

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
February 20, 2008
www.mybossier.com

The Bossier Parish Police Jury met in regular and legal session on the 20th day of February, 2008, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Jimmy Cochran, called the meeting to order. The invocation was given by Mr. Wayne Hammack and the pledge of allegiance was led by Mr. Bill Altimus. The Secretary-Treasurer, Ms. Cheryl Martin, called the roll as follows:

Mr. William Altimus	Mr. Brad Cummings
Mr. Rick Avery	Mr. Jerome Darby
Ms. Wanda Bennett	Mr. Wayne Hammack
Mr. Glenn Benton, excused	Mr. Winfred Johnston
Mr. Barry Butler	Mr. Hank Meachum
Mr. Jimmy Cochran	Mr. Eddy Shell, excused

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.

Motion was made by Mr. Altimus, seconded by Mr. Darby, to adopt the minutes of the January 2, 2008 regular meeting as published, and the minutes of the January 16, 2008 regular meeting, as amended and published. Motion carried unanimously.

Mr. Sam Marsiglia, Bossier City-Parish MPC Director, presented a plaque to Mr. Luke Turner in appreciation for his years of service as police jury representative to the Bossier City-Parish MPC Board of Adjustments. He stated that Mr. Turner served in this capacity for 13 years and has been a valuable member of the board.

Motion was made by Mr. Altimus, seconded by Mr. Avery, to award the bid for the purchase of one (1) new 2008 model Paratransit Van to Alpha Van Life and Mobility, low bidder meeting bid specifications. Motion carried unanimously. Bids were opened and read aloud on February 6, 2008, and bid results are as follows:

Bidder:	Bid Amount:
Alpha Van Lift and Mobility	\$37,375.00
Rountree Ford Lincoln Mercury	\$39,413.00

Motion was made by Mr. Hammack, seconded by Mr. Altimus to award the bid for the purchase of three (3) Ultra Low Volume Cold Aerosol Sprayers of various flow rate requirements to Clark Mosquito Control, low bidder meeting bid specifications. Motion carried unanimously. Bids were opened and read aloud on February 6, 2008, and bid results are as follows:

Bidder:	Bid Amount:
Clark Mosquito Control	\$13,386.00
Univar USA, Inc.	\$16,335.00

Ms. Martin announced the public hearing to consider approval of the plat of the proposed development of Whittington Subdivision, Unit No. 1-A, being a subdivision of a tract of land and a resubdivision of a portion of Lot 3, Whittington Subdivision, Unit No. 1, located in Section 32, Township 19 North, Range 13 West, Bossier Parish, LA. Mr. Joe Partain, Architect, stated that a 6,000 square foot office facility is planned and advised that an insurance agent will occupy the initial space. Mr. Partain stated that the proposed development is located on the new Wemple Road Extension and advised that a water well and sewer treatment system are planned. He stated that the sewer system has been approved by the Health Department.

Mr. Ford, Parish Engineer, stated that access to the proposed facility will be off the new Wemple Road Extension, which is not yet open. He stated that he will work with the developer on construction access.

Mr. Avery expressed concern regarding the sewer treatment system and requested that a sewer stub-out be required. There being no opposition, **motion was made by Mr. Avery, seconded by Ms. Bennett, to approve the plat of the proposed development of Whittington Subdivision, Unit No. 1-A, being a subdivision of a tract of land and a resubdivision of a portion of Lot 3, Whittington Subdivision, Unit No. 1, subject to installation of a sewer stub-out and resolving all access issues with the Parish Engineer. Motion carried unanimously.**

Motion was made by Mr. Butler, seconded by Mr. Avery, to schedule a public hearing on March 5, 2008, to consider approval of the plat of the Town Lake Boulevard and Dairy Lane Right-of-Way Dedication. Motion carried unanimously.

Motion was made by Mr. Avery, seconded by Mr. Johnston, to schedule a public hearing on March 5, 2008, to consider approval of the Map of Partition for Agnes B. Fuller. Motion carried unanimously.

Mr. Sam Marsiglia, Bossier City-Parish MPC, recommended the appointment of Mr. Dan McGrath to the Bossier City-Parish MPC Board of Adjustments to fill a vacancy due to the resignation of Mr. Luke Turner. He stated that Mr. McGrath has served as alternate member of the Board of Adjustments since October, 2005, and has received all state mandated training required of board appointees. **Motion was made by Mr. Avery, seconded by Mr. Hammack, to approve the appointment of Mr. Dan McGrath as police jury appointee to the Bossier City-Parish MPC Board of Adjustments. Motion carried unanimously.** Mr. McGrath's term will expire in April, 2010.

Mr. Marsiglia stated that he will make a recommendation for filling the alternate member vacancy at a later date.

Mr. Ford advised of a request from the Department of Transportation and Development for funding assistance for the Parks Road Bridge over Cypress Bayou Project. He stated that the initial budget for the project is slightly larger than the final construction estimate and the Department of Transportation and Development has requested additional funds for the project, if needed, to maintain the 2008 bid letting schedule. Mr. Ford stated that approximately \$100,000

may be needed. **Motion was made by Ms. Bennett, seconded by Mr. Darby, to approve the request for additional funding for the Parks Road Bridge over Cypress Bayou Project. Motion carried unanimously.**

Motion was made by Mr. Butler, seconded by Mr. Darby, to adopt a resolution authorizing the acquisition of property and/or institution of expropriation proceedings pursuant to a Local Services Agreement executed between the Parish of Bossier and the City of Bossier City necessary for construction and completion of the Modica Lott Road Improvements Project. Motion carried unanimously.

RESOLUTION

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY AND/OR INSTITUTION OF EXPROPRIATION PROCEEDINGS PURSUANT TO A LOCAL SERVICES AGREEMENT EXECUTED BETWEEN THE PARISH OF BOSSIER AND THE CITY OF BOSSIER CITY NECESSARY FOR CONSTRUCTION AND COMPLETION OF THE MODICA LOTT ROAD IMPROVEMENTS PROJECT

WHEREAS, the City of Bossier City and the Parish of Bossier have joined together pursuant to a Local Services Agreement dated February 28, 2007 to, among other things, improve, widen and expand Modica Lott Road (the "Project");

WHEREAS, the Parish is in the process of acquiring the needed properties necessary to facilitate construction and completion of the Project;

WHEREAS, the Project will require the acquisition of additional parcels of property adjacent to and contiguous to the existing roadway, specifically including, but not limited to, parcels or tracts of land from the following property parcel/tracts:

Parcel No. 1 – owned by The Modica Family Limited Partnership, more fully described on Exhibit A, attached.

Parcel No. 3 – owned by Richard D. Roberts & Sherry S. Roberts, more fully described on Exhibit B, attached

WHEREAS, in the event that the offers of compensation for the purchase of the necessary additional parcels of property adjacent and contiguous to the existing roadway and/or right-of-ways are not accepted by any property owner, and a voluntary agreement and/or settlement for the purchase of said property cannot be reached on any of said property parcels listed above, then in that event the Parish of Bossier, acting under the authority of and in a manner authorized by Article 1, Section 4 of the Constitution of the State of Louisiana (1974) and La. R.S. 19:1, et seq. and/or La. R.S. 48:441 et. seq. or any other applicable laws of the State of Louisiana, desires to acquire said property by expropriation pursuant to applicable law;

WHEREAS, public necessity dictates that the properties and/or parcels described herein must be owned by and subject to use by the City of Bossier City and the Parish of Bossier; and

WHEREAS, the acquisition or taking of the property 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.

NOW, THEREFORE, BE IT RESOLVED by the Police Jury of the Parish of Bossier, in regular session convened, that Parish is authorized to acquire all property necessary to facilitate construction and completion of the Project, including, if necessary the filing and prosecution of any expropriation or taking actions related to the Project in the proper court of law 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 properties, parcels or tracts described above.

BE IT FURTHER RESOLVED, that the Parish Administrator is authorized and empowered to execute all conveyance instruments, including purchase agreements, acts of sale, acts of donation, rights of way or servitude agreements, related to the Project, and to execute any and all other documents necessary to complete the Project, and to pursue any necessary expropriation actions related to the Project, whether or not involving the property tracts and/or owners referred to herein, and to execute any documents pursuant to such terms and conditions as he shall in his sole discretion deem advisable, and is his authorized to execute any other document related to the Project and do any and all things necessary and property to carry out this Resolution and to fulfill its objects and purposes.

BE IT FURTHER RESOLVED, 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 RESOLVED, that if any provision or item of this Resolution or application thereof is invalid, such invalidity shall not affect other 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 of in conflict herewith are hereby repealed.

The resolution was offered by Mr. Butler, seconded by Mr. Darby. It was duly adopted on this 20th day of February, 2008, with the following vote recorded:

AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Butler, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr. Hammack, Mr. Johnston, Mr. Meachum.

NAYS: None

ABSTAIN: None

ABSENT: Mr. Benton, Mr. Shell

CHERYL G. MARTIN
SECRETARY-TREASURER

JIMMY COCHRAN, PRESIDENT
BOSSIER PARISH POLICE JURY

Exhibit A
Legal Description

Of Parcel 1 Owned by The Modica Family Limited Partnership

A certain parcel of land containing 0.348 acres, more or less, situated in Section 11, Township 18 North, Range 13 West, Bossier Parish, Louisiana and being more particularly described as follows:
Commencing at a point along the baseline of Modica Lott Road, at Station 0+13.90, and proceed South 18° 08' 05" East a distance of 22.35 feet to the POINT OF BEGINNING; thence proceed along a curve to the right, said curve having a radius of 217.00 feet (chord bearing North 84° 07' 02" East a distance of 50.42 feet), an arc distance of 50.54 feet; thence proceed South 89° 12' 41" East a distance of 62.73 feet; thence proceed along a curve to the left, said curve having a radius of 475.00 feet (chord bearing North 79° 05' 58" East a distance of 192.48 feet), an arc distance of 193.82 feet; thence proceed North 67° 24' 36" East a distance of 59.54 feet; thence proceed North 64° 02'

49" East a distance of 112.84 feet; thence proceed South 18° 11' 38" East a distance of 33.77 feet; thence proceed along a curve to the right, said curve having a radius of 2055.00 feet (chord bearing South 65° 52' 30" West a distance of 110.09 feet), an arc distance of 110.11 feet; thence proceed South 67° 24' 36" West a distance of 59.54 feet; thence proceed along a curve to the right, said curve having a radius of 505.00 feet (chord bearing South 77° 03' 26" West a distance of 169.26 feet), an arc distance of 170.06 feet; thence proceed South 86° 42' 16" West a distance of 127.92 feet; thence proceed South 34° 17' 06" West a distance of 12.20 feet; thence proceed North 18° 08' 05" West a distance of 44.55 feet to the POINT OF BEGINNING, all as further shown on a Map Showing Required Right-of-Way for Improvements to Modica Lott Road, dated August 30, 2007, prepared by Coyle Engineering Co., Inc., and being subject to any and all servitudes, easements and/or rights-of-way of record or of use.

Exhibit B

Legal Description

Of Parcel 3 Owned by Richard D. Roberts & Sherry S. Roberts

A certain parcel of land containing 0.128 acres, more or less, situated in Section 11, Township 18 North, Range 13 West, Bossier Parish, Louisiana and being more particularly described as follows:

Commencing at a point along the baseline of Modica Lott Road, at Station 13+04.38, and proceed South 18° 11' 44" East a distance of 27.14 feet to the POINT OF BEGINNING; thence proceed North 58° 27' 52" East a distance of 80.04 feet; thence proceed North 49° 16' 09" East a distance of 164.50 feet; thence proceed South 30° 16' 35" West a distance of 82.94 feet; thence proceed along a curve to the right, said curve having a radius of 1473.12 feet (chord bearing South 53° 12' 12" West a distance of 176.97 feet), an arc distance of 177.08 feet; thence proceed North 18° 11' 44" West a distance of 29.93 feet to the POINT OF BEGINNING, all as further shown on a Map Showing Required Right-of-Way for Improvements to Modica Lott Road, dated September 6, 2007, prepared by Coyle Engineering Co., Inc., and being subject to any and all servitudes, easements and/or rights-of-way of record or of use.

Mr. Altimus discussed the request of Bossier Parish Community College for assistance in clearing the area where proposed ball fields are to be constructed. He stated that he has asked Ronnie Andrews, Public Works Director, to look at the area as he understands there are several large trees which must be removed. **Motion was made by Mr. Avery, seconded by Mr. Darby, to authorize parish work forces to provide clearing work at the site of proposed ball fields at Bossier Parish Community College. Motion carried unanimously.**

Motion was made by Mr. Johnston, seconded by Mr. Darby, to adopt a resolution accepting Substantial Completion of the Cotton Valley Road Reconstruction Project, and authorizing Mr. Altimus to execute documents. Motion carried unanimously

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 20th day of February, 2008, that it does hereby accept Substantial Completion of the Cotton Valley Road Reconstruction Project, FPC Project No. 50-J08-06-01, and does authorize Mr. Bill Altimus, Parish Administrator, to execute documents.

The resolution was offered by Mr. Johnston, seconded by Mr. Darby. Upon unanimous vote, it was duly adopted on this 20th day of February, 2008.

CHERYL G. MARTIN
SECRETARY-TREASURER

JIMMY COCHRAN, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Altimus advised that the Louisiana Tax Commission has completed the land/ratio study for Bossier Parish and the assessed values are within the tolerances allowed by the law.

Mr. Altimus presented a resolution from the Claiborne Parish Police Jury urging that the cap on the oil and gas severance tax base be raised from \$850,000 to \$2,850,000. **Motion was made by Mr. Altimus, seconded by Mr. Hammack, to adopt a resolution supporting efforts to raise the cap on the oil and gas severance tax. Motion carried unanimously.**

RESOLUTION

A RESOLUTION ENCOURAGING THE LOCAL LEGISLATIVE DELEGATION TO PURSUE THE RAISING OF THE SEVERANCE TAX BASE FROM \$850,000 TO \$2,850,000 FOR PARISHES WHO ARE CURRENTLY CAPPED UNDER THE STATE DISBURSEMENT STRUCTURE OF OIL AND GAS SEVERANCE TAXES.

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 20th day of February, 2008, that it does hereby urge its legislative delegation to pursue legislation to raise the severance tax base from \$850,000 to \$2,850,000 for the disbursement of severance tax revenues from oil and gas for parishes currently capped under the present State disbursement structure.

The resolution was offered by Mr. Altimus, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 20th day of February, 2008.

CHERYL G. MARTIN
SECRETARY-TREASURER

JIMMY COCHRAN, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Altimus advised that Resolution No. 1 to be presented at the 2008 Police Jury Association Convention provides for support for the Cyber Command to be located in Bossier Parish.

Motion was made by Mr. Cummings, seconded by Mr. Altimus, to authorize a letter supporting the Meadowview Elementary School Safe Routes to School 2008 application for grant funds. Motion carried unanimously.

Mr. Ford requested approval of Plan Change No. 1 on the Bay Hills Subdivision concrete street repair project. He stated that slab sodding and catch basin repair is needed which results in an additional contract amount of \$2,325.00. **Motion was made by Ms. Bennett, seconded by Mr. Darby, to approve Plan Change No. 1 on the Bay Hills Subdivision concrete street repair project, and to authorize the President to execute documents. Motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 20th day of February, 2008, that Jimmy Cochran, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, Plan Change No. 1 on the Bay Hills Subdivision Concrete Street Repair Project No. 2007-09.

The resolution was offered by Ms. Bennett, seconded by Mr. Darby. Upon unanimous vote, it was duly adopted on this 20th day of February, 2008.

CHERYL G. MARTIN
SECRETARY-TREASURER

JIMMY COCHRAN, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Avery, seconded by Mr. Hammack, to schedule a public hearing on March 19, 2008, to consider approval of the plat of the proposed development of Cypress Bend Garden District, Unit No. 1, located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.

Motion was made by Mr. Johnston, seconded by Mr. Darby, to authorize the advertising for bids for the Demoss Hill sewer system project. Motion carried unanimously. Bids are to be received on April 2, 2008, and the project is being funded through the Louisiana Community Development Block Grant Program.

Mr. Ford advised of a request that the police jury accept Country Lane in Country Living Estates into the parish road system for permanent maintenance. He stated that the road is an asphalt road located off the Bellevue Road and very little repair is needed. Mr. Jackson requested that the staff research records to clarify that the road has never been accepted.

Motion was made by Mr. Hammack, seconded by Mr. Avery, to authorize the President to execute the Certificate of Substantial Completion of the Bossier Parish Courthouse Renovation/Addition Project. Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 20th day of February, 2008, that Jimmy Cochran, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, the Certificate of Substantial Completion of the Bossier Parish Courthouse Renovation/Addition Project.

The resolution was offered by Mr. Hammack, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 20th day of February, 2008.

CHERYL G. MARTIN
SECRETARY-TREASURER

JIMMY COCHRAN, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford discussed procedures for handling property standards matters and advised that Mr. Jerry Lee, highway department employee, will serve as Property Standards Inspector. He advised that once a complaint is received, Mr. Lee will inspect the site and take pictures. He will then contact the police juror in whose district the property is located and ask if a violation letter is to be sent. Mr. Ford stated that Mr. Lee will re-inspect the property after 10 days and a determination will be made on whether the property should be condemned.

There was discussion on the enforcement of property standards regulations. Mr. Avery stated that after proper notice, a property owner should be fined if they fail to bring their property in compliance with property standards regulations.

Ms. Bennett proposed "Project Good Neighbor", advising that the first notice would be a positive letter encouraging property owners to clean up their property. Mr. Avery recommended that the letter be signed by Jerry Lee, property standards inspector. Mr. Ford stated that if approved, this letter could go out upon receipt of the first complaint.

Motion was made by Ms. Bennett, seconded by Mr. Butler, to initiate Project Good Neighbor as a part of property standards procedures. Motion carried unanimously.

Mr. Ford discussed a proposal to extend Modica Lott Road beginning at the 90° curve out to Swan Lake Road. He stated that this will reduce traffic at the new W. T. Lewis Elementary School by allowing traffic to by-pass the school.

Motion was made by Mr. Butler, seconded by Mr. Avery, to proceed with the acquisition of right-of-way for extending Modica Lott Road from the 90° curve out to Swan Lake Road. Motion carried unanimously.

Motion was made by Mr. Avery, seconded by Mr. Meachum, to contact the Louisiana Department of Transportation and Development to request that they conduct a traffic study on LA Highway 3 between Benton and Bossier City to consider lowering the speed limit, particularly from the water tower south. Motion carried unanimously.

Mr. Ford advised that Sligo Farms has a buyer for approximately 185 acres but in order to access the tract, the owner must cross through a platted subdivision which was never developed. He stated that there is an existing 60' servitude of ingress and egress.

Motion was made by Mr. Meachum, seconded by Mr. Avery, to authorize Mr. Ford to sign a letter of agreement to allow the use of a 60' servitude of ingress and egress through Victoria Place, Unit 1, to access property behind the development. Motion carried unanimously.

Motion was made by Mr. Hammack, seconded by Mr. Darby, to accept a proposal from Neel-Schaffer to provide a traffic impact study at the site of the Cyber Innovation Center on Highway 80. Motion carried unanimously. The estimated cost is \$6,430 and the police jury is responsible for one-third of this cost.

Mr. Ronnie Andrews, Public Works Director, presented an update on various highway department projects.

Motion was made by Mr. Hammack, seconded by Mr. Meachum, to schedule a public hearing on March 19, 2008, to consider an amendment to parish alcoholic beverage regulations to prohibit persons under the age of 21 from entering establishments where alcoholic beverages are the principle commodity sold. Motion carried unanimously.

Mr. Altimus advised of a request from the LSU AgCenter for funding assistance for a 4-H Camp in Pollock, LA. He stated that some of the participants are unable to afford the entire cost to attend camp and a scholarship plan has been established to help those campers, if the parish can secure matching funds. Mr. Altimus stated that \$1,200 is requested and he would like to contribute this amount from discretionary funds through a Cooperative Endeavor Agreement with the LSU AgCenter to underwrite the camp event. **Motion was made by Mr. Altimus, seconded by Mr. Darby, to enter into a Cooperative Endeavor Agreement with the LSU AgCenter to provide funding assistance to the 4-H Camp. Motion carried unanimously.** Mr. Altimus is to contribute \$700 from discretionary funds and Mr. Cochran will contribute \$500 from his discretionary funds.

Motion was made by Mr. Darby, seconded by Mr. Johnston, to amend the agenda to adjourn into executive session to discuss potential litigation with Walton Construction. Motion carried, with the following vote recorded:

AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Butler, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr. Hammack, Mr. Johnston, Mr. Meachum.

NAYS: None

ABSTAIN: None

ABSENT: Mr. Benton, Mr. Shell

FINANCE COMMITTEE REPORT – February 20, 2008, 1:30 p.m.:

Motion was made by Mr. Cochran, seconded by Mr. Johnston, to authorize payment of accounts payable invoices for the month of January, 2008. Motion carried unanimously.

Mr. Altimus advised of a formal request from the Clerk of Court for use of the additional space on the fourth floor now occupied by the Sheriff’s Department. The request will be considered when the space becomes available.

Motion was made by Mr. Butler, seconded by Ms. Bennett, that each courthouse department will be allowed two designated parking spaces. Motion carried unanimously.

Mr. Altimus stated that Crown Castle has contacted him again regarding the cell tower site on Hazel Jones Road in the Industrial Park. The site is owned by the police jury and Crown Castle has offered \$80,000 to convert the lease into an easement. **Motion was made by Mr. Butler, seconded by Mr. Avery, to advise Crown Castle that the police jury is not interested in selling this site at this time. Motion carried unanimously.**

Finance Committee Adjourned.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 20th day of February, 2008, the meeting was adjourned by the President at 3:15 p.m.

CHERYL G. MARTIN
SECRETARY-TREASURER

JIMMY COCHRAN, PRESIDENT
BOSSIER PARISH POLICE JURY