

BOSSIER PARISH POLICE JURY  
BENTON, LOUISIANA  
MINUTES  
June 15, 2005  
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The Bossier Parish Police Jury met in regular and legal session on this 15th day of June, 2005, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Jeff Rogers, called the meeting to order. The invocation was given by Mr. Wayne Hammack and the pledge of allegiance was led by Mr. Bill Altimus. The Secretary-Treasurer, Ms. Cheryl Martin, called the roll, with Mr. Cummings absent and Mr. Shell excused, as follows:

Mr. William Altimus	Mr. Winfred Johnston
Mr. Rick Avery	Mr. Hank Meachum
Mr. Jimmy Cochran	Mr. Henry Mitchell
Mr. Brad Cummings, absent	Mr. Jeff Rogers
Mr. Jerome Darby	Mr. Eddy Shell, excused
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; Ms. Cheryl Martin, Secretary-Treasurer.

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**Motion was made by Mr. Hammack, seconded by Mr. Williams, to adopt the minutes of the May 4, 2005 regular meeting, as published. Motion carried unanimously.**

**Motion was made by Mr. Williams, seconded by Mr. Altimus, to adopt the minutes of the May 18, 2005 regular meeting, as published. Motion carried unanimously.**

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Ms. Beverly McMillan was not present.

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Sealed bids were opened and read aloud for the Airline Drive 5-Lane Expansion Project, as follow:

Bidder:	Base Bid (180 days)	Alternate Bid (270 days)
Benton & Brown, LLC	\$4,480,617.28	\$4,390,617.28
Best-Yet Builders, LLC	\$4,155,106.89	\$4,155,106.89

Ms. Martin advised that each bidder has provided the required bid bond and contractor's license number, and has acknowledged Bid Addendum Nos. 1 and 2. **Motion was made by Mr. Avery, seconded by Mr. Darby, to take the bids under advisement, to be tabulated for possible awarding later in the meeting. Motion carried unanimously.**

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Mr. Altimus advised that all bids received on May 18, 2005, for the purchase of one 2005 model hydraulic track-type excavator for the highway department exceed the amount budgeted for this purchase. He stated that the possibility of purchasing of this equipment on State Contract is being researched, and recommended that all bids received on May 18, 2005, be rejected. **Motion was made by Mr. Altimus, seconded by Mr. Hammack, to reject all bids received on May 18, 2005 for the purchase of a 2005 model hydraulic track-type excavator for the highway department, as all bids received exceed the amount budgeted for this purchase. Motion carried unanimously.**

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Ms. Martin announced the public hearing to consider approve of the plat of the proposed development of Doe Lane Estates located in Section 31, Township 20 North, Range 12 West, Bossier Parish, LA. Mr. Warren Moore, Total Properties, Inc., addressed the jury, advising that individual sewer treatment systems are proposed, with a 125' minimum lot frontage. Mr. Ford, Parish Engineer, stated that he has received a copy of the restrictive covenants for the proposed development, and has received a letter of approval from the fire district. He stated that he has requested that a homeowners association be established and has requested that streets lights be provided on utility poles.

Mr. Ford advised that Doe Lane is a parish maintained gravel road. Mr. Rogers stated that in accordance with parish subdivision regulations, Doe Lane should be an asphalt road meeting parish road specifications. Mr. Ford stated that Doe Lane is located outside the jurisdiction of the Benton-Parish Metropolitan Planning Commission. Mr. Jackson, Parish Attorney, requested that he be allowed to research current parish regulations. **Motion was made by Mr. Williams, seconded by Mr. Hammack, to table this matter pending research of Bossier Parish Subdivision Regulations by the Parish Attorney. Motion carried unanimously.**

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**Motion was made by Mr. Hammack, seconded by Mr. Altimus, to schedule a public hearing on July 27, 2005, to consider approval of the application of David and Patricia Duncan to the Benton-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located on Linton Road in Section 16, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to B-1, Transition Business District, for a day care center. Motion carried unanimously.**

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**Motion was made by Mr. Williams, seconded by Mr. Johnston, to schedule a public hearing on July 27, 2005, to consider approval of the application of Black Bayou Properties, LLC, to the Benton-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located west of Woodlake Drive and north of Woodlake Subdivision, Unit No. 1, from R-A, Residence Agriculture District, to R-1, Single Family Residence District, for a residential subdivision. Motion carried unanimously.**

