

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
March 7, 2007
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The Bossier Parish Police Jury met in regular and legal session on the 7th day of March, 2007, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Winfred Johnston, called the meeting to order. The invocation was given by Mr. Eddy Shell and the pledge of allegiance was led by Mr. Hank Meachum. The Secretary-Treasurer, Ms. 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

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.

Mr. Mike Kling, Cypress-Black Bayou Recreation and Water Conservation District, requested the jury's assistance in improvements to the beach at the Cypress Lake Park. **Motion was made by Mr. Altimus, seconded by Mr. Shell, to amend the agenda to add Mr. Mike Kling as visitor number two. Motion carried unanimously.**

A presentation to Mr. Gary Cathcart, retiring Public Works Director, was made by Mr. Meachum, Mr. Williams and Mr. Mitchell. A plaque was presented to Mr. Cathcart expressing the police jury's appreciation for his 33 years of dedicated service to Bossier Parish. Each member of the police jury conveyed sincere gratitude to Mr. Cathcart and commended him for his dedication and hard work over the years. Mr. Cathcart thanked the police jury for their support.

Mr. Mike Kling, Cypress-Black Bayou Recreation and Water Conservation District, requested that the police jury authorize parish crews to assist in hauling sand and provide leveling work for the beach at the Cypress Lake Park. **Motion was made by Mr. Williams, seconded by Mr. Avery, to approve the request of the Cypress-Black Bayou Recreation and Water Conservation District for assistance with improvements to the beach at the Cypress Lake Park. Motion carried unanimously.**

Ms. Martin announced the public hearing to consider the remand by the Bossier City-Parish MPC of the application of Benton Road Properties, LLC, for a zoning amendment to change the zoning classification of a tract of land located in Section 29, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-3, General Business District, for a convenience store at the southeast corner of Lafitte Lane and Benton Road. The original favorable recommendation for B-3 zoning was upheld by the Bossier City-Parish MPC.

Mr. Rob Stinson, Benton Road Properties, LLC, stated that the nearest home is located approximately 1,200 feet from the site and stated that commercial use was always intended for this property. Mr. Cochran asked who will build and operate the proposed store. Mr. Stinson advised that he does not know at this time.

Mr. Avery stated that the police jury remanded this matter back to the Bossier City-Parish MPC on December 6, 2006, with the recommendation that it be approved as B-2, Limited Business District, only. Mr. Stinson stated that only B-3 zoning is acceptable, advising that B-3 zoning is required by many of the well-known convenience stores.

Mr. Avery discussed deceleration lanes on Benton Road at this location. Mr. Ford, Parish Engineer, stated that he has reviewed this matter with representatives of the Department of Transportation and Development, advising that the possible location of apartments and a store was discussed. Mr. Stinson stated that the proposed apartment complex has been postponed due to sewer problems in this area. Mr. Ford stated that DOTD will have to reconsider this issue as its recommendation will be based on what type of business will be developed here. Mr. Stinson stated that plans for the proposed convenience store provide for the construction of a long deceleration/turn lane due to the location of the building. Mr. Cochran stated that he cannot vote to approve the requested zoning amendment without knowing what is proposed.

Ms. Susan Caudle, 500 Audubon Circle, spoke in opposition, advising that a petition signed by the residents of Plantation Estates Subdivision who are opposed has been provided. She stated that they were aware that commercial zoning was proposed for this area when they bought their property, but stated that the residents are in favor of B-2 zoning only. Ms. Caudle stated that residents are concerned with the proposed diesel fuel island on the back of the site and diesel truck traffic. She stated that the B-3 zoning classification allows uses such as bars and liquor stores, which are not suitable for a residential area.

Mr. Shell expressed concern regarding the anticipated diesel truck traffic and asked if this could possibly become a truck stop in the future. Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that a truck stop/travel center is not allowed in the B-3 zoning classification, advising that a B-5 classification has been established for this type of business.

Mr. Avery stated that the residents are opposed to the 24-hour operating hours and concerned about traffic with the proposed diesel fuel island. He stated that if approved, the Department of Transportation and Development should be requested to reconsider the matter of turn lanes at this location. Mr. Marsiglia stated that the sale of diesel fuel is also allowed in the B-2 zoning classification. Mr. Stinson stated that the diesel fuel island will provide an area for large trucks and recreational vehicles to refuel and be away from cars refueling at the front of the proposed store.

Mr. Darby asked if this property will revert to its original R-A zoning if the business is never developed. Mr. Marsiglia stated that this can be done after one year.

Motion was made by Mr. Avery, seconded by Mr. Cochran, to deny the application of Benton Road Properties, LLC, for a zoning amendment to change the zoning classification of a tract of land located in Section 29, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to B-3, General Business District, for a convenience store at the southeast corner of Lafitte Lane and Benton Road, due to

safety concerns related to ingress/egress from Benton Road. Motion carried, with the following vote recorded:
AYES: Mr. Avery, Mr. Cochran, Mr. Cummings, Mr. Hammack, Mr. Johnston, Mr. Mitchell, Mr. Rogers, Mr. Shell, Mr. Williams.

NAYS: Mr. Altimus, Mr. Darby, Mr. Meachum

ABSTAIN: None

ABSENT: None

Ms. Martin announced the public hearing to consider approval of the plat of the proposed development of Haughton Trace, Unit No. 1, located in Section 8, Township 17 North, Range 11 West, Bossier Parish, LA, near the intersection of Davis Road and Highway 157. Mr. Kennon Harvill, developer, was present. He stated that the lots in this unit will front on Davis Road, with all driveways exiting onto Davis Road. Mr. Harvill stated that Unit 2 is planned and advised that these driveways will exit onto Highway 157. He stated that individual sewerage treatment plants and water wells are planned, advising that access to community water is planned in the future. Mr. Ford advised that he has received letters of approval from the health department and the fire district.

Mr. Ford recommended that yard lights be required, and stated that this requirement should be stipulated in the restrictive covenants for the proposed development.

Mr. Harvill stated that Lot 7 of the development has been reserved for commercial use, and advised that an oilfield chemical company plans to locate on the large lot adjacent to Lot 7, facing Highway 157. Mr. Jackson stated that the owner of property adjoining this commercial business could ask the police jury to prohibit a business from operating within a residential subdivision. He further stated that since there are no zoning regulations in the rural areas of the parish, the police jury has no authority to stop a business from locating there. Mr. Jackson stated that any potential buyer should be made aware of the proposed business prior to purchasing property in this development and recommended that wording be included in the deed and in the restrictive covenants to ensure that the buyer understands that a commercial business could be located adjacent to this subdivision.

There was discussion of the proposed Unit 2 which is to front along Highway 157. Mr. Ford stated that there may be problems with driveway permits for this development. Mr. Harvill stated that the surveyor is to mark where the driveway culverts are to be installed. Mr. Avery suggested that driveway permits be held until the culvert is properly installed.

There being no opposition, **motion was made by Mr. Meachum, seconded by Mr. Rogers, to approve the plat of the proposed development of Haughton Trace, Unit No. 1, with the stipulation that a yard light is to be installed at every driveway, and with the requirement that all deeds and the restrictive covenants clearly state that Lot 7 is to be used for commercial purposes. Motion carried unanimously.**

Motion was made by Mr. Avery, seconded by Mr. Shell, to schedule a public hearing on April 4, 2007, to consider approval of the application of Summit Developers, LLC, to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located on the east side of Benton Road south of Haymeadow Drive in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to R-LD, Residential Low Density District, for Cypress Bend Subdivision. Motion carried unanimously.

Motion was made by Mr. Avery, seconded by Mr. Rogers, to schedule a public hearing on April 4, 2007, to consider approval of the application of Summit Developers, LLC to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located on the east side of Benton Road south of Haymeadow Drive in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residence Agriculture District, to B-2, Limited Business District, for a commercial development along Benton Road in front of the Cypress Bend Subdivision. Motion carried unanimously.

Motion was made by Mr. Williams, seconded by Mr. Darby, to schedule a public hearing on April 4, 2007, to consider the request of Earl and Theda Johnson to subdivide Lot 36 of Montgomery Suburban Acres, into two separate lots for residential purposes. Motion carried unanimously.

Motion was made by Mr. Rogers, seconded by Mr. Mitchell, to schedule a public hearing on April 4, 2007, to consider approval of the plat of the proposed development of Choctaw Ridge Subdivision, located in Section 15, Township 18 North, Range 12 West, Bossier Parish, LA. Motion carried unanimously.

Motion was made by Mr. Meachum, seconded by Mr. Mitchell, to schedule a public hearing on March 21, 2007, to consider approval of the plat of the proposed development of Haughton Trace, Unit No. 2, located in Section 8, Township 17 North, Range 11 West, Bossier Parish, LA. Motion carried unanimously.

Motion was made by Mr. Williams, seconded by Mr. Avery, to approve the reappointment of Mr. Luke Turner and Mr. James Vanderberry to the Board of Directors for Bossier Parish Communications District No. 1 for four-year terms each, terms to expire March, 2011. Motion carried unanimously.

Motion was made by Mr. Mitchell, seconded by Mr. Meachum, to adopt a resolution approving the emergency relocation of the voting precinct polling place for Bossier Parish Voting Precincts 04-11A and 04-11C, from the Central Assembly of God Church, 2101 Highway 80, Haughton, Bossier Parish, LA, to the East 80 Branch Library, 1050 Bellevue Road, Haughton, LA. Motion carried unanimously.

RESOLUTION

WHEREAS, the Bossier Parish Police Jury has determined that the voting precinct polling place at the Central Assembly of God Church, 2101 Highway 80, Haughton, LA, for Precincts 04-11A and 04-11C, Bossier Parish, LA, is no longer available for use as a polling place and emergency action is necessary; and

WHEREAS, this change was discussed in an open and public meeting on March 7, 2007, and no objections to the change were received; and

WHEREAS, there are 865 registered voters in Precinct 04-11A, with 803 being white, 24 black and 38 other; and

WHEREAS, there are 865 registered voters in Precinct 04-11C, with 765 being white, 67 black and 33 other; and

WHEREAS, this proposal would change the physical location of this polling place only, a distance of 0.50 mile, and would have no effect on voter registration or racial balance.

NOW, THEREFORE, BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7th day of March, 2007, that it does hereby approve the emergency relocation of the voting precinct polling place for Precincts 04-11A and 04-11C, from the Central Assembly of God Church, 2101 Highway 80, Haughton, Bossier Parish, LA, to the East 80 Branch Library, 1050 Bellevue Road, Haughton, Bossier Parish, LA.

BE IT FURTHER RESOLVED, etc., that notice of this emergency change will be made by publication of official police jury proceedings in the parish journal, by special notice in local newspapers if necessary, and by posted notice at the former and new polling places at the next election.

BE IT FURTHER RESOLVED, etc., that this change be submitted to the State of Louisiana Department of Elections to be effective as soon as possible.

The resolution was offered by Mr. Mitchell, seconded by Mr. Meachum. Upon unanimous vote, it was duly adopted on this 7th day of March, 2007.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford, Parish Engineer, referred to Plan Change No. 23/Phasing Change on the courthouse renovation/addition project and advised that he is not prepared to make a recommendation on the phasing change at this time. He stated that Plan Change No. 23 provides for changes in areas of the Clerk of Court and District Attorney offices, and also in the Sheriff's Department tax collections offices. Mr. Ford stated that Plan Change No. 23 results in an additional cost of \$62,552.97 and recommended approval. **Motion was made by Mr. Williams, seconded by Mr. Shell, to approve Plan Change No. 23 on the courthouse renovation project, as presented. Motion carried unanimously.**

Mr. Altimus presented correspondence from the Louisiana Department of Health and Hospitals advising that the Bossier Parish Police Jury has been selected to receive grant funds in the amount of \$84,505.00 through the Emergency Supplemental Appropriations Act - Mosquito Abatement Funds. He stated that a Cooperative Endeavor Agreement with the State should be received shortly and the Parish Attorney will review the documents. Mr. Altimus stated that these funds will greatly improve the parish's mosquito control program.

Mr. Altimus presented correspondence from the Tax Assessor's regarding a lawsuit filed by the Interstate natural gas pipelines challenging the constitutionality of Louisiana's ad valorem tax system. He stated that the Louisiana Tax Commission has advised that they will no longer continue providing legal counsel for the tax collectors and assessors named as parties in the various ongoing suits and that each parish must retain their own attorney. Mr. Altimus stated that the Tax Assessor has retained Brian Eddington to represent the Bossier Parish Assessor's office on a contingency basis of ten percent of any additional taxes that might be collected in accordance with the final judgment in these suits or on subsequent reassessment. Mr. Jackson, Parish Attorney, stated that he is not certain if the police jury can legally enter into a contingency fee contract and requested that he be allowed to review this further. **Motion was made by Mr. Cochran, seconded by Mr. Hammack, to approve the hiring of Brian Eddington as legal counsel for the Bossier Parish Tax Assessor's office, subject to review and approval by the Parish Attorney. Motion carried unanimously.**

Mr. Altimus advised of a request from the Sparta Groundwater Conservation District Commission that the police jury consider making an annual contribution to this commission to support their efforts to seek long term solutions to stabilizing the Sparta Aquifer. The matter is to be considered during 2008 budget proceedings.

Mr. Altimus presented a letter of appreciation from the Northwest Louisiana Developmental Center for the highway department's assistance in the clean up of debris at the facility following a recent storm in the area.

Mr. Altimus reported on a Legislative Delegation Briefing held on March 5 in Bossier City. He stated that Ms. Ginger Adam, lobbyist, and several members of the legislative delegation were in attendance and advised that capital outlay requests were reviewed as well as various issues coming up in the next Legislative Session.

Mr. Altimus reported that Susie Morgan, lobbyist, has submitted the parish's Federal Appropriations request to Senators Landrieu and Vitter, and to Congressman McCrery.

Mr. Altimus presented a letter from the Volunteers for Youth Justice expressing appreciation for the police jury's funding to the program.

Mr. Altimus advised that a grand opening will be held on March 24, 2007 from 1:00 to 4:00 p.m., at the new LSU Fire and Emergency Training at Pine Country Education Center. He stated that the facility is located on the grounds of Camp Minden and will provide on-site fire training to north Louisiana and the surrounding area.

Mr. Ford, Parish Attorney, stated that the District Attorney's office will relocate to the fifth floor Friday and reported that second floor renovations are progressing well.

Mr. Ford requested authority to advertise for bids for Deen Point Road and Swan Lake Road improvement projects. **Motion was made by Mr. Williams, seconded by Mr. Shell, to authorize the advertising for bids for the**

Swan Lake and Deen Point Road improvement projects. There was discussion on the motion. Mr. Cummings referred to Swan Lake Road and expressed concern that heavy construction traffic at the site of the new Legacy School may destroy the improved road. Mr. Ford stated that improvements are planned from Airline Drive to the first Flat River bridge and stated that the road will accommodate truck traffic. He stated that the parish may need to consider scales to monitor traffic weight. **Votes were cast on Mr. Williams' motion to authorize the advertising for bids for the Deen Point Road and Swan Lake Road improvement projects. Motion carried unanimously.** Bids are to be received April 4, 2007.

Mr. Ford advised of electrical problems at the East 80 Library relating to the placement of light switches in the facility. He stated that employees have requested that light switches be provided at the back of the facility, advising that all light switches were installed at the front of the building. Mr. Ford stated that the cost for this work is approximately \$7,000 for time and materials and recommended that the request be approved. He stated that if it is determined that the current placement of the switches is a code violation, he will ask The Newman Marchive Partnership to pay this cost. **Motion was made by Mr. Avery, seconded by Mr. Cochran, to approve approximately \$7,000 for time and materials for electrical work at the East 80 Branch Library. Motion carried unanimously.**

Mr. Ford presented a contract from Denmon Engineering to provide engineering and design services for the Wemple Road Extension Project in the amount of \$85,000 and recommended that the contract be accepted subject to review by the Parish Attorney. **Motion was made by Mr. Mitchell, seconded by Mr. Avery, to approve a contract with Denmon Engineering in the amount of \$85,000 to provide engineering and design services for the Wemple Road Extension Project, subject to review by the Parish Attorney. Motion carried unanimously.**

Mr. Ford requested approval of surveying contracts with AFJM for survey work on Linton Road and in Country Place and Bay Hills Subdivisions. He stated that the cost for this work is less than \$10,000. **Motion was made by Mr. Williams, seconded by Mr. Altimus, to approve surveying contracts with AFJM, as requested. Motion carried unanimously.**

Mr. Hammack discussed needed repairs at the penal farm facility. Mr. Ford stated that new shower hardware is needed at an estimated cost of \$8,000, and advised that an access door to the air conditioning units is needed at a cost of approximately \$3,000. **Motion was made by Mr. Williams, seconded by Mr. Hammack, to approve an expenditure of approximately \$11,000 for repairs at the penal farm as requested. Motion carried unanimously.**

Mr. Ford discussed the courthouse snack shop, advising that the cost to temporarily relocate the shop during the renovation process was \$55,000. He stated that the operators of the snack shop have advised that they will lose approximately \$1,000 per week in income if the shop is temporarily closed during renovations and suggested that the operators be paid \$4,000 per month for three months to cover shut-down expenses. Mr. Jackson, Parish Attorney, stated that the snack shop is operated through a Federal program and the police jury has agreed to provide them space in which to operate. **Motion was made by Mr. Shell, seconded by Mr. Darby, to approve payment of \$4,000 per month for three months to the operators of the courthouse snack shop. Motion carried unanimously.**

Mr. Ronnie Andrews, Public Works Director, reported on various road projects.

Mr. Avery requested that property on Vanceville Road be inspected due to possible property standards violations.

Mr. Williams reported on the recent Police Jury Association Convention, advising that Bossier Parish is well respected by other parishes. Mr. Darby also commented on events held at the convention.

Motion was made by Mr. Altimus, seconded by Mr. Hammack, that Mr. Altimus and Mr. Cummings will contribute \$300 each from discretionary funds to Central Park Elementary School, and Mr. Altimus will also contribute \$468.68 from discretionary funds to the Bossier Technical School. Motion carried unanimously.

Mr. Jackson, Parish Attorney, advised that he has received a number of inquiries regarding developments in rural areas of the parish where there are no zoning regulations. He stated that extending the jurisdiction of both the Bossier City and Benton MPC may need to be considered and advised that he will present his recommendation regarding this matter at the March 21 regular meeting.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 7th day of March, 2007, the meeting was adjourned by the President at 4:00 p.m.

CHERYL G. MARTIN
SECRETARY-TREASURER

WINFRED R. JOHNSTON, PRESIDENT
BOSSIER PARISH POLICE JURY