

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
November 2, 2005
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The Bossier Parish Police Jury met in regular and legal session on this 2nd day of November, 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. Eddy Shell and the pledge of allegiance was led by Mr. Henry Mitchell. The Secretary-Treasurer, Ms. Cheryl Martin, called the roll, with Mr. Johnston excused, as follows:

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

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

The President requested that Agenda Item No. 9, discussion of Memorandum of Cooperative Endeavor between the City of Bossier City and the Bossier Parish Police Jury and Stirling Bossier, LLC, be considered at this time. Mr. Altimus stated that the City of Bossier City has agreed to provide \$7.5 million for infrastructure improvements for the shopping center proposed by Stirling Bossier, LLC, and advised that \$1 million is requested from the police jury for roads, sewer and drainage. He stated that the streets in the development will be public streets maintained by the City of Bossier City. **Motion was made by Mr. Hammack, seconded by Mr. Mitchell, to approve a contribution of \$1 million for infrastructure improvements for a shopping center proposed by Stirling Bossier, LLC, and to authorize Mr. Altimus to execute a Memorandum of Cooperative Endeavor between the City of Bossier City, the Bossier Parish Police Jury and Stirling Bossier, LLC, in connection with this matter. Motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 2nd day of November, 2005, that William Altimus, Bossier Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, a Memorandum of Cooperative Endeavor between the City of Bossier City, the Bossier Parish Police Jury and Stirling Bossier, LLC.

The resolution was offered by Mr. Hammack, seconded by Mr. Mitchell. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Shell, seconded by Mr. Darby, to authorize the advertising for bids for annual supplies and for the annual supply of tires for the Bossier Parish Highway Department, bids to be received December 7, 2005. Motion carried unanimously.

Ms. Martin announced the public hearing to consider an amendment to the Unified Development Code pertaining to Overlay District regulations. Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that overlay district regulations have been established to provide existing residential neighborhoods a means of control in the types of commercial development in and around their area. He stated that an overlay district must contain a minimum contiguous area of 4 acres and at least 25 parcels. Mr. Marsiglia stated that overlay district regulations will provide residents the ability to monitor and control the use of commercially zoned property near their neighborhood. He stated that the City of Bossier City has adopted these regulations within the City and requested that the police jury establish these regulations within the five-mile jurisdiction of the Bossier City-Parish Metropolitan Planning Commission. There being no opposition, **motion was made by Mr. Shell, seconded by Mr. Williams, to approve an amendment to the Unified Development Code to add regulations pertaining to Overlay District regulations. Motion carried unanimously.**

ORDINANCE NO. 4068

AN ORDINANCE TO AMEND BOSSIER PARISH ORDINANCE NO. 3908 OF 2003, WHICH ADOPTED A UNIFIED DEVELOPMENT CODE FOR THE BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION AND THE PARISH OF BOSSIER, LOUISIANA, BY ADDING SECTION 5.7.3, NEIGHBORHOOD CONSERVATION OVERLAY CONDITIONAL USE OVERLAY DISTRICTS, AND BY AMENDING SECTION 1.5.8 TO ADD NEIGHBORHOOD CONSERVATION AS AN AUTHORIZED PURPOSE OF AN OVERLAY ZONING DISTRICT.

BE IT ORDAINED, that Section 5.7.3 of the Unified Development Code be amended to read as follows:

Section 5.7.3 Neighborhood Conservation Conditional Use Overlay Districts

5.7.3.A Purpose

Neighborhood Conservation Conditional Use Overlay Districts are intended to promote the health, safety, economic, cultural and general welfare of the citizens of the City of Bossier City and the Parish of Bossier by encouraging the conservation and enhancement of the urban environment. Specifically, the goal of such districts is to reduce conflicts between expanding or robustly stabilized residential development in established neighborhoods and the operation of mixed uses on tracts zoned for non-residential purposes which are within, adjacent to, or in proximity with such established residential neighborhoods and made such a part of such districts.

The purposes of these overlay districts for neighborhoods which voluntarily seek and qualify for designation as a Neighborhood Conservation Conditional Use Overlay District are:

1. To maintain desirable and unique neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social, and economic resources; the protection and strengthening of distinctive and recognized neighborhood identity, charm and flavor; and

- the accommodation of desirable mixed uses on tracts zoned for non-residential purposes which are within, adjacent to, or in proximity with such established residential neighborhoods and made a part of the district;
2. To promote reinvestment in the neighborhood by fostering stable property values and enhancing the economic viability of the neighborhood and the City of Bossier City/Parish in general;
 3. To preserve the mature cultural character of the neighborhood;
 4. To encourage and strengthen civic pride;
 5. To set standards for the maintenance of the character of the neighborhood by guiding operations on commercial and other property zoned for non-residential purposes within the Neighborhood Conservation Conditional Use Overlay District so as to be compatible with existing residential development in the type of uses and site-specific activities permitted, including setback and area requirements and hours of operation, by declaring all uses on such property to be conditional uses and, therefore, subject to the site plan review process specified in Section 3.7 and as further provided herein, and ;
 6. To foster the harmonious, orderly, and efficient growth, development, and redevelopment of the City of Bossier City and the Parish of Bossier.