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**Motion was made by Mr. Hammack, seconded by Mr. Altimus to schedule a public hearing on July 27, 2005, to consider approval of the plat of the proposed development of Woodlake Ridge, Unit No. 1. Motion carried unanimously.**

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**Motion was made by Mr. Avery, seconded by Mr. Mitchell, to schedule a public hearing on July 27, 2005, to consider approval of the application of Total Properties, Inc., to the Benton-Parish MPC for a zoning**

**amendment to change the zoning classification of a tract of land located on Kingston Road from R-A, Residence Agriculture District, to R-1, Single Family Residence District, for a 65-lot residential subdivision, and to consider approval of the plat of the proposed development of Kingston Plantation, Unit No. 3. Motion carried unanimously.**

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Mr. Warren Moore, Total Properties, Inc., addressed the jury regarding the condition of East Pointe Subdivision on Crouch Road. He stated that landscaping has been replaced and the timed sprinkler system is working. Mr. Moore stated that the fence has been power washed and will be painted as soon as possible. He stated that a homeowners association has not yet been established and that he is currently providing maintenance of the development.

Mr. Ford discussed street repairs in River Ridge Subdivision, advising that Bowman Asphalt corrected only a portion of the needed repairs. He stated that Mr. Moore has advised that Specialty Trackhoe will complete the repairs at Mr. Moore's expense.

Mr. Moore requested that the jury consider lifting its current moratorium on the issuance of any further building permits for Warren Moore/Total Properties, Inc., advising that the requested repairs are being made in East Pointe Subdivision and in River Ridge Subdivision. Mr. Williams requested that in the future, Mr. Hank Moore, Total Properties, Inc., be present for any matters brought before the police jury involving Total Properties, Inc., which are located within Mr. Williams' police jury district.

After discussion, **motion was made by Mr. Hammack, seconded by Mr. Avery, to lift the moratorium on the issuance of building permits for Warren Moore/Total Properties, Inc., with the stipulation that fence repairs at East Pointe Subdivision must be completed by July 6, 2005, and with the stipulation that all streets repairs in River Ridge Subdivision must be completed by August 3, 2005; if stipulations are not met, the moratorium will be reissued. Motion carried unanimously.**

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Mr. Ford reported on the Louisiana Off-System Bridge Replacement Program, advising that the acquisition of right-of-way for the Linton Road and Stillhouse Road bridge projects is complete. He stated that replacement of the Swan Lake Road bridge has been delayed due to the Airline Drive expansion project, and advised that preliminary plans for replacement of the Merritt Road and Leila Road bridges have been forwarded to the State.

Mr. Ford stated that Bossier Parish is eligible for funding in the amount of \$643,000 for the 2005-2007 funding cycle through the Off-System Bridge Replacement Program, and recommended that these funds be dedicated to the relocation of the Parks Road bridge. He stated that the bridge is in a dangerous curve, and that the proposed relocation coincides with the future Bossier Parish Transportation Plan.

Mr. Ford stated that replacement of the Caplis Sligo Road bridge is planned in 2007, and suggested that the police jury pay the cost of design work for the project in the amount of approximately \$60,000. He stated that with the early completion of design work, plans for the project would be ready in 2007 when the new funding cycle is available.

After discussion, **motion was made by Mr. Williams, seconded by Mr. Avery, to dedicate the balance of funds from the 2003-2005 Louisiana Off-System Bridge Replacement Program, and all funding received through the 2005-2007 Louisiana Off-System Bridge Replacement Program, to the Parks Road bridge relocation project. Motion carried unanimously.**

**Motion was made by Mr. Meachum, seconded by Mr. Mitchell, to authorize an expenditure of approximately \$60,000 to proceed with design work for the Caplis Sligo Road bridge replacement project. Motion carried unanimously.**

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Mr. Ford reported that he is working on the acquisition of right-of-way for acceptance of Mallard Circle into the parish road system, and will present an update on this matter at the July 6, 2005 regular meeting.

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Mr. Cochran reported that the Modular/Manufactured Home Committee met on June 8, 2005, with a representative of the Louisiana Manufactured Housing Association. He advised that the committee is not prepared to make a recommendation at this time.

