

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
May 6, 2009
www.bossierparishla.gov

The Bossier Parish Police Jury met in regular and legal session on the 6th day of May, 2009, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Glenn Benton, called the meeting to order. The invocation was given by Mr. Wayne Hammack and the pledge of allegiance was led by Mr. Hank Meachum. The Parish Secretary, Ms. Cindy Dodson, called the roll, with all members present, as follows:

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

Others present were Mr. Bill Altimus, Parish Administrator; Mr. Patrick Jackson, Parish Attorney, Mr. Joe E. "Butch" Ford, Jr., Parish Engineer; Ms. Cindy Dodson, Parish Secretary.

Mr. Kenneth Starnes, Section 8 Housing Director, discussed HUD funding for operation of the housing program. Mr. Starnes stated that in accordance with HUD regulations, the budget authority disbursed to public housing authorities is appropriated based on various factors including what is left in reserve and once all reserves are depleted, the budget will be increased to off-set the zero equity. He stated that reserve funds are used to meet any shortages in the HUD budget allotment. Mr. Starnes stated that it is HUD's intent to reduce the amount of Actual Contributions Contract Reserves to no more than one week budget authority.

In response to question by Mr. Darby, Mr. Starnes stated that Section 8 Housing Administrative Funds are separate and will in no way be affected by the reduction in Housing Assistance Payment reserve balances.

Mr. Starnes reported that rent amounts have increased, and advised that most landlords are not willing to lower the rent. He stated that there are approximately 150 on the Section 8 Housing waiting list, and there is an average tenant turnover of 10 to 30 per month.

Mr. Ford, Parish Engineer, reported on a meeting with the Corps of Engineers regarding the proposed improvement of 3.3 miles of the Bodcau Dam Road, advising that Federal Stimulus funding for the project is not available. He stated that since it is stipulated in the bid specifications that the completion of this project is contingent upon the receipt of these funds, it is his recommendation that all bids received on April 8, 2009, for the in-place cement stabilized base course and asphaltic concrete wearing course improvement of approximately 3.3 miles of Bodcau Dam Road, Project No. 2009-181, be rejected. **Motion was made by Mr. Altimus, seconded by Mr. Darby, to reject all bids received on April 8, 2009, for the proposed improvement of approximately 3.3 miles of the Bodcau Dam Road, as Federal funding for the project is not available as stipulated in bid specifications. Motion carried unanimously.**

Ms. Dodson announced the awarding of the bid for the sale of adjudicated property, said property being described as the northerly 15 feet of Lot 3, being a resubdivision of Lots 2 and 3, Suburban Acres, in accordance with bids received on April 29, 2009. Minimum bid is \$1.00 and results are as follows:

Shirley J. Robbins	\$5.00
--------------------	--------

This is the only bid received. Mr. Shirley Robbins was present. **Motion was made by Mr. Altimus, seconded by Mr. Cochran, to accept the bid of Mr. Shirley Robbins for the sale of adjudicated property described as the northerly 15 feet of Lot 3, being a resubdivision of Lots 2 and 3, Suburban Acres, Bossier Parish, LA. Motion carried unanimously.**

Motion was made by Mr. Darby, seconded by Mr. Johnston, to authorize the advertising for bids for Official Journal of the Bossier Parish Police Jury for the period July 1, 2009 through June 30, 2010, bids to be received June 3, 2009. Motion carried unanimously.

Motion was made by Mr. Johnston, seconded by Ms. Bennett, to authorize the advertising for bids for removal and replacement of concrete street panels in Creekside Subdivision, Project No. 2009-188, bids to be received June 10, 2009. Motion carried unanimously.

Motion was made by Ms. Bennett, seconded by Mr. Hammack, to authorize the advertising for bids for removal and replacement of concrete street panels in Bay Hills Subdivision, Project No. 2009-180, bids to be received June 10, 2009. Motion carried unanimously.

Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Roten's Ranchettes, Unit No. 1, located in Section 18, Township 20 North, Range 12 West, Bossier Parish, LA. Mr. Tom Hathorn and Mr. Jerry Roten were present.