5.7.3.B Designation Criteria

To be designated a Neighborhood Conservation Conditional Use Overlay District, an area must meet the following criteria:

1. The proposed district must contain a minimum contiguous area of 4 acres and at least 25 parcels;
2. The proposed district should be a logical neighborhood unit;
3. The proposed district must have been originally platted or developed at least 10 years ago prior to the application;
4. At least 75% of the land area in the proposed district must be presently improved;
5. At least 80% of the land area in the proposed district must be zoned residential; and
6. The proposed district must be considered "stable," meaning it is expected to remain substantially the same over the next 20 years with continued maintenance on property. While some changes in structures, land uses, and densities may occur, all such changes are expected to be compatible with surrounding residential development.

5.7.3.C Initiation

1. Designation of an area as a Neighborhood Conservation Conditional Use Overlay District must be initiated by a group of persons who collectively own more than 50% of the assessed value of the land, within the area of the request.

An agent or representative (hereafter, "applicant") for a group that satisfies this requirement may file an application with the Planning Office on a form furnished by the Metropolitan Planning Commission.

2. An application for designation as a Neighborhood Conservation Overlay District must include the following:
 - A. An application fee as set by the Metropolitan Planning Commission;
 - B. A map showing existing zoning and land uses on all of the land in the area of the request, and on all land (including streets and alleys) within 200 feet, measured from the boundary of the area of the request;
 - C. A list of names and addresses of all property owners in the area of the request;
 - D. A list of all neighborhood associations, homeowners associations, or other organizations representing the interests of property owners in the area of the request. This list shall include information such as the number of members and the officer's names, mailing addresses, and phone numbers.
 - E. A statement of justification. This statement should:
 - i. Specifically point out the factors which render the area of request eligible for designation as a Neighborhood Conservation Conditional Use Overlay District, and
 - ii. Explain in detail how and why such a classification would be in the best interests of the City of Bossier City or the Parish of Bossier as a whole.
 - F. Any additional information that the Planning Director determines to be necessary.

5.7.3.D. Determination of Eligibility

1. Upon receipt of an application for designation of an area as a Neighborhood Conservation Conditional Use Overlay District, the Planning Director shall determine the eligibility of the area for such classification in accordance with the criteria set forth in Section 5.7.3.B, Designation Criteria.
2. If the Planning Director determines that the proposed area is not eligible for designation, he shall notify the applicant of this fact in writing, sent to the address shown on the application. This decision is appealable to the Metropolitan Planning Commission. The appeal must be filed and the appropriate application fee paid within 30 days of the date written notice is given to the applicant of the Planning Director's decision.
3. The decision of the Metropolitan Planning Commission as to eligibility is final. If the Metropolitan Planning Commission determines that the area is not eligible for classification as a Neighborhood Conservation Conditional Use Overlay District, no further applications for such classification may be considered for the area of request for two years from the date of decision, unless waived by action of the Metropolitan Planning Commission.

5.7.3.E Neighborhood Conservation Plan Formulation, Presentation, and MPC Review

1. If the Planning Director determines that an area is eligible for classification as a Neighborhood Conservation Conditional Use Overlay District, he shall notify the applicant of this fact in writing, sent to the address shown on the application.
2. Thereafter, the group making the application is responsible for formulating a draft Neighborhood Conservation Conditional Use Overlay Plan. With the help of the MPC office, the plan will consist of a map and such other textual and graphic material as may be necessary, indicating land

uses, building types and designs, existing site uses (designated as developed or undeveloped), traffic circulation, signage, off-street parking, and proposed regulation of non-residential uses proposed as conditional uses, including types of uses and site-specific operations permitted, including setback and area requirements and hours of operation, to promote the purposes of the district.