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**Motion was made by Mr. Mitchell, seconded by Mr. Johnston, to adopt a resolution supporting Ouachita Independent Bank and allowing them to receive the local benefits of the Enterprise Zone Program. Motion carried, with Mr. Cochran opposing.**

#### RESOLUTION

A RESOLUTION STATING THE BOSSIER PARISH POLICE JURY'S ENDORSEMENT OF THE OUACHITA INDEPENDENT BANK TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM.

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, and Act 624 and Act 647 of 1997 state the requirements of Louisiana's Enterprise Zone Program; and

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in Bossier Parish; and

WHEREAS, the Louisiana Department of Economic Development designated census Tract 111.04 Block Group 4 in Bossier Parish as "Enterprise Zone" eligible based on enabling legislation R.S. 51.21.1787-1791); and

WHEREAS, the Bossier Parish Police Jury states that this endorsement is in agreement with the Overall Economic Development Plan for the Parish of Bossier; and

WHEREAS, the **attached Enterprise Zone map has been marked** to show the location of the business being endorsed; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program, the Bossier Parish Police Jury agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session convened on this 15th day of June, 2005, that Ouachita Independent Bank, and their project Bossier Branch, Enterprise Zone Application

#050820-0 is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED, that if any provision or item of this resolution is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

The resolution was offered by Mr. Mitchell, seconded by Mr. Johnston. Upon vote, it was duly adopted on this 15th day of June, 2005.

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Meachum, seconded by Mr. Darby, to approve the application of Greg Thatcher for a 2005 beer license at Dreams on the Bayou, 4922 Camp Joy Road, Haughton, LA. The application has been approved by the Bossier Parish Health Department and the Bossier Parish Sheriff's Department. Motion carried unanimously.**

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Mr. Altimus discussed the condition of the rail spur in the Ruben E. White Industrial Park, advising that it has been determined that 330 ties are substandard. He stated that he has received three quotes for replacement of these ties, as follows:

North American Railway	\$30,789.00
Trac Work	\$24,458.12
C W & W	\$23,326.88

**Motion was made by Mr. Altimus, seconded by Mr. Mitchell, to accept the low quote of C W & W in the amount of \$23,326.88 for repair of the rail spur in the Ruben E. White Industrial Park, with funds for the project to come from the Industrial Development Fund. Motion carried unanimously.**

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**Motion was made by Mr. Williams, seconded by Mr. Cochran, to authorize the advertising for bids for the general contract for construction of the new Benton Branch Library, bids to be received August 3, 2005. Motion carried unanimously.**

**Motion was made by Mr. Altimus, seconded by Mr. Cochran, to authorize the advertising for bids for the general contract for an addition and renovations to the East 80 Branch Library, bids to be received September 21, 2005. Motion carried unanimously.**

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Mr. Altimus reported that proposed legislation to increase the current \$100,000 limit on public works projects in Bossier Parish to \$130,000 has been forwarded to the Governor for signing, and will become effective September 1, 2005. He stated that the proposal provides that the new limit will increase with inflation.

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**Motion was made by Mr. Altimus, seconded by Mr. Hammack, to reschedule police jury meetings scheduled for July 20, 2005, to be held on July 27, 2005. Motion carried unanimously.**

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Mr. Vince DeFatta, Coyle Engineering, Co., Inc., presented Plan Change No. 10 on the maximum security jail project, advising that the changes are necessary in accordance with requirements of the Fire Marshal. He stated that this change results in a monetary change only of an additional \$10,902.00, and involves no change in contract days. **Motion was made by Mr. Williams, seconded by Mr. Cochran, to approve Plan Change No. 10 on the maximum security jail construction project, and to authorize the President to execute said plan change. Motion carried unanimously.**

#### RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 15th day of June, 2005, that Jeff Rogers, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, Plan Change No. 10 on the maximum security jail construction project.

The resolution was offered by Mr. Williams, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 15th day of June, 2005.