Mr. Ford stated that 200' wide lots are proposed, and advised that the development is located on the Clement Road off Highway 162. He stated that Clement Road is a paved parish road with the exception of a 300' portion that is gravel. Mr. Ford stated that the driveway from Lot 13 of the proposed development is located on the gravel portion of the road and stated that Mr. Roten has agreed to pay all material costs if the parish will pave this section. Mr. Ford stated that water wells and individual septic systems are proposed, and advised that he has been provided the required drainage study. He stated that covenants for the subdivision are available and recommended approval of the proposed development subject to review and approval of the covenants by Mr. Jackson, Parish Attorney. Mr. Hathorn stated that stick-built homes are proposed with a minimum square footage of 1,800.

There was discussion of pipelines located on the property. Mr. Ford stated that the parish has no easements or

roads across the pipeline. Mr. Avery stated that there is an oil well pad located on Lot 10. Mr. Hathorn stated that there is no oil well on the lot. Mr. Cummings stated that any potential buyer of property in this subdivision should be made aware of the existing pipeline. Mr. Ford recommended that this information be included on the deed.

Mr. Benton expressed concern regarding drainage from Lot 3 to Lot 5. Mr. Ford stated that a natural swell exist in this location. Mr. Hammack recommended that it be stipulated that the police jury is not liable for the natural drain.

Mr. Ford stated that each lot owner is required to have a street light and is responsible for paying the usage fee. He stated that Mr. Roten, developer, is required to provide a street light for any lots not yet purchased. Mr. Ford stated that there will be no homeowners association.

After further discussion, **motion was made by Mr. Cummings, seconded by Mr. Hammack, to table this matter to allow review by the Parish Attorney. Motion carried unanimously.** The matter will be considered at the May 20, 2009, regular meeting.

Ms. Dodson announced the public hearing to consider abandonment of Westbrook Lane located off the Old Plain Dealing Road. Mr. Altimus stated that the Sheriff's Department has requested that Westbrook Lane be abandoned. Mr. Julian Whittington, Bossier Parish Sheriff's Department, stated that the Sheriff's Department has constructed a new road just north of Westbrook Lane that will provide access to a new firing and rifle range.

Ms. Greta White stated that her father owns property off the end of Westbrook Lane. Mr. Jackson, Parish Attorney, stated that Mr. White must be provided access to his property. Mr. Whittington stated that the Sheriff's Department will provide Mr. White access to his property.

Motion was made by Mr. Johnston, seconded by Mr. Cochran, to table this matter for further review. Motion carried unanimously. The matter will be considered at the May 20, 2009, regular meeting.

Motion was made by Mr. Altimus, seconded by Ms. Bennett, to table the public hearing to consider naming a new road constructed by the Law Enforcement District and located off the Old Plain Dealing Road, as Rifle Range Road, to be considered at the May 20, 2009, regular meeting. Motion carried unanimously.

Mr. Sam Marsiglia, Bossier City-Parish, MPC, requested that the matter of scheduling a public hearing to consider the application of the Bossier City-Parish MPC, for an amendment to the Unified Development Code Off-Premise Sign Ordinance, Article 9, be withdrawn at this time. **Motion was made by Mr. Cummings, seconded by Ms. Bennett, to withdraw the application of the Bossier City-Parish MPC, for an amendment to the Unified Development Code Off-Premise Sign Ordinance, Article 9, as requested by the Bossier City-Parish MPC. Motion carried unanimously.**

Motion was made by Mr. Johnston, seconded by Mr. Darby, to schedule a public hearing on June 3, 2009, to consider relocation of the voting precinct polling place for Bossier Parish Voting Precinct 03-03, from the Carterville Fire Station, District No. 5, 20177 Highway 157, Plain Dealing, Bossier Parish, LA, to the Northeast Fire District No. 5 Training Center, 605 Kilgore Road, Plain Dealing, Bossier Parish, LA. Motion carried unanimously.

Mr. Altimus stated that efforts are being made to remove all precinct polling places from the parish fire district fire stations due to safety concerns.

