-Parish MPC, meet with Mr. Jackson and Mr. Brown. Motion, as amended, carried unanimously.**

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Mr. Irvin Grant, Supervisor at the Bossier Parish Juvenile Detention Center, presented statistics for the facility for the month of December, 2003. Mr. Altimus requested authority to advertise for bids for the proposed expansion of the detention center, advising that an additional classroom, office space, storage space, and laundry area is proposed. **Motion was made by Mr. Altimus, seconded by Mr. Shell, to authorize the advertising for bids for the proposed expansion of the Bossier Parish Juvenile Detention Center, bids to be received March 3, 2003. Motion carried unanimously.** Mr. Altimus advised that a pre-bid conference is scheduled in the police jury office at 9:30 a.m., on February 11, 2003.

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Mr. Jackson, Parish Attorney, discussed the adoption of an amended noise ordinance, advising that the proposed ordinance is the same as current regulations within Bossier City. He stated that the Bossier City-Parish MPC has purchased a decibel meter to assist in the enforcement of noise regulations. Mr. Jackson stated that the proposed ordinance provides that subdivisions are included as requested on a case by case basis, and stated that these regulations may not be appropriate in rural areas of the parish. Mr. Avery recommended that this ordinance apply to areas located within the five-mile MPC jurisdiction, with specific subdivisions added as requested.

There was discussion of purchasing a decibel meter. Mr. Cochran stated that the Bossier Sheriff's Department could use this instrument in rural areas. After discussion, **motion was made by Mr. Rogers, seconded by Mr. Williams, to adopt an amended noise ordinance, with regulations of this ordinance to apply to areas located within the five-mile jurisdiction of the Bossier City-Parish MPC, with subdivisions to be added as requested on a case by case basis, and to purchase a decibel meter for each patrol district of the Bossier Sheriff's Department. Motion carried unanimously.**

## ORDINANCE NO. 3912

AN ORDINANCE AMENDING CERTAIN SECTION 46, ARTICLE II OF THE CODE OF ORDINANCES OF BOSSIER PARISH, LOUISIANA, NOISE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO, TO BE DESIGNATED SECTION 46-31, ENTITLED "EXCESSIVE NOISE PROHIBITED"

WHEREAS, the Bossier Parish Police Jury has received numerous complaints regarding the excessive noise in Bossier Parish; and

NOW, THEREFORE, BE IT ORDAINED by the Bossier Parish Police Jury, Bossier Parish, Louisiana, in due legal and regular session convened, that Section 46-31 of the Bossier Parish Code of Ordinances be and is hereby amended to read as follows:

## I. Excessive Noise Prohibited

- A. *Prohibited.* It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unreasonable or unusual noise or any noise which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the jurisdiction of the Bossier City-Parish Metropolitan Planning Commission.
- B. *Nonexclusive enumeration.* The following acts, among others, are declared to be loud, disturbing and unreasonable noises and noises in violation of this section, but this enumeration shall not be deemed to be exclusive:
- (1) *Horns or signal devices.* The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle except when reasonably necessary to ensure safe operation; the creation by means of any such signal device of any noise for any unreasonable period of time.
  - (2) *Radio, phonograph or any musical instrument.* The playing of any radio, television set, phonograph, cassette or disk player, other sound-producing device or any musical instrument in such a manner or with such volume, particularly between the hours of 10:00 p.m. and 7:00 a.m., as to disturb the quiet, comfort or repose of persons in any office, hospital or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.
  - (3) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to disturb the quiet, comfort, repose of persons in any hospital, dwelling, hotel or other type of residence, or of any persons in the vicinity.
  - (4) *Animals, birds, etc.* The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.
  - (5) *Defect in vehicle or load.* The use of any automobile, motorcycle, street car or vehicle so out of repair or loaded in such manner as to create loud and unreasonable grating, grinding, rattling or other noise.
  - (6) *Steam Whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon the request of proper authorities.
  - (7) *Exhausts.* The discharge of any steam engine, stationary internal combustion engine, motor vehicle or motorboat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
  - (8) *Construction and repairing of buildings.* The following acts are declared to be loud, disturbing and unreasonable noises, and noises in violation of this article:
    - a. The erection (including excavation), demolition, alteration or repair of any building in any residential district or section and the excavation of streets or highways in any residential district or section other than between the hours of 6:00 a.m. and 10:00 p.m., Monday through Saturday, and 6:00 a.m. to 6:00 p.m. on Sunday, except in cases of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed 30 days while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 10:00 p.m. and 6:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours between 10:00 p.m. and 6:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.
    - b. This section shall not apply to excavations or repairs of bridges, streets or highways by or on behalf of the Parish during the night, when the public welfare and convenience renders it impossible to perform such work during the day.
  - (9) *Schools, courts, churches, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the school, institution of learning, church or court are in use or adjacent to any hospital, which unreasonably interferes with the working of such institution or which disturbs patients in a hospital.
  - (10) *Loading, unloading.* The creation of a loud and excessive noise in connection with loading or/unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers.
  - (11) *Drums, loudspeakers.* The use of any drum, loudspeakers or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
  - (12) *Loudspeakers on trucks.* The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(13) *Loudspeakers for advertising.* The use or operation, or the causing to be used or operated, in front of or outside of any building, place or premise or through any window, doorway or opening of such building abutting upon the public street, or upon any public street any device or apparatus for tapping windows, or for amplifying sound from any radio, television set, phonograph, cassette or disk player or any other sound-reproducing device.

(14) *Hawkers, peddlers and vendors.* The shouting or crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

C. *Exceptions.* None of the terms or prohibitions of this sections shall apply to or be enforced against:

(1) Any publicly owned vehicle while engaged upon necessary public business.

(2) Excavations or repairs of bridges, streets or highways by or on behalf of any public agency during the night, when the public welfare and convenience renders it impossible to perform such work during the day.

(3) The reasonable use of amplifiers or loudspeakers in the course of public address which are noncommercial in character, and for which a permit is first obtained from the police jury.

## II. **Excessive noise resulting from amplified sound.**

(a) *Definitions.* As used in this section, unless context otherwise clearly indicates, the words and phrases used in this section are defined as follows:

*"A" band level* means the total sound level of all noise as measured with a sound level meter using the "A" weighting networks.

*Ambient noise* means the all-encompassing noise associated with a given environment, usually being a composite of sounds with many sources near and far.

*Band pressure level* means band-pressure level of a sound for a specified frequency band shall mean the sound pressure level for the sound contained within the restricted band.

*Cycle* means the complete sequence of values of a periodic quantity which occurs during a period.

*Decibel (db)* means a unit of level which denotes the ratio between two quantities which are proportional to power, the number of decibels corresponding to the ratio of two amounts.

*Fluctuating noise* means the sound pressure level of a fluctuating noise which varies more than six dbA during the period of observation when measured with the slow meter characteristic of a sound level meter.

*Frequency* means a function periodic in time, the reciprocal of the primitive period. The unit is the cycle per unit time and shall be specified.

*Microbar* means a unit of pressure commonly used in acoustics and is equal to one dyne per square centimeter.

*Motor Vehicle* means and shall include, but not be limited to, mini-bikes and go-carts.

*Period* means the period of a periodic quantity, the smallest increment of time for which the function repeats itself.

*Periodic quantity* means oscillating quantity, the values of which recur for equal increments of time.

*Sound-amplifying equipment* means any machine or device for the amplification of the human voice, music, or any other sound. The term "sound-amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound-amplifying equipment, as used in this section, shall not include warning devices or authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

*Sound analyzer* means a device for measuring the band pressure level or pressure spectrum level of a sound as a function of frequency.

*Sound-level meter* means an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of noise and sound levels in a specified manner.

*Sound-Pressure level* means that the sound-pressure level in decibels of a sound shall mean 20 times the logarithm to the base ten of the ratio of the pressure of this sound to the reference pressure, which reference pressure shall be explicitly stated.