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford advised of a change order on the health unit renovation project which results in an additional amount of \$2,606.79 and 10 additional contract days. Mr. Altimus stated that he has obtained a price quote of \$58,311.00 for new windows for the building and painting the exterior. He advised of the need for new carpet in the stairwells and hallways, and stated that the walls in these areas need to be painted. Mr. Altimus stated that the cost for this work is \$16,627.00. **Motion was made by Mr. Altimus, seconded by Mr. Cochran, to approve the change order on the health unit renovation project, and to approve the proposed improvements, subject to a review of all pricing. Motion carried unanimously.**

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Mr. Ford reported on a meeting of the Subdivision Regulations Committee regarding proposed no adverse impact regulations. He stated that the parish currently has regulations for areas both inside and outside the jurisdiction of the Metropolitan Planning Commissions. Mr. Ford stated that for areas located outside the MPC jurisdiction, there is no minimum lot size requirement and no requirements for streetlights and sidewalks. He stated that regulations for areas outside the MPC jurisdiction need to be reviewed for possible amending. Mr. Ford stated that the Subdivision Regulations Committee is not prepared at this time to make a recommendation to the jury. He stated that it was agreed that the wording "no adverse impact" is changed to "no drainage impact".

Mr. Ford stated that the matter of detention systems at Willow Chute Bayou must be also addressed.

**Motion was made by Mr. Avery, seconded by Mr. Darby, to schedule a public hearing on July 27, 2005, to consider an amendment to Bossier Parish Subdivision Regulations to require the submission of a "No Drainage Impact Report" in the subdivision approval process. Motion carried unanimously.**

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Mr. Ford introduced Will Wheeler to the jury, advising that he will assist him this summer on various projects. He discussed Flat River and Willow Chute, advising that Willow Chute needs to be cleaned out. Mr. Ford stated that he will pursue this matter with the Levee Board.

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After review and tabulation of the bids received for the Airline Drive 5-Lane Expansion Project, Mr. Ford reported that the low bid of Best-Yet Builders meets all bid specifications and is within the project budget. **Motion was made by Mr. Avery, seconded by Mr. Mitchell, to accept the base bid of Best-Yet Builders, LLC, in the amount of \$4,155,106.89, for the Airline Drive 5-Lane Expansion Project. Motion carried unanimously.**

Bidder:	Base Bid (180 days)	Alternate Bid (270 days)
Benton & Brown, LLC	\$4,480,617.28	\$4,390,617.28
Best-Yet Builders, LLC	\$4,155,106.89*	\$4,155,106.89

Mr. Ford advised that a double turn lane at Wemple Road will not be done at this time.

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Mr. Ford presented the plat of North Forty Business Park for approval, advising that a waiver of the police jury's public hearing is requested. He stated that the development contains one street, which will be constructed by the City of Bossier City, and advised that the area will be annexed into the city. **Motion was made by Mr. Avery, seconded by Mr. Mitchell, to waive the public hearing and approve the plat of the proposed development of North Forty Business Park located off Highway 3 in Section 5, Township 18 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.**

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**Motion was made by Mr. Altimus, seconded by Mr. Hammack, to schedule a public hearing on July 27, 2005, to consider approval of the plat of the proposed development of Palmetto Park Subdivision, Unit No. 6, located in Section 9, Township 19, Range 13 West, Bossier Parish, LA. Motion carried, with Mr. Avery and Mr. Williams abstaining from vote.**

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**Motion was made by Mr. Cochran, seconded by Mr. Williams, to authorize completion of the Louisiana Compliance Questionnaire in connection with the 2004 audit of Bossier Parish Police Jury financial records, and to authorize the President to execute said questionnaire. Motion carried unanimously.**

#### RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session convened on this 15th day of June, 2005, that it does hereby authorize completion of the Louisiana Compliance Questionnaire in connection with the 2004 audit of Bossier Parish Police Jury financial records, and does authorize Mr. Jeff Rogers, President, to execute said questionnaire.

The resolution was offered by Mr. Cochran, seconded by Mr. Williams. Upon unanimous vote, it was duly adopted on this 15th day of June, 2005.

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Cathcart, Public Works Director, reported on the current status of the 2005 road overlay program.

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Mr. Johnston discussed the poor condition of a bridge on Whittington Road. Mr. Cathcart, Public Works Director, stated that it will be very expensive to repair the bridge. Mr. Johnston stated that a hunting club has expressed their desire to have the bridge closed. The matter is to be researched.

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Mr. Johnston reported on a public hearing held in Plain Dealing regarding proposed garbage dumpsters in the parish, advising that residents in the Plain Dealing area are very interested. He discussed operations in the Bradley, Arkansas area, advising that they have a mobile unit that services different areas on scheduled days. Mr. Johnston explained that the garbage is hauled away every day and recommended that the jury pursue this type service.