3. The group making the application is responsible for scheduling a public meeting to receive comment regarding the draft plan. The group making the application shall be responsible for providing written notice of the public meeting to all property owners in the proposed district. The notice must be given not less than 10 days before the date set for the meeting. Notice is given by depositing the notice, properly addressed and postage paid, in the United States mail to the property owners as evidenced by the last approved tax roll. At or following the public meeting, written approval of the draft plan must be obtained by more than 50% of the group making the initial application. This written approval can be made in the form a petition.
4. Upon satisfying the prerequisites of subsections 2 and 3 of this section, the group making the application shall notify the Planning Director, providing evidence of the satisfaction of such prerequisites as reasonably suitable to the Planning Director.
5. Thereafter, the Planning Director shall prepare a conceptual Neighborhood Conservation Conditional Use Overlay Plan for the proposed district, utilizing but not limited to the draft plan provided by the group making application, for presentation to the Metropolitan Planning Commission.
6. The Metropolitan Planning Commission shall make a recommendation regarding the plan.
7. If the Metropolitan Planning Commission recommends the adoption of the plan, the plan shall be incorporated in a proposed Neighborhood Conservation Conditional Use Overlay District ordinance which shall be reviewed by the MPC prior to being forwarded to the appropriate governing body for further action. The ordinance shall provide that all uses on tracts located within the district which are zoned for non-residential purposes shall become Conditional Uses, with required sub-mission and approval of site plan review under Section 3.7. This review shall also incorporate and require such operational site plan features as types of uses and site-specific operations permitted, including setback and area requirements and hours of operation.

5.7.3.F City Council or Bossier Parish Police Jury Review

The appropriate governing body shall hold a public hearing before making a decision regarding the recommendation of the MPC concerning the proposed Neighborhood Conservation Conditional Use Overlay District. After holding the public hearing, the City Council or Parish Police Jury shall make a decision regarding the proposed district and if adoption has been recommended by the Metropolitan Planning Commission, the proposed ordinance creating the district.

BE IT FURTHER ORDAINED, that Section 1.5.8 of the Unified Development Code be amended to read as follows:

1.5.8 Protect designated corridors and maintain desirable and unique neighborhood character and integrity within the City and Parish by establishing Corridor and Neighborhood Conservation Conditional Use Overlay Districts and by establishing such regulations related to the maintenance of quality use, aesthetic, and environmental standards as may be found to be appropriate. (Underlined text is added.)

The ordinance was offered by Mr. Shell, seconded by Mr. Williams. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin announced the public hearing to consider the application of KCB Management, LLC, for a zoning amendment to change the zoning classification of a 6.873 acre tract of land located in Section 33, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-3, General Business District, for mini-warehouses. (north of and adjacent to Cypress Pointe Apartments) Mr. Charles Coyle, Coyle Engineering Co., Inc., stated that a mini-storage facility is proposed, and stated that the property is owned by Cypress Pointe Apartments. He stated that the Bossier Parish Levee Board has granted a waiver to allow the use of 50' of its maintenance easement along Willow Chute for concrete only. Mr. Coyle stated that the development will be subject to drainage impact regulations. Mr. Avery stated that the property is long and narrow and stated that he is concerned there may not be adequate turnaround space for 18-wheeler trucks. He stated that these large trucks would have to back out onto Airline Drive. Mr. Avery further expressed concern regarding site-distance at this location.

There being no opposition, **motion was made by Mr. Avery, seconded by Mr. Cochran, to approve the application of KCB Management, LLC, for a zoning amendment, subject to review of site distance issues and subject to providing an adequate turning radius for 18-wheeler trucks. Motion carried unanimously.**

ORDINANCE NO. 4069

AN ORDINANCE TO AMEND BOSSIER PARISH ORDINANCE NO. 3908 OF 2003, WHICH ADOPTED A UNIFIED DEVELOPMENT CODE FOR THE BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION AND THE PARISH OF BOSSIER, LOUISIANA, BY CHANGING THE ZONING CLASSIFICATION OF A 6.873 ACRE TRACT OF LAND LOCATED IN SECTION 33, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LA, FROM R-A, RESIDENTIAL AGRICULTURE DISTRICT, TO B-3, GENERAL BUSINESS DISTRICT.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 2nd day of November, 2005, that Ordinance No. 3908 of 2003 (Unified Development Code) of the Police Jury of Bossier Parish, is hereby amended to change the zoning classification of a 6.873 tract of land located in Section 33, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential Agriculture District, to B-3, General Business District, as follows:

A tract of land located in Section 33, T19N-R13W, Bossier Parish, Louisiana, and also being a portion of Lot 2, Big Bee Bend Plantation, as recorded in Book 36, Page 150 of the records of Bossier Parish, Louisiana, and being more fully described as follows: Beginning at the common corner of Sections 28, 29,

32 and 33, T19N-R13W, Bossier Parish, Louisiana; Run thence along the common line of said Sections 28 and 33 east a distance of 1,645.31 feet; thence leaving said section line run south 01° 07' 10" east a distance of 53.52 feet, said point also located on the north line of Lot 2 of said Big Bee Bend Plantation; Run thence along said north line of Lot 2 north 88° 01' 50" east a distance of 122.09 feet to the point of beginning of tract herein described: thence leaving said north line run south 18° 07' 22" east a distance of 191.10 feet; run thence south 31° 46' 58" east a distance of 169.45 feet; run thence south 39° 31' 54" east a distance of 199.91 feet; run thence south 53° 57' 41" east a distance of 346.92 feet; run thence south 61° 49' 43" east a distance of 324.23 feet to a point on the westerly right of way of line of Airline Dr.; run thence along said westerly right of way line north 01° 38' 17" west a distance of 316.42 feet to a point on the centerline of Willow Chute Bayou; thence leaving said westerly right of way line run along said centerline the following courses and distances: north 61° 49' 43" west a distance of 71.72 feet; north 59° 54' 50" west a distance of 53.05 feet; north 52° 07' 38" west a distance of 182.97 feet; north 52° 44' 09" west a distance of 82.19 feet; north 36° 04' 44" west a distance of 179.49 feet; north 32° 10' 11" west a distance of 55.55 feet; north 30° 36' 10" west a distance of 82.14 feet and north 23° 33' 33" west a distance of 50.49 feet to a point on the north line of said Lot 2; thence leaving said centerline run along said north line south 88° 01' 50" west a distance of 317.17 feet to the point of beginning, containing 6.873 acres, more or less, from R-A, Residential-Agriculture District, to B-3, General Business District, for mini-warehouses.

Applicant: KCB Management, LLC

Purpose: Mini-warehouses

The ordinance was offered by Mr. Avery, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Martin announced the public hearing to consider the application of Johnny's Pizza House, Inc., for Conditional Use Approval at a B-2 location, 5510 Airline Drive, Bossier City, LA, for on-premises consumption of low content alcohol at a restaurant. (across from North Airline Acres Subdivision) Mr. Barry Barton, Johnny's Pizza, stated that the proposed restaurant is to be located on Airline Drive south of Kingston Road. Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that the proposed restaurant meets all distance requirements from a nearby church. There being no opposition, **motion was made by Mr. Avery, seconded by Mr. Cochran, to approve the application of Johnny's Pizza for Conditional Use Approval at a B-2 location at 5510 Airline Drive, for on-premises consumption of low content alcohol at a restaurant. Motion carried unanimously.**

ORDINANCE NO. 4070

AN ORDINANCE APPROVING A CONDITIONAL USE FOR ON-PREMISE CONSUMPTION OF LOW CONTENT ALCOHOL AT A HIGH-TURNOVER RESTAURANT, AT A B-2 LOCATION, 5510 AIRLINE DR., BOSSIER CITY, LA.

WHEREAS, Johnny's Pizza House, Inc., has applied to the Bossier Parish Police Jury for Conditional Use for the sale of on-premise consumption of low content alcohol at a high-turnover restaurant, 5510 Airline Drive, Bossier City, LA; and

WHEREAS, the application has been approved by the Bossier City-Parish Metropolitan Planning Commission; and

WHEREAS, a public hearing for the application was held by the Bossier Parish Police Jury on November 2, 2005.

SECTION 1. That the Conditional Use for the sale of on-premise consumption of low content alcohol at a high-turnover restaurant, 5510 Airline Drive, Bossier City, LA 71111 is hereby approved.

The ordinance was offered by Mr. Avery, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Mitchell, seconded by Mr. Avery, to schedule a public hearing on December 7, 2005, to consider the application of Brushy Creek Land Company, LLC, for a zoning amendment to change the zoning classification of an 81.40 acre tract of land located in Section 14, Township 18 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-3, General Business District, for a commercial park. Motion carried unanimously.

A meeting of the Bossier Parish Property Standards Board was convened by the President to consider condemnation of property at 1398 Linton Road, Benton, LA. Ms. Betsy Ludlam, owner of the property, stated that she is trying to get the property cleaned up. She asked for guidance as to what she can do with two abandoned cars on her property, advising that the owner of the vehicles is now incarcerated. Mr. Avery advised Ms. Ludlam that she can have the cars towed from her property. **Motion was made by Mr. Williams, seconded by Mr. Hammack, to allow Ms. Ludlam two weeks in which to bring the property in compliance with property standards regulations, with the matter to be reviewed at the November 16, 2005 regular meeting. Motion carried unanimously.**

Mr. Avery recommended that Ms. Ludlam contact the City of Bossier City Property Standards Department to request assistance in locating someone who will assist her in cleaning up the property. Mr. Rogers requested that the staff review the possibility of compiling a list of contractors, etc., who are interested in providing assistance in the clean-up of property.

Motion was made by Mr. Mitchell, seconded by Mr. Meachum, to table the condemnation of property at 154 Skipper Drive, Haughton, LA, to allow the owner two weeks in which to bring the property in compliance

with property standards regulations. Motion carried unanimously. The matter is to be reviewed at the November 16, 2005 regular meeting.

The meeting of the Bossier Parish Property Standards Board was adjourned by the President.

Mr. Shell discussed the request for funding for the installation of 13 street lights on Marlena Street in the Viking Drive Industrial Park, advising that the area is very dark and the lights are needed. It is requested that the police jury contribute one-third of the total cost of \$54,325, with the City of Bossier City and the Greater Bossier Economic Development Foundation, contributing the remaining funds. After discussion, **motion was made by Mr. Mitchell, seconded by Mr. Shell, to approve an expenditure of \$18,108.33 from the Industrial Development Fund, which represents one-third of the total cost of \$54,325, for the installation of 13 streets lights on Marlena Street in the Viking Drive Industrial Park. Motion carried unanimously.**

Motion was made by Mr. Meachum, seconded by Mr. Darby, to approve the application of Angela Gullo for a 2005 beer license at Haughton Food Mart, 9011 N. Highway 157, Haughton, subject to approval by the health department. Motion carried unanimously.

The request for adoption of a resolution supporting Pediatric Dentistry Partners, LLP, and allowing them to receive the local benefits of the Enterprise Zone Program was delayed pending additional information.

Motion was made by Mr. Mitchell, seconded by Mr. Williams, to adopt a resolution supporting Budget Phone, Inc., 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 BUDGET PHONE, INC., 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 113.00 Block Group 2 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 2nd day of November, 2005, that Budget Phone, Inc. and their project expansion, Enterprise Zone Application #050946-0 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. Avery. Upon vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Mitchell, seconded by Mr. Avery, to approve the request of Wesley Chapel CME Church to hold a parade on Sunday, November 13, 2005, from the church down Princeton Road to Princeton Elementary School. Motion carried unanimously. The Sheriff's Department is to be notified in regard to traffic issues.

Mr. Ford, Parish Engineer, introduced Mr. Hal Liller, Operations Manager for Cerro Flow, discussed the recent repair of the rail spur in the Ruben E. White Industrial Park. Mr. Ford stated that Cerro Flow has requested that the police jury pay \$9,373 demurrage charge, advising that Cerro Flow has been charged this amount by KCS Railroad because the rail cars could not be delivered due to the condition of the rail spur. **Motion was made by Mr. Hammack, seconded by Mr. Shell, to approve payment to Cerro Flow in the amount of \$9,373, as requested, from the Industrial Park Fund. Motion carried unanimously.**

Mr. Ford reported on the courthouse renovation/addition project, advising that he will meet with Walton Construction on a weekly basis.

Motion was made by Mr. Williams, seconded by Mr. Mitchell, to accept the streets and drainage in Forest Hills Subdivision, Unit No. 5, and in Forest Hills Subdivision, Unit No. 6, into the parish road system for permanent maintenance. Motion carried unanimously.

RESOLUTION

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 2nd day of November, 2005, has received a request from Tri-State Sand and Gravel, LLC, that the parish accept into its system for permanent maintenance the streets and drainage in Forest Hills Subdivision, Unit No. 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 110, Section 110-201 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 Benton and Brown, LLC, 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 Forest Hills Subdivision, Unit No. 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. Williams, seconded by Mr. Mitchell. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

RESOLUTION

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 2nd day of November, 2005, has received a request from Tri-State Sand and Gravel, LLC, that the parish accept into its system for permanent maintenance the streets and drainage in Forest Hills Subdivision, Unit No. 6, 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 110, Section 110-201 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 Benton and Brown, LLC, 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 Forest Hills Subdivision, Unit No. 6, 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. Williams, seconded by Mr. Mitchell. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Shell, seconded by Mr. Cochran, to authorize the President to execute the contract with Coyle Engineering Co., Inc., for engineering services for renovations to the Technical Services Department at the Bossier Parish Central Library. Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 2nd day of November, 2005, that Jeff Rogers, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, the contract with Coyle Engineering Co., Inc., for engineering services for renovations to the Technical Services Department at the Bossier Parish Central Library.

The resolution was offered by Mr. Hammack, seconded by Mr. Mitchell. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Williams, seconded by Mr. Mitchell, to authorize the President to execute the contract with Integrity, Inc., for the new Benton Library construction project. Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 2nd day of November, 2005, that Jeff Rogers, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, the contract with Integrity, Inc., for the new Benton Library construction project.

The resolution was offered by Mr. Williams, seconded by Mr. Mitchell. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford advised that he has received a cost estimate of \$55,000 from Balar Associates, Inc., to conduct a feasibility study on the proposed formation of a sewer district in the area from Bossier City to Benton. He stated that this study will define the area and establish boundaries for the proposed district. Mr. Ford stated that the City of Bossier City will pay one-half the proposed cost. **Motion was made by Mr. Avery, seconded by Mr. Darby, to approve an expenditure of one-half the proposed cost estimate from Balar Associates, Inc., in the amount of \$55,000 for a feasibility study for the creation of a sewer district in the area between Bossier City and Benton, to be taken from the Capital Projects Fund. Motion carried unanimously.**

Mr. Ford advised that Coyle Engineering Co., Inc., has prepared a cost estimate in the amount of approximately \$75,000 for renovation of a 1,000 square foot area on the second floor of the health unit to house the coroner's office. **Motion was made by Mr. Cochran, seconded by Mr. Hammack, to approve an expenditure of approximately \$75,000 for renovation of office space on the second floor of the health unit for the coroner's office. Motion carried unanimously.**

Motion was made by Mr. Shell, seconded by Mr. Williams, to approve an amendment to Bossier Parish Subdivision Regulations to require that a digital CAD drawing must be provided with all copies of subdivision plats and/or plans which are submitted to the Tax Assessor's office. Motion carried unanimously.

ORDINANCE NO. 4071

AN ORDINANCE TO AMEND CHAPTER 110, SECTION 110-31, SUBSECTION (a)(3), OF THE BOSSIER PARISH CODE OF ORDINANCES

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 2nd day of November, 2005, that Chapter 110, Section 110-31, Subsection (a)(3), of the Bossier Parish Code of Ordinances, be and is hereby amended to read as follows:

Chapter 110, Section 110-31, Subsection (a)(3)

- (3) Write the lot designation on the plat or map, and cause it to be made and filed in the office of the keeper of notarial records of the parish and copied into the conveyance record book of the parish, and file a duplicate of the correct map of the real estate so divided with the assessor of the parish, including a digital CAD (e.g. Auto CAD vector type) drawing of the same. (Plat and/or plans)

The ordinance was offered by Mr. Shell, seconded by Mr. Williams. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Cochran, seconded by Mr. Meachum, to approve an amendment to mobile home permit regulations to provide that the cost of a permit for an individual mobile, manufactured or modular home shall be based on \$.03 per square foot of proposed construction, under roof, in lieu of the current flat charge of \$25. Motion carried unanimously.

ORDINANCE NO. 4072

AN ORDINANCE TO AMEND CHAPTER 54, SECTION 54-39, SUBSECTION (a)(7), OF THE BOSSIER PARISH CODE OF ORDINANCES, BY AMENDING THE PERMIT FEE CHARGED FOR MOBILE, MANUFACTURED OR MODULAR HOMES.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 2nd day of November, 2005, that Chapter 54, Section 54-39, Subsection (a)(7), of the Bossier Parish Code of Ordinances, be and is hereby amended to read as follows:

Chapter 54, Section 54-39, Subsection (a)(7)

- (7) Individual Mobile, Manufactured, or Modular Home, per square foot of proposed construction (under roof)\$0.03

The ordinance was offered by Mr. Cochran, seconded by Mr. Meachum. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Cochran, seconded by Mr. Hammack, to authorize the advertising for bids for the Mimosa Ditch Rehabilitation Project, which is being funded through Capital Outlay funds. Motion carried unanimously. A bid date is to be determined as soon as possible.

Mr. Ford advised of the request for speed limit signs in Rosedale Place Subdivision. He stated that the homeowners association has taken over the responsibility of street signs in the subdivision and has requested two speed limit signs. **Motion was made by Mr. Avery, seconded by Mr. Darby, to provide two 15 mile per hour speed limit signs in Rosedale Place Subdivision, to be placed on each side of the ditch. Motion carried unanimously.**

Mr. Ford reported that the traffic signals for Airline Drive have arrived, and should be installed within two weeks. He stated that the lights will flash for three days before they become fully operational in an effort to promote public awareness.

Motion was made by Mr. Avery, seconded by Mr. Hammack, to adopt an ordinance amending Ordinance No. 3034 of July 12, 1988, as amended by Ordinance No. 3036, to reflect an increase in user and maintenance fees for the Carstarphen Heights Subdivision sewage collection system, as approved by the police jury on June 4, 2003. Motion carried unanimously.

ORDINANCE NO. 4073

AN ORDINANCE AMENDING ORDINANCE NO. 3034 OF JULY 12, 1988, AS AMENDED BY ORDINANCE NO. 3036 OF SEPTEMBER 13, 1988, TO INCREASE USER AND MAINTENANCE FEES FOR THE CARSTARPHEN HEIGHTS SUBDIVISION SEWAGE COLLECTION SYSTEM.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 2nd day of November, 2005, that Ordinance No. 3034 of July 12, 1988, as amended by Ordinance No. 3036 of September 13, 1988, be and is hereby amended to increase rates for the use of the Carstarphen Heights Subdivision sewage collection system to read as follows:

- 1. Minimum sewer charges: \$4.25 for the first 3,000 gallons, and \$0.75 per thousand gallons thereafter, based on water consumption through the meter.
- 2. \$3.00 maintenance charge.

- 3. \$1.00 per household energy charge for lift station operation.
- 4. \$1.00 per month charge in lieu of Plain Dealing municipal taxes.

TOTAL: \$9.25 minimum per household.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall ratify the approval of said fee increase on June 4, 2003, increase to become effective September 1, 2003.

BE IT FURTHER ORDAINED that all other parts of Ordinance No. 3034 of July 12, 1988, shall remain in effect as written.

The ordinance was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Hammack, seconded by Mr. Mitchell, to adopt an ordinance providing for the regulation of sewer user charges for all domestic and commercial sewage discharged to the sewage collection system of Demoss Hill Subdivision Sewage Collection System, which is being established with Louisiana Community Block Grant funds. Motion carried unanimously.

ORDINANCE NO. 4074

AN ORDINANCE REGULATING SEWER USER CHARGES FOR ALL DOMESTIC AND COMMERCIAL SEWAGE DISCHARGED TO THE SEWAGE COLLECTION SYSTEM OF DEMOSS HILL SUBDIVISION SEWAGE COLLECTION SYSTEM.

BE IT ORDAINED by the Bossier Parish Police Jury, owners of the Demoss Hill Subdivision sewage collection system, in regular and legal session convened on this 2nd day of November, 2005, that the rates for the use of said sewage collection system shall be as follows:

- 1. Minimum sewer charges: \$4.25 for the first 3,000 gallons, and \$0.75 per thousand gallons thereafter, based on water consumption through the meter.
- 2. \$3.00 maintenance charge.
- 3. \$1.00 per household energy charge for lift station operation.
- 4. \$1.00 per month charge in lieu of Plain Dealing municipal taxes.

TOTAL: \$9.25 minimum per household.

The above rates are subject to adjustment by the Bossier Parish Police Jury, as determined by the Town of Plain Dealing, as operators.

The rates will be collected by the Town of Plain Dealing utility department, in accordance with the service agreement between the Bossier Parish Police Jury and the Town of Plain Dealing. All charges shall be due and payable upon receipt of bill. A penalty of 10% will be added to charges not paid on or before the 15th day of the month following the month billed for. Failure to make timely payments shall result in the disconnection of service to any subscriber who has not paid monthly charges on or before the 25th of the month in which payment is due. The intent of this ordinance is to cover complete payment of all sewer used and related services.

BE IT FURTHER ORDAINED that all domestic and commercial establishments located within Demoss Hill Subdivision shall be required to connect to the sewage collection system within 90 days from completion of said sewer collection system. Further, any domestic or commercial establishments constructed on currently undeveloped properties within Demoss Hill Subdivision shall connect to said sewage collection system immediately upon completion of construction.

BE IT FURTHER ORDAINED that all service connections to the collection system shall be performed under the supervision of the Bossier Parish Police Jury or its designated representative. All materials used in conjunction with the service connections shall be in accordance with requirements and specifications of the Town of Plain Dealing. Work shall be performed by an experienced plumber.

BE IT FURTHER ORDAINED that no discharge from any user shall exceed the range of concentration of pollutants in normal sanitary sewage as specified by Ordinance No. 1 dated 1983 of the Town of Plain Dealing. If it is so determined that concentrations of these pollutants do exceed normal sanitary sewage discharges, a surcharge shall be added to the base charges and shall be calculated as per formula specified in Paragraph 2.2 of Ordinance No. 1 dated 1983 of the Town of Plain Dealing.

The ordinance was offered by Mr. Hammack, seconded by Mr. Mitchell. Upon unanimous vote, it was duly adopted on this 2nd day of November, 2005.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Gary Cathcart, Public Works Director, reported that parish crews are working on Robinson Road, and are preparing to begin work on the Potter Road.

Mr. Cathcart reported that after investigation, he feels the speed limit on Atkins Clark Road is adequate.

The President called for a 15 minute recess. The meeting was reconvened and called to order by the President.

Mr. Cummings expressed appreciation to the highway department for the construction of a walking trail at Meadowview Elementary. He stated that a ribbon-cutting ceremony for the new trail will be held at 1:00 p.m., on November 17, 2005, at the site.

Motion was made by Mr. Meachum, seconded by Mr. Mitchell, to send a second notice to the owner of property at 299 Ranchtown Road, allowing him until November 16, 2005, to make some substantial improvements to his property. Motion carried unanimously. The property is currently in violation of property standards regulations. Mr. Avery requested that the jury pursue the matter of issuing citations for property standards violations.

Motion was made by Mr. Williams, seconded by Mr. Cochran, that Mr. Williams will contribute \$1,500 from discretionary funds to Benton High School to pay transportation expenses to football playoffs. Motion carried unanimously.

Mr. Williams advised that Mr. Cliff Cannon, employee of the Bossier Parish Highway Department, has requested that the police jury continue to pay the employer portion of his health insurance premium until he is able to return to work. Mr. Cannon is out due to back surgery and has paid the employee portion of the premium. His FMLA eligibility has expired and Mr. Cannon is eligible for COBRA. Mr. Cannon is currently on workers compensation. **Motion was made by Mr. Cochran, to approve the request subject to review by the Parish Attorney.** After discussion, **motion was withdrawn. Motion was made by Mr. Cummings, seconded by Mr. Shell, to table this matter for legal advice, to be considered at the November 16, 2005 regular meeting.**

Motion was made by Mr. Shell, seconded by Mr. Hammack, that Mr. Shell will contribute \$3,500 from discretionary funds for the moving of a temporary building, which has been donated by the school board, to the shooting range at Bodcau. Motion carried unanimously.

Mr. Cochran, Insurance Committee Chairman, advised that a meeting of the Insurance Committee is scheduled on December 7, 2005, at 1:30 p.m., prior to the regular meeting. Mr. Cochran reported that there will be no increase in premiums for dental insurance for 2006.

Motion was made by Mr. Hammack, seconded by Mr. Shell, that Mr. Hammack and Mr. Shell will contribute \$500 each from discretionary funds for a mowing machine at Parkway High School. Motion carried unanimously.

Ms. Martin reviewed the proposed 2006 Bossier Parish Police Jury budget by fund. In reference to the request of the Benton-Parish MPC for additional funding for the year 2006, the Town of Benton is to be notified that the police jury is awaiting a funding commitment from the town.

Mr. Cummings requested that all entities requesting a 2006 budget appropriation from the police jury be required to provide the police jury with a copy of their budget. He recommended that if the requested budget information is not received, the request for funding will be denied.

It was requested that additional information be obtained from the Bossier Sheriff's Department regarding a request for \$13,000 for installation of no-slip tile in the kitchen and halls of the penal farm.

Mr. Avery recommended that an expenditure of approximately \$75,000 for renovation of office space on the second floor of the health unit for the coroner's office, be taken from the Health Unit Fund.

Mr. Altimus reported that Cox Communications has advised of an increase in rates for cable television service to be effective January 1, 2006.

Mr. Altimus presented information on the number of residential and commercial building permits issued in the month of October.

Mr. Altimus advised that the Bossier Parish Library Board of Control is currently reviewing employment applications to fill the position of Director upon the retirement of Mr. Louis Covington. Mr. Jackson, Parish Attorney, encouraged jurors to participate in the application review process.

Motion was made by Mr. Meachum, seconded by Mr. Mitchell, to amend the agenda to adjourn into executive session to discuss the Cox Communications legal matter. Motion carried, with the following vote recorded:

AYES: Mr. Altimus, Mr. Avery, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr. Hammack, Mr. Mitchell, Mr. Meachum, Mr. Rogers, Mr. Shell, Mr. Williams.

NAYS: None

ABSTAIN: None

ABSENT: Mr. Johnston

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 2nd day of November, 2005, the meeting was adjourned by the President at 5:45 p.m.

CHERYL G. MARTIN
SECRETARY-TREASURER

JEFF ROGERS, PRESIDENT
BOSSIER PARISH POLICE JURY