Motion was made by Mr. Avery, seconded by Mr. Altimus, to schedule a public hearing on May 20, 2009, to consider approval of the amended plat of the proposed development of St. Charles Court, Unit No. 3, located in Sections 20 and 21, Township 19 North, Range 13 West, Bossier Parish, LA. Motion carried unanimously.

Mr. Ford discussed the proposed re-plat of Angelwood Village, advising that one person owns all lots in the development and rents them out for a mobile home park. He stated that the owner wants to remove the front lots from the subdivision for commercial use, advising that the sale of used cars is proposed. Mr. Ford stated that there are currently no zoning regulations in this area. **Motion was made by Mr. Hammack, seconded by Mr. Johnston, to schedule a public hearing on May 20, 2009, to consider approval of the re-plat of Angelwood Village, located in Section 8, Township 17 North, Range 11 West, Bossier Parish, LA.**

Mr. Richard Gunter, Property Standards Officer, requested that the owner of property at 77 Princeton Lane South, Princeton, LA, be allowed two weeks in which to clean up his property, advising that the correct owner has now been located and properly notified. **Motion was made by Mr. Avery, seconded by Mr. Cochran, to table the condemnation of property at 77 Princeton Lane South, Princeton, LA, and to allow the owner two weeks in which to bring the property in compliance with property standards regulations. Motion carried unanimously.**

Mr. Altimus advised that it has been determined that structures at 322 Johnson Drive, Haughton, LA, and Section 6, Township 16 North, Range 10 West (Circle Street), Haughton, LA, do contain asbestos, and recommended that Mr. John Carlisle, The Newman Marchive Partnership, Inc., be authorized to proceed with the solicitation of proposals for removal of the asbestos. **Motion was made by Mr. Avery, seconded by Mr. Johnston, to authorize Mr. John Carlisle, The Newman Marchive Partnership, Inc., to proceed with the preparation of specifications and the solicitation of proposals for the removal of asbestos in structures at 322 Johnson Drive, Haughton, LA, and at Section 6, Township 16 North, Range 10 West (Circle Street), Haughton, LA, as recommended. Motion carried unanimously.**

Motion was made by Mr. Johnston, seconded by Mr. Darby, to schedule a condemnation hearing on May 20, 2009, to consider condemnation of property at 204 Robbin Lane, Princeton, LA, as recommended by the Property Standards Board of Review. Motion carried unanimously.

Mr. Bruce Easterly discussed Plan Change No. 5 on the Cyber Innovation Center Building, advising that the change provides for an additional door, frame and hardware, fire sprinkler modifications, terrazzo stair treads and risers, solid surface countertops, glass and glazing, and other changes within the building, for an additional cost of \$321,060.83.

Motion was made by Mr. Cochran, seconded by Mr. Johnston, to approve Plan Change No. 5 on the Cyber Innovation Center Building, and to authorize 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 6th day of May, 2009, that it does hereby approve Plan Change No. 5 on the Cyber Innovation Center Building.

BE IT FURTHER RESOLVED that William R. Altimus, Parish Administrator, is hereby authorized to execute said Plan Change No. 5.

The resolution was offered by Mr. Cochran, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Easterly requested approval of Plan Change No. 2 on the Cyber Innovation Center Central Plant Mechanical & Electrical Equipment Package, advising that the plan change provides for an extension of contract time at no additional cost. **Motion was made by Ms. Bennett, seconded by Mr. Hammack, to approve Plan Change No. 2 on the Cyber Innovation Center Central Plant Mechanical & Electrical Equipment Package, and to authorize 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 6th day of May, 2009, that it does hereby approve Plan Change No. 2 on the Cyber Innovation Center Central Plant Mechanical & Electrical Equipment Package.

BE IT FURTHER RESOLVED that William R. Altimus, Parish Administrator, is hereby authorized to execute said Plan Change No. 2.

The resolution was offered by Ms. Bennett, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. John Hodge, Weiner, Weiss & Madison, presented the final draft of the proposed ordinance amending Chapter 94, Article II, of the Bossier Parish Code of Ordinances "Utility Lines", to provide regulations for pipelines and to include common carriers. He stated that only minor changes have been made since review of the proposal at the April 15, 2009, regular meeting, and stated that these regulations apply only to pipelines that cross a parish right-of-way.