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**Motion was made by Mr. Mitchell, seconded by Mr. Johnston, that Mr. Mitchell will contribute approximately \$1,000 from discretionary funds to Stockwell Elementary School for furnishings for new buildings at the school. Motion carried unanimously.**

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Mr. Altimus stated that Deen Point Road is scheduled for overlay in the 2007 Road Overlay Program. He further stated that Capital Outlay funding for the reconstruction of Deen Point Road is also requested.

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Mr. Williams reported on a meeting with representatives of the U.S. Department of Wildlife and Fisheries regarding a proposed recreational area on the Red River south of the Jimmie Davis bridge, advising that future extension of the Arthur Ray Teague Parkway is being considered.

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**Motion was made by Mr. Avery, seconded by Mr. Darby, to amend the agenda to add the adoption of ordinances authorizing the institution of expropriation proceedings pursuant to a local services agreement executed between the Parish of Bossier and the City of Bossier City against various properties in connection with the Benton Road Overpass Project. Motion carried unanimously.**

**Motion was made by Mr. Mitchell, seconded by Mr. Avery, to adopt ordinances authorizing the institution of expropriation proceedings pursuant to a local services agreement executed between the Parish of Bossier and the City of Bossier City against various properties in connection with the Benton Road Overpass**

**Project. Motion carried unanimously.** Mr. Jackson, Parish Attorney, stated that the ordinances pertain to property owned by Cox Communications.

ORDINANCE NO. 4034

AN ORDINANCE AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS PURSUANT TO A LOCAL SERVICES AGREEMENT EXECUTED BETWEEN THE PARISH OF BOSSIER AND THE CITY OF BOSSIER CITY AGAINST THE PROPERTY DESCRIBED IN THE ATTACHED EXHIBIT "A" (PARCEL NO. 7-5-1) IN CONNECTION WITH THE BENTON ROAD OVERPASS PROJECT.

**WHEREAS**, the City of Bossier City and the Parish of Bossier have joined together pursuant to a Local Services Agreement to, among other things, construct the Benton Road Overpass Project; and

**WHEREAS**, the City and Parish are in the process of acquiring the needed properties to complete the Benton Road Overpass Project; and

**WHEREAS**, the property described in Exhibit "A" is situated in the right of way for the Benton Road Overpass project; and

**WHEREAS**, all attempts to amicably acquire title to said properties have failed; and

**WHEREAS**, public necessity dictates that this property be owned by and subject to use by the City of Bossier City and the Parish of Bossier; and

**WHEREAS**, this taking is necessary for highway and/or street purposes, and the location and design of the proposed highway and/or street improvements are in accordance with the best modern practices adopted in the interest of safety and convenience of the traveling public; and

**WHEREAS**, just and adequate compensation for the taking of the subject property is set forth as follows:

Value of Parcels Taken (7-5-1)	\$ 13.00
Estimate of Damages	\$ 25,848.00
Value of Improvements	\$ 178.00
<b>Total Amount</b>	<b>\$ 26,039.00</b>

**NOW, THEREFORE, BE IT ORDAINED** by the Police Jury of the Parish of Bossier, in regular session convened, that the expropriation of this property is necessary for the public interest and the Parish Attorney, pursuant to the Local Services Agreement between the City of Bossier City and the Parish of Bossier, is hereby authorized to institute expropriation proceedings against the owner or owners of record as they might be at the time of the filing, of the property more particularly described in Exhibit "A" attached hereto.

**BE IT FURTHER ORDAINED**, that the law firm of Wiener Weiss & Madison, P.C. be and is hereby authorized to assist the Parish Attorney with the expropriation proceedings.

**BE IT FURTHER ORDAINED**, that if any provision or item of this Ordinance or application thereof is invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED**, that all ordinances or resolutions or parts thereof of ordinances or resolutions in conflict herewith are hereby repealed.

The ordinance was offered by Mr. Mitchell, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 15th day of June, 2005

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

EXHIBIT "A" TO ORDINANCE NO. 4034

DESCRIPTION OF PROPERTY TO BE EXPROPRIATED (PART TAKEN)

DESCRIPTION OF PROPERTY

McArthur Drive Warehouse – Lot 4, Block D, Curtis Park Subdivision, as recorded in Book 141, Page 89, Records of Bossier Parish, Louisiana, being what is municipally described as 725 McArthur Drive, together with any improvements located thereon.