*Spectrum* means a function of time, a description of its resolution into components, each of a different frequency.

(b) *Regulations.* The use of sound-amplifying equipment shall be subject to the following regulations:

(1) No sound emanating from sound-amplifying equipment shall exceed 15 dbA above the ambient as measured at any property line.

(2) In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing, or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

(3) Noise sound pressure levels shall be measured at a distance of 25 feet from the noise source.

(c) *Radios, stereos, televisions sets, phonographs, cassette and disk players and similar devices.*

(1) *Use restricted.* It shall be unlawful for any person to use, operate or permit to be played any radio receiving set, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound in such a manner as to cause to be made or contained any unnecessary noise as heard without measurement.

(2) *Prima facie violation.* The operation of such set, instrument, television, phonograph, machine or device at any time in such a manner as to be plainly audible at either the property line, or 25 feet in the case of a vehicle on public rights-of-way, shall be prima facie evidence of a violation of this section.

(3) *Exception.* This section shall not apply to any person who is participating in a school band or in a parade for which a permit has been issued by the Parish or other governmental unit.

(d) *Maximum permissible sound levels.* The maximum permissible sound pressure level of any continuous source shall be as follows:

*Sound Pressure Level Limit*

TABLE INSET:

District	DbA
Residential	55
Commercial	60
Industrial	80

Sound pressure levels in excess of those established for the districts of the Parish shall constitute prima facie evidence that such sound is an unnecessary noise.

(e) *Excessive noise from vehicles.*

- (1) No person may operate or occupy a motor vehicle on a street, highway, alley, parking lot, or driveway where the vehicles sound system is plainly audible 25 or more feet away from the vehicle.
- (2) This section shall not apply to noise devices, bands or other musical devices used in any public parade or procession which is operated under a permit in accordance with the ordinances of the parish; nor to vehicles owned and operated by the Parish of Bossier.

III. Except as otherwise provided, the penalty for violations of this section may be as follows:

First offense: \$500.00 fine or term of imprisonment of 30 days

The ordinance was offered by Mr. Rogers, seconded by Mr. Williams. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Meachum, seconded by Mr. Cummings, to appoint Mr. Rod Crowley, 602 Spring Creek Road, Haughton, LA, to the Board of Commissioners for Bossier Parish Fire District No. 6, for a two-year term which expires 12/31/05. Motion carried unanimously.** Mr. Crowley replaces Ms. Donna Morgan, and Mr. Meachum stated that he will appoint a replacement for Mr. Kenneth Mason at a later date.

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Ms. Susie Morgan, Weiner, Weiss, and Madison, offered her assistance in seeking funding through the Federal Highway Authorization Bill. Mr. Altimus stated that Federal funds are available for roads, advising that time in which to secure these funds is limited. Ms. Morgan stated that she has assisted other entities in securing funding and stated that she would like the opportunity to work with the Louisiana Legislative Delegation to secure road funding for Bossier Parish.

Ms. Morgan stated that she would like to begin researching road projects in the parish to determine how much funding is needed. She stated that she would perform this service on an hourly fee basis, and report her findings to the jury each month. Mr. Jackson, Parish Attorney, stated that funds are appropriated directly to the parish.

Mr. Meachum asked if such funds are available for the Airline Drive Widening Project. Ms. Morgan stated that she feels this project would qualify for Federal funding assistance. She stated that she would like to begin pursuing funds through the Federal Highway Authorization Bill, and then research areas of need in the parish as she progresses.

There was brief discussion of a lobbyist for the jury. Mr. Jackson stated that in this capacity, Ms. Morgan could alert the police jury to important legislative issues.