Motion was made by Mr. Altimus, seconded by Mr. Cochran, to adopt an ordinance amending Chapter 94, Article II, of the Bossier Parish Code of Ordinances "Utility Lines", to add "Pipelines", and amending Sections 94-41 through 94-52 accordingly. Motion carried unanimously.

ORDINANCE NO. 4280

AN ORDINANCE AMENDING CHAPTER 94, ARTICLE II, OF THE BOSSIER PARISH CODE OF ORDINANCES TO ADD "PIPELINES", AND AMENDING CHAPTER 94, SECTIONS 94-41 THROUGH 94-52 ACCORDINGLY.

BE IT ORDAINED, by the Bossier Parish Police Jury in regular and legal session on this 6th day of May, 2009, that Chapter 94, Article II., of the Bossier Parish Code of Ordinances be and is hereby amended to read as follows:

CHAPTER 94, ARTICLE II. UTILITY LINES AND PIPELINES*

*Cross references: Utilities, ch. 122.

Sec. 94-41. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Common Carrier means any person under the definition of "person" in this section, who:

- (1) owns, operates, or manages a pipeline or any part of a pipeline in the Parish of Bossier for the transportation of crude petroleum to or for the public for hire, or engages in the business of transporting crude petroleum by pipeline;
- (2) owns, operates, or manages a pipeline or any part of a pipeline in the Parish of Bossier for the transportation of crude petroleum to or for the public for hire and the pipeline is constructed or maintained on, over, or under a public road or highway, or is an entity in favor of whom the right of eminent domain exists;
- (3) owns, operates, or manages a pipeline or any part of a pipeline in the Parish of Bossier for the transportation of crude petroleum to or for the public for hire which is or may be constructed, operated, or maintained across, on, along, over, or under the right-of-way of a railroad, corporation, or other common carrier required by law to transport crude petroleum as a common carrier;
- (4) under lease, contract of purchase, agreement to buy or sell, or other agreement or arrangement of any kind, owns, operates, manages, or participates in ownership, operation, or management of a pipeline or part of a pipeline in the Parish of Bossier for the transportation of crude petroleum, bought of others, from an oil field or place of production within this parish to any distributing, refining, or marketing center or reshipping point within this state;
- (5) owns, operates, or manages, wholly or partially, pipelines for the transportation for hire of coal in whatever form or of any mixture of substances including coal in whatever form; or
- (6) owns, operates, or manages, wholly or partially, pipelines for the transportation of carbon dioxide or hydrogen in whatever form to or for the public for hire.

Person means any individual, group of individuals, firm, partnership, association, corporation or other legal entity, natural or civil, not regularly and routinely engaged in the public utility business in the parish, under regulation of the state public service commission, and charging retail rates to its utility customers on a monthly basis.

Pipeline means any pipe or other conduit in or through which is transported, transmitted or contained any substance which may be transported or contained in pipelines, such as liquids, solids, gases or other such things, whether singularly or in combination with any other thing.

Public utility means any person under the definition of "person" in this section, who is regularly and routinely engaged in the public utility business in the parish, under regulation of the state public service commission, and charging retail rates to its utility customers on a monthly basis.

Natural Gas Transporter means any person under the definition of "person" in this section, who owns or operates a pipeline within the Parish of Bossier for the gathering, transportation, transmission or distribution of natural gas, which said pipeline does not extend beyond the boundaries of the state of Louisiana.

Utility line means any pipe, wire, cable or other conduit in or through which is transported, transmitted or contained any substance which may be transported or contained in utility lines, such as liquids, solids, gases, electricity or electrical impulses or amplifications, sound waves or vibrations, sewage or other such things, whether singularly or in combination with any other thing.

(Code 1975, §§ 25:42, 25:75)

Cross references: Definitions generally, § 1-2.

Sec. 94-42. Installation on parish rights-of-way by public utilities, common carriers or natural gas transporters; bonds required.

Annually, during the month of January, each public utility, common carrier or natural gas transporter in the parish shall post with the police jury a bond, or other security satisfactory to the police jury, in the sum of \$10,000.00, to guarantee proper repair and restoration of any and all damage sustained by the parish road system arising out of the installation, erection or maintenance of its utility lines or pipelines on any public right-of-way forming a part of the parish road system during the calendar year. No work involving the installation, erection, replacement, connection or disconnection to or from, or other maintenance on or of a utility line on any public right-of-way forming a part of the parish road system shall be performed by a public utility, common carrier or natural gas transporter unless and until the required bond has been furnished.

(Code 1975, §§ 25:42, 25:76)

Sec. 94-43. Specifications and conditions for bonds required of public utilities, common carriers or natural gas transporters.

(a) The bond required of public utilities in section 94-42 shall be on a form furnished by the police jury, and shall contain the following conditions:

- (1) Traffic on the road shall not be unduly interfered with during the period of construction;
- (2) Upon completion of such construction, the road or highway shall be promptly restored to its former condition of usefulness, at the expense of the public utility, common carrier or natural gas transporter, and the restoration shall be subject to the supervision and approval of the parish administrator of the police jury;
- (3) When laying utility lines or pipelines over, under or across a road or highway or right of way owned by the Parish, all requirements of the state department of transportation and development for the laying of similar lines across state highways, including requirements for depth, height, character and quality of the conduit and manner of construction, shall apply; provided, however, that a utility line running parallel to a road or highway shall be laid in or on the outer edge of the ditch line of the road or highway farthest removed from the edge of the road surface and, provided, further, that all underground utility lines shall be laid to a minimum depth of 24 inches below the surface;
- (4) The public utility, common carrier or natural gas transporter shall compensate the parish for all damages resulting to any parish road in the laying, maintaining, erecting or installation of any utility line or pipeline which is not corrected or restored by the public utility, common carrier or natural gas transporter;
- (5) The public utility, common carrier or natural gas transporter shall protect and hold harmless the police jury and its agents and employees against any claims, damages or losses for personal injury or property damage sustained by third parties by reason of such construction.

(Code 1975, §§ 25:42, 25:77)

Sec. 94-44. Failure of public utility, common carrier or natural gas transporter to repair or restore parish roads.

If a public utility, common carrier or natural gas transporter neglects, refuses or otherwise fails to properly repair and restore any damage sustained by the parish road system arising out of the installation, erection or maintenance of its utility lines or pipelines on any public right-of-way forming a part of the parish road system within 30 days from the date written notice of such damage is mailed to the public utility by the police jury, the public utility, common carrier or natural gas transporter shall become liable for criminal penalties as provided in this article, and the police jury may make the repairs and restoration, and the cost therefor shall be recovered under the bond or other security or from the public utility, or both. The obligation on such bond shall be in solido.

(Code 1975, § 25:78)

Sec. 94-45. Permit required for cutting roads by public utilities, common carriers or natural gas transporter; emergency repairs.

(a) Public utilities, common carriers or natural gas transporter shall not cut, break, dig through or into, or otherwise sever or damage, the paved surface of any parish road without obtaining a written permit to do so from the parish administrator of the police jury.

(b) If emergency repairs are necessary to maintain service in or through the utility line or pipeline, the public utility, common carrier or natural gas transporter making the emergency repairs shall comply with the provisions of this section within ten days from the completion date of the emergency repairs.

(Code 1975, §§ 25:42, 25:79)

Sec. 94-46. Compliance required.

It shall be unlawful for any person to maintain, dig for or erect, install or replace, or disconnect or connect to or from a utility line or pipeline along, under, across or over any public right-of-way which is a part of the parish road system

without complying with this article, obtaining a permit from the police jury to do so, paying the required fee therefor, and giving bond as required in this article to guarantee the repair and restoration of any damages which the parish road system may sustain.

(Code 1975, §§ 25:42, 25:80)

Sec. 94-47. Conditions for issuance of permit.

No permit shall be issued, except upon the following conditions:

- (1) Traffic on the road shall not be unduly interfered with during the period of construction;
- (2) Upon completion of such construction, the road or highway shall be promptly restored to its former condition of usefulness, at the expense of the applicant for the permit, and the restoration shall be subject to the supervision and approval of the parish administrator of the police jury;
- (3) When laying the utility lines or pipelines, all requirements of the department of transportation and development for the laying of similar lines across state highways, including requirements for depth, height, character and quality of the conduit or pipeline and manner of construction, shall apply; provided, however, that a utility line running parallel to a road or highway shall be laid in or on the outer edge of the ditch line of the road or highway farthest removed from the edge of the road surface and, provided, further, that all underground utility lines shall be laid to a minimum depth of 24 inches below the surface (i.e. shall be laid to a minimum depth of 24 inches lower than the lowest part of the drainage or bar ditch)
- (4) The applicant shall compensate the parish for all damages resulting to any parish road in the laying, maintaining, erecting or installation of any utility line or pipeline which is not corrected or restored by the applicant;
- (5) The applicant shall protect, hold harmless, and indemnify the police jury and its agents and employees against any claims, damages or losses for personal injury or property damage sustained by third parties by reason of the exercise of the permit;
- (6) The applicant shall agree to remove and dispose of pipelines larger than 4 inches in diameter in a right of way owned by the Parish, including abandoned casings, as soon as they stop serving a useful purpose. Where it is not possible nor feasible to remove pipelines and/or casings under existing public right of ways, such pipelines and/or casings may be abandoned in place provided removals shall be accomplished by the owner, as near to the highway on each side as possible and in all cases, beyond existing ditches to right of way lines, and further provided that all pipelines and/or casings abandoned under the highway or otherwise on the Parish right of way shall be abandoned in accordance with the Louisiana Department of Public Transportation ("DOTD") Title 49 (i.e., pipelines must be purged, capped, and filled with grout or cement);
- (7) When laying pipelines, the applicant must agree to comply with all of the Standards for the Installation of Pipelines on State Highways required by the DOTD, including its Engineering and Directives Standard Manual in effect at the time of said laying of the pipelines;
- (8) When laying pipelines, the applicant must agree to relocate or lower any pipeline at no cost to the police jury, should same become necessary due to any reason, including widening or lowering or any other alteration to the roadway or right of way;
- (9) Prior to commencement of laying pipelines (exclusive of utility lines) larger than 4 inches in diameter, the applicant shall furnish the parish engineer with a plat showing the location of such pipelines or flowlines, including GIS information sufficient to locate the pipelines or flowlines in the future, including the beginning and end points of the pipeline or flowline and sufficient points in between the pipeline or flowline route and the depth of cover information; and detailed cross-section drawings for all public rights-of-ways and easement crossings as allowed by the parish. Failure to provide necessary GIS information shall act as a release of the Parish from responsibility for any damages or cost of repair to such pipelines or flowlines arising from any activity by or under authority of the Parish;
- (10) When laying pipelines (exclusive of utility lines) within a right of way owned by the Parish, the applicant must agree that it will not lay a pipeline (exclusive of utility lines) parallel to a road or highway; and
- (11) When laying pipelines within a right of way owned by the Parish, the pipelines must not impair the public health, safety or welfare. The Parish reserves the right to reject any application for a permit for a pipeline within a public right of way if it is contrary to the public's health, safety and/or welfare.

(Code 1975, §§ 25:42, 25:81)

Sec. 94-48. Requirements of persons desiring permits.

Any person desiring to obtain a permit for any construction provided for in this article shall:

- (1) Submit a written application and shall file a survey with the application showing the location of the proposed construction;
- (2) Pay to the police jury a fee in an amount as set forth in the fee schedule below, which shall be used by the police jury to pay the charges of an inspector to inspect the work to be done by the applicant. The fee schedule shall be:
 - a. If the diameter of the pipe is greater than zero (0.00") inches but less than or equal to four (4.00") inches, the fee shall be \$50.00;
 - b. If the diameter of the pipe is greater than four (4.00") inches but less than or equal to eight (8.00") inches, the fee shall be \$150.00; and
 - c. If the diameter of the pipe is greater than eight (8.00") inches, the fee shall be \$250.00.
- (3) Give a bond in an amount that the parish administrator shall