ORDINANCE NO. 4035

AN ORDINANCE AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS PURSUANT TO A LOCAL SERVICES AGREEMENT EXECUTED BETWEEN THE PARISH OF BOSSIER AND THE CITY OF BOSSIER CITY AGAINST THE PROPERTY DESCRIBED IN THE ATTACHED EXHIBIT "A" (7-7-1 & 7-7-1-C-1) IN CONNECTION WITH THE BENTON ROAD OVERPASS PROJECT.

**WHEREAS**, the City of Bossier City and the Parish of Bossier have joined together pursuant to a Local Services Agreement to, among other things, construct the Benton Road Overpass Project; and

**WHEREAS**, the City and Parish are in the process of acquiring the needed properties to complete the Benton Road Overpass Project; and

**WHEREAS**, the property described in Exhibit "A" is situated in the right of way for the Benton Road Overpass project; and

**WHEREAS**, all attempts to amicably acquire title to said properties have failed; and

**WHEREAS**, public necessity dictates that this property be owned by and subject to use by the City of Bossier City and the Parish of Bossier; and

**WHEREAS**, this taking is necessary for highway and/or street purposes, and the location and design of the proposed highway and/or street improvements are in accordance with the best modern practices adopted in the interest of safety and convenience of the traveling public; and

**WHEREAS**, just and adequate compensation for the taking of the subject property is set forth as follows:

Value of Parcels Taken (7-7-1& 7-7-1-C-1)	\$ 13,500.00
Estimate of Damages	\$ 9,000.00
Construction Servitude Rent	\$ 1,259.00
<b>Total</b>	<b>\$ 23,759.00</b>

**NOW, THEREFORE, BE IT ORDAINED** by the Police Jury of the Parish of Bossier, in regular session convened, that the expropriation of this property is necessary for the public interest and the Parish Attorney, pursuant to the Local Services Agreement between the City of Bossier City and the Parish of Bossier, is hereby authorized to institute expropriation proceedings against the owner or owners of record as they might be at the time of the filing, of the property more particularly described in **Exhibit "A"** attached hereto.

**BE IT FURTHER ORDAINED**, that the law firm of Wiener Weiss & Madison, P.C. be and is hereby authorized to assist the Parish Attorney with the expropriation proceedings.

**BE IT FURTHER ORDAINED**, that if any provision or item of this Ordinance or application thereof is invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED**, that all ordinances or resolutions or parts thereof of ordinances or resolutions in conflict herewith are hereby repealed.

The ordinance was offered by Mr. Mitchell, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 15th day of June, 2005

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

EXHIBIT "A" TO ORDINANCE NO. 4035

DESCRIPTION OF PROPERTY TO BE EXPROPRIATED (PART TAKEN)

DESCRIPTION OF PROPERTY

Benton Road Parking Lot – Lots 5 and 16, Block A, Curtis Park Subdivision, as recorded in Book 141, Page 89, Records of Bossier Parish, less and except additional right of way for Benton Road as recorded in Book 423, Pages 296 and 297, Records of Bossier Parish, Louisiana, being part of what is municipally described as 723 Benton Road, together with any improvements located thereon.

ORDINANCE NO. 4036

AN ORDINANCE AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS PURSUANT TO A LOCAL SERVICES AGREEMENT EXECUTED BETWEEN THE PARISH OF BOSSIER AND THE CITY OF BOSSIER CITY AGAINST THE PROPERTY DESCRIBED IN THE ATTACHED EXHIBIT "A" (PARCEL NO. 7-8-1;7-8-1-C-1;7-9-1;7-9-1-C-1;12-1;12-1-C-1;12-2;12-2-C-1) IN CONNECTION WITH THE BENTON ROAD OVERPASS PROJECT.

**WHEREAS**, the City of Bossier City and the Parish of Bossier have joined together pursuant to a Local Services Agreement to, among other things, construct the Benton Road Overpass Project; and

**WHEREAS**, the City and Parish are in the process of acquiring the needed properties to complete the Benton Road Overpass Project; and

**WHEREAS**, the property described in **Exhibit "A"** is situated in the right of way for the Benton Road Overpass project; and

**WHEREAS**, all attempts to amicably acquire title to said properties have failed; and

**WHEREAS**, public necessity dictates that this property be owned by and subject to use by the City of Bossier City and the Parish of Bossier; and

**WHEREAS**, this taking is necessary for highway and/or street purposes, and the location and design of the proposed highway and/or street improvements are in accordance with the best modern practices adopted in the interest of safety and convenience of the traveling public; and

**WHEREAS**, just and adequate compensation for the taking of the subject property is set forth as follows:

Value of Parcels Taken (7-8-1;7-8-1-C-1;7-9-1;7-9-1-C-1;12-1;12-1-C-1;12-2;12-2-C-1)	\$ 74,855.00
Estimate of Damages	\$ 340,624.00
Value of Improvements	\$ 185,359.00
Additional Compensation	\$ 55,000.00
Sub-Total	\$ 655,838.00
Compensation for Temporary Construction Servitudes	\$ 8,266.00
<b>Total Amount</b>	<b>\$ 664,104.00</b>

**NOW, THEREFORE, BE IT ORDAINED** by the Police Jury of the Parish of Bossier, in regular session convened, that the expropriation of this property is necessary for the public interest and the Parish Attorney, pursuant to the Local Services Agreement between the City of Bossier City and the Parish of Bossier, is hereby authorized to institute expropriation proceedings against the owner or owners of record as they might be at the time of the filing, of the property more particularly described in **Exhibit "A"** attached hereto.

**BE IT FURTHER ORDAINED**, that the law firm of Wiener Weiss & Madison, P.C. be and is hereby authorized to assist the Parish Attorney with the expropriation proceedings.

**BE IT FURTHER ORDAINED**, that if any provision or item of this Ordinance or application thereof is invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED**, that all ordinances or resolutions or parts thereof of ordinances or resolutions in conflict herewith are hereby repealed.

The ordinance was offered by Mr. Mitchell, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 15th day of June, 2005

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

EXHIBIT "A" TO ORDINANCE NO. 4036

DESCRIPTION OF PROPERTY TO BE EXPROPRIATED (PART TAKEN)

DESCRIPTION OF PROPERTY

Benton Road Building – Lots 3, 4, 17, 18 and the south ½ of Lots 2 and 19, Block A, Curtis Park Subdivision, as recorded in Book 141, Page 89, Records of Bossier Parish, less and except additional right of way for Benton Road as recorded in Book 423, Pages 296 and 297, Records of Bossier Parish, Louisiana, being a part of what is municipally described as 725-731 Benton Road, together with any improvements located thereon.

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Mr. Jackson, Parish Attorney, reported that the Bankruptcy Court has approved the Hollywood Casino agreement, and that the jury should begin receiving funds in January, 2006. **Motion was made by Mr. Avery, seconded by Mr. Darby, to invite Representative Billy Montgomery and Senator Robert Adley to the July 6, 2005 regular meeting for an official signing of the agreement, and to adopt a resolution of appreciation to Senator Adley and Representative Montgomery for their support in this matter. Motion carried unanimously.**

RESOLUTION

WHEREAS, Senator Robert Adley represents District 36 in the Louisiana State Senate in Northwest Louisiana, encompassing all of the parishes of Bienville and Webster, and parts of Bossier, Claiborne and Red River; and

WHEREAS, State Representative Billy Wayne Montgomery represents District 9 in the Louisiana House of Representatives, which encompasses a part of Bossier Parish.

NOW, THEREFORE, BE IT RESOLVED, on this 6th day of July, 2005, that the Bossier Parish Police Jury does hereby express its sincere appreciation to these two public servants for all their efforts and counsel in bringing to fruition Act 1222 in the 2003 Regular Session of the Louisiana State Legislature, and for also assisting the parish in bringing about a successful conclusion to the Shreveport/Bossier riverboat boarding fee settlement. Over time, these two agreements will bring millions of dollars to the citizens of Bossier Parish which will only enhance the quality of life of those who reside here now and into the future.

The resolution was offered by Mr. Avery, seconded by Mr. Darby. Upon unanimous vote, it was duly adopted on this 15<sup>th</sup> day of June, 2005.

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 15th day of June, 2005, the meeting was adjourned by the President at 3:50 p.m.

CHERYL G. MARTIN  
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT  
BOSSIER PARISH POLICE JURY