**Motion was made by Mr. Cochran, to proceed with hiring Ms. Susie Morgan to pursue the availability of funding for roads in the parish, and review the results of her efforts in six months.** There was discussion on the motion. Mr. Rogers requested that Ms. Morgan provide a scope of services outlining her intentions. Mr. Hammack requested that Ms. Morgan provide written reports to the jury. **Upon second by Mr. Johnston, votes were cast on Mr. Cochran's motion to retain the services of Ms. Susie Morgan to pursue funding for parish roads, at an hourly rate of \$150 per hour. Motion carried unanimously.**

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Mr. Rogers reported on a meeting of the Subdivision Regulations Committee, advising that several items were discussed. Mr. Ford, Parish Engineer, stated that it is recommended that maintenance bonds required on roads which are accepted into the parish road system be increased to provide 100% of construction cost on asphalt and concrete streets. Current regulations require that the maintenance bond provide 25% of the street construction cost for asphalt streets and 10% for concrete streets. **Motion was made by Mr. Rogers, seconded by Mr. Hammack, to amend current regulations to require a 100% maintenance bond on asphalt and concrete streets accepted into the parish road system for permanent maintenance. Motion carried unanimously.**

ORDINANCE NO. 3913

AN ORDINANCE AMENDING CHAPTER 110, SECTION 110-130 AND SECTION 110-201 OF THE BOSSIER PARISH CODE OF ORDINANCES, TO INCREASE THE PERCENTAGE REQUIRED FOR MAINTENANCE BONDS ON ASPHALT AND CONCRETE STREETS ACCEPTED INTO THE BOSSIER PARISH ROAD SYSTEM FOR PERMANENT MAINTENANCE.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 21st day of January, 2004, that Chapter 110, Section 110-130 (b), and Section 110-201(b), be and are hereby amended to read as follows:

Section 110-130. Acceptance into parish road system; maintenance bond required.

- (a) No change
- (b) The percentage of the maintenance bond to be furnished by the contractor for the two-year period shall be at the following rates:
  - (1) One Hundred Percent (100%) of the total cost of the contract for asphalt paved streets and roads.

- (2) One Hundred Percent (100%) of the total cost of the contract for concrete paved streets and roads.

Section 110-201. Acceptance of new streets into parish road system; maintenance bond required; filing of plan with Clerk of Court and Tax Assessor.

- (a) No change.
- (b) The percentage of maintenance bonds to be furnished by the contractors for the applicable period shall be at the following rates:
  - (1) One Hundred Percent (100%) of the total cost of the contract for asphalt paved streets and roads.
  - (2) One Hundred Percent (100%) of the total cost of the contract for concrete paved streets and roads.
- (c) No change.

The ordinance was offered by Mr. Rogers, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford stated that there are no provisions in current subdivision regulations pertaining to the payment of utility usage for streetlights within a residential subdivision, and recommended that regulations be amended to stipulate that the payment of these fees shall be the responsibility of the subdivision developer and/or homeowners association. He stated that this stipulation should be included in the subdivision's restrictive covenants. Mr. Jackson, Parish Attorney, recommended that developers be provided a copy of parish subdivision regulations.

**Motion was made by Mr. Cochran, seconded by Mr. Rogers, to amend current subdivision regulations to stipulate that the payment of utility usage fees for streetlights within a residential subdivision shall be the responsibility of the developer and/or homeowners association. Motion carried unanimously.**

ORDINANCE NO. 3914

AN ORDINANCE AMENDING CHAPTER 110, SECTION 110-229 OF THE BOSSIER PARISH CODE OF ORDINANCES.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 21st day of January, 2004, that Chapter 110, Section 110-229 of the Bossier Parish Code of Ordinances, be and is hereby amended to read as follows:

Section 110-229 Streetlights.

All residential subdivisions shall have streetlights, which shall be spaced a minimum of 200 and a maximum of 300 feet apart. Streetlights shall be installed at all street intersections. **The utility usage for the streetlights shall be the responsibility of the Subdivision Developer and/or Subdivision Homeowners Association (HOA).**

The ordinance was offered by Mr. Cochran, seconded by Mr. Rogers. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford discussed the matter of several properties in the parish which have been subdivided without proper platting requirements. He stated that many of these subdivisions will require a final plat which must be scheduled for public hearing and approval by the police jury. Mr. Ford stated that engineers and title companies need to be made aware that parish regulations do not allow the subdivision of property without proper platting and police jury approval. Mr. Rogers suggested that signage be placed in the Clerk of Court's office to advise that no land division is allowed without police jury approval.

Mr. Ford stated that many of the properties in violation are located within the five-mile jurisdiction of the Metropolitan Planning Commission. Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that the Unified Development Code requires that any division of land within the MPC five-mile jurisdiction area must be approved by the MPC.

**Motion was made by Mr. Rogers, seconded by Mr. Shell, to pursue this matter further. Motion carried unanimously.**

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**Motion was made by Mr. Mitchell, seconded by Mr. Johnston, to adopt a resolution accepting streets and drainage in The Colony, Unit No. 1, into the parish road system for permanent maintenance. Motion carried unanimously.** Mr. Ford stated that required maintenance bond and testing results have been provided.

RESOLUTION

WHEREAS, The Bossier Parish Police Jury in regular and legal session convened on the 21st day of January, 2004, has received a request from Smith and Raley, Inc., that the parish accept into its system for permanent maintenance, the streets and drainage in The Colony, Unit No. 1, 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 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 F. J. Burnell, 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 The Colony, Unit No. 1, 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. Mitchell, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Altimus stated that he has prepared an ordinance for consideration pertaining to the discharging of firearms in or near a residential subdivision. He stated that he sent a copy to the Bossier Sheriff's Department for their review, but has not yet heard from them. Mr. Altimus stated that the matter of adding subdivisions on a case by case basis as requested, should be included in the proposed ordinance. **Motion was made by Mr. Altimus, seconded by Mr. Cochran, to approve the adoption of ordinances prohibiting the discharge of a firearm in or near a residential subdivision, when so requested by a majority of property owners of said subdivision, and following a public hearing duly noticed and held by the Bossier Parish Police Jury. Motion carried unanimously.**

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Mr. Altimus referred to adjudicated property at Lot 188, East Shreveport, Bossier Parish, advising that the City of Bossier City has requested that the police jury include city taxes owed on this property in its minimum bid. **Motion was made by Mr. Altimus, seconded by Mr. Hammack, to declare adjudicated property at Lot 188, East Shreveport, Bossier Parish, LA, as surplus, to be advertised for bids, and to include any taxes owed the City of Bossier City in the minimum bid. Motion carried unanimously.** Mr. Altimus stated that the minimum bid acceptable, including Bossier City taxes owed, is \$7,840.17. Bids are to be received February 18, 2004.

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Mr. Altimus advised that Representative Billy Montgomery has requested an adjustment in certain requests of the police jury for Rural Development Funding. He stated that it is requested that the application for \$10,000 for relocation of water lines for the Bellevue Water System along Vickers Road be rescinded, and has requested that the application for \$15,000 for improvements to Palmetto Road be reduced by \$5,000 to a total of \$10,000 for this project. Mr. Altimus stated that Representative Montgomery has requested that the police jury submit an application to the Office of Rural Development for funding in the amount of \$27,000 for the purchase of a back-up generating system for the Bellevue Water System for use in the event of a power outage. **Motion was made by Mr. Williams, seconded by Mr. Johnston, to approve the submission of an application to the Office of Rural Development for funding in the amount of \$27,000 for purchase of a back-up generating system for the Bellevue Water System. Motion carried unanimously.**

#### RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 21st day of January, 2004, that it does hereby authorize and support the submission of an application to the Office of Rural Development for funds in the amount of \$27,000 for purchase of a back-up generating system for the Bellevue Water System.

The resolution was offered by Mr. Williams, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford, Parish Engineer, Mr. Bruce Easterly, LA Department of Transportation and Development, Mr. Bob Fisher and Mr. Scott Hughes, Alliance, Inc., discussed the Airline Drive Widening Project. Mr. Ford stated that the impact of the State's portion of the project must be considered. He presented two options for consideration, advising that Option No. 1 provides for the replacement of the two bridges and completion of the relocation of utilities from Bossier City to Swan Lake Road, to be done this summer. Mr. Ford stated that Option No. 2 provides for the replacement of the two bridges, utility relocation from Bayou Bend to Swan Lake Road, and the completion of 1.5 miles of roadway from Bossier City to LeOaks. Mr. Ford stated that he recommends Option No. 1 at this time. Mr. Ford stated that the acquisition of right-of-way is not complete from Swan Lake Road to Kingston Road.

Mr. Easterly stated that the acquisition of right-of-way for the State's portion of the project is near completion, and advised that the project is scheduled to go out for bids in April, 2004. He stated that they hope to begin construction in June or July, and anticipate that the project should be completed within 12 to 14 months. Delaying roadway construction of the parish portion under Option No. 1, will allow better coordination with the state project and will reduce administrative costs.

Mr. Easterly stated that the State will install a traffic signal at the intersection of Highway 3 and Kingston Road in the near future. He stated that a turn lane is also to be constructed on Kingston Road at this location. Mr. Ford recommended that this work be completed before traffic is detoured from Airline Drive to Kingston Road.

After discussion, **motion was made by Mr. Cochran, seconded by Mr. Shell, to authorize Alliance, Inc., to proceed with the relocation of utilities to Swan Lake Road, and the replacement of the two bridges on Airline Drive, as provided in Option No. 1. Motion carried unanimously.**

Mr. Jackson, Parish Attorney, suggested that the jury consider completing utility relocation all the way to Kingston Road. The matter is to be further discussed at the February 4, 2004 regular meeting.

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**Motion was made by Mr. Cummings, seconded by Mr. Johnston, to authorize payment of accounts payable invoices for the month of December, 2003. Motion carried unanimously.**

\*\*\*

Mr. Jackson requested that a public hearing be scheduled to consider the application of Red River South Enterprises for a zoning amendment for a proposed marina/truck stop on Highway 71, advising that this matter was tabled on January 7, 2004. **Motion was made by Mr. Meachum, seconded by Mr. Altimus, to schedule a public hearing on February 4, 2004, to consider the application of Red River South Enterprises to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a 56.47 acre tract of land located in Sections 4 and 5, Township 16 North, Range 12 West, Bossier Parish, LA, from R-A, Residence-Agriculture District, to B-3, Community and Central Business District, for a riverside marina, truck stop and commercial storage facility, and also Conditional Use Approval for retail sales of beverages of high alcoholic content at a convenience store; on-premise consumption of beverages of high alcoholic content at a lounge; on-premise consumption of beverages of low alcoholic content at a restaurant, all located at 7980 Barksdale Boulevard, Bossier City, LA; east side of Highway 71, across from Caplis-Sligo Road. Motion carried, with Mr. Cochran abstaining from vote.**

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Mr. Williams introduced Mr. Larry Chrisman, 112 Hanging Moss Lane, Benton, LA, advising that Mr. Chrisman has expressed his interest in serving on the Board of Commissioners for Benton Fire District No. 4. Mr. Williams stated that Ms. Michelle Rodgers, current board member, has advised that she is no longer able to serve and recommended that Mr. Chrisman be appointed to fill this vacancy. **Motion was made by Mr. Williams, seconded by Mr. Meachum, to approve the appointment of Mr. Larry Chrisman to the Board of Commissioners for Benton Fire District No. 4, subject to receipt of a letter of resignation from Ms. Michelle Rodgers. Motion carried unanimously.**

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**Motion was made by Mr. Williams, seconded by Mr. Shell, to adopt a resolution of appreciation to Ms. Michelle Rodgers for her service on the Board of Commissioners for Benton Fire District No. 4. Motion carried unanimously.**

#### RESOLUTION

WHEREAS, Ms. Michelle Rodgers has served as a member of the Board of Commissioners for Benton Fire District No. 4 since her appointment by the Bossier Parish Police Jury on February 12, 1997; and

WHEREAS, Ms. Rodgers has been diligent in her duties and has demonstrated a genuine concern for the residents of Benton Fire District No. 4; and

WHEREAS, Ms. Rodgers has willingly given her time, and has provided excellent representation during her years of service.

NOW, THEREFORE, BE IT RESOLVED by the Bossier Parish Police Jury on this 21st day of January, 2004, that it does hereby express its sincere appreciation to Ms. Michelle Rodgers for her years of service to the Board of Commissioners for Benton Fire District No. 4, and to the citizens of Bossier Parish.

The resolution was offered by Mr. Williams, seconded by Mr. Shell. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Altimus advised of a request from the Haughton United Pentecostal Church, that they be allowed to lease the old girls scout camp at Ivan Lake. He stated that the police jury's current lease with the Corps of Engineers on the Ivan Lake property will expire in approximately 14 months and requested that the church's lease be concurrent with the Corps of Engineers lease. **Motion was made by Mr. Johnston, seconded by Mr. Mitchell, to approve the leasing of the old girls scout camp at Ivan Lake to Haughton United Pentecostal Church, subject to review by the Parish Attorney. Motion carried unanimously.**

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Mr. Altimus presented pictures of the maximum security jail construction site, and advised that an owner's meeting is scheduled tomorrow at 1:30 p.m.

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Mr. Altimus advised that a meeting with representatives of the Louisiana Department of Transportation and Development will be held at the Bossier City MPC office on January 26, 2004, regarding the matter of possible deceleration lanes at the proposed truck stop/marina facility on Highway 71.

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Mr. Altimus advised that a ribbon-cutting ceremony for the new emergency exit at Haughton Middle School will be held at 10:30 a.m. on January 27, 2004.

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Mr. Altimus reported that a meeting of the North Bossier Park Committee is scheduled at 1:00 p.m., January 27, 2004, in the Bossier City Council conference room.

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Mr. Altimus presented a change order on the health unit renovation project, advising that the change involves additional carpeting and walls, and results in an additional amount of \$17,264.08. **Motion was made by Mr. Hammack, seconded by Mr. Cochran, to approve a change order of an additional \$17,264.08 on the health unit renovation project. Motion carried unanimously.**

Mr. Altimus requested that the health unit renovation budget be increased by \$75,000 to allow for additional work in the drug court area, and requested that this be declared an emergency to proceed with the work immediately. **Motion was made by Mr. Darby, seconded by Mr. Hammack, to declare that an emergency exists and approve an additional \$75,000 for immediate work in the drug court offices at the health unit. Motion carried unanimously.**

\*\*\*

**Motion was made by Mr. Williams, seconded by Mr. Rogers, to schedule a public hearing on February 18, 2004, to consider approval of the plat of the proposed development of LeDawn Subdivision, located in the East 1/2 of the Northwest 1/4 of Section 32, Township 20 North, Range 12 West, Bossier Parish, LA. Motion carried unanimously.**

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**Motion was made by Mr. Johnston, seconded by Mr. Meachum, to schedule a public hearing on February 18, 2004, to consider approval of the request of Cingular Wireless, LLC, to locate a 350' guyed communications tower on Highway 157 (Plain Dealing-Springhill Highway), Section 29, Township 23 North, Range 12 West, Parcel 10-A, Bossier Parish, LA. Motion carried unanimously.**

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Mr. Ford reported that Record Drawings for the Tall Timbers Lateral Project are complete, and requested that a resolution be adopted to accept this project as complete. **Motion was made by Mr. Rogers, seconded by Mr. Darby, to adopt a resolution accepting the Tall Timbers Lateral Project as complete. Motion carried unanimously.**

**RESOLUTION**

BE IT RESOLVED by the Bossier Parish Police Jury on this 21st day of January, 2004, that it does hereby accept the Tall Timbers Lateral Project as complete, and does requests the release of retainage funds.

The motion was offered by Mr. Rogers, seconded by Mr. Darby. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Ms. Martin advised that the Office of Veterans Affairs has requested that they be allowed to temporarily discontinue operating an office at the courthouse until the courthouse renovation/addition project is complete. She stated that they have an office in Bossier City. **Motion was made by Mr. Altimus, seconded by Mr. Cochran, to approve the request of the Office of Veterans Affairs as presented. Motion carried unanimously.**

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Ms. Martin requested that the jury consider authorizing Mr. Altimus to sign checks on police jury accounts in lieu of the President. After discussion, **motion was made by Mr. Rogers, seconded by Mr. Hammack, to authorize Mr. Rick Avery, President, and Ms. Cheryl Martin, Secretary-Treasurer, to sign checks on all police jury bank accounts. Motion carried unanimously.**

\*\*\*

**Motion was made by Mr. Hammack, seconded by Mr. Cochran, to authorize the advertising for bids for purchase of one new hydraulic track-type excavator, one new 24-foot trailer, and two new motor graders for the Bossier Parish Highway Department. Motion carried unanimously.** Bids are to be received February 18, 2004.

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Mr. Johnston requested "Children at Play" signs on the Thornton Road and the Abe Martin Road.

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**Motion was made by Mr. Johnston, seconded by Mr. Cummings, to establish a 25 mile per hour speed limit on the Malone Road. Motion carried unanimously.**

**ORDINANCE NO. 3915**

AN ORDINANCE REGULATING THE SPEED OF VEHICLES ON MALONE ROAD, LOCATED OFF HIGHWAY 537, IN SECTIONS 26 AND 35, TOWNSHIP 23 NORTH, RANGE 14 WEST, BOSSIER PARISH, LOUISIANA, AND PROVIDING THE PENALTIES FOR VIOLATION THEREOF.

SECTION 1. BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 21st day of January, 2004, that from and after the effective date of this ordinance, it shall be unlawful for any person to operate or drive a vehicle upon Malone Road, located off Highway 537, in Sections 26 and 35, Township 23 North, Range 14 West, Bossier Parish, Louisiana, in excess of Twenty-Five (25) miles per hour.

SECTION 2. BE IT FURTHER ORDAINED, etc., that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

The ordinance was offered by Mr. Johnston, seconded by Mr. Cummings. Upon unanimous vote, it was duly adopted on this 21st day of January, 2004.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Johnston asked the status of a previous request for acceptance of a road located off Highway 162 into the parish road system, and advised that he has also had a request that the Will Road off the Old Plain Dealing Road, be accepted into the parish road system.

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**Motion was made by Mr. Cochran, seconded by Mr. Hammack, that Mr. Cochran will contribute \$1,927.95 from his school recreational funds for irrigation lines at the Airline softball field. Motion carried unanimously.**

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**Motion was made by Mr. Williams, seconded by Mr. Cochran, that Mr. Williams will contribute \$2,606.85 from his school recreational funds for a batting cage at Benton High School. Motion carried unanimously.**

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**Motion was made by Mr. Rogers, seconded by Mr. Cochran, to send a notice to the owner of property at 641 Chandler Road, advising that the property is in violation of Bossier Parish property standards regulations. Motion carried unanimously.**

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**Motion was made by Mr. Shell, seconded by Mr. Cochran, that Mr. Avery will contribute \$1,000 from school recreational match funds for infield conditioner at Airline baseball field, and Mr. Avery and Mr. Cochran will contribute \$500 each from school recreational match funds for a softball batting cage at Airline High School. Mr. Cummings, Mr. Mitchell and Mr. Rogers, will each contribute from their school recreational funds for the remainder of funds necessary for the batting cage. Motion carried unanimously.**

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Mr. Mitchell advised that he has received complaints regarding the lack of restroom facilities at the boat launch area of Cypress Park. A meeting with the park director is to be arranged.

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 21st day of January, 2004, the meeting was adjourned by the President at 4:20 p.m.

CHERYL G. MARTIN  
SECRETARY-TREASURER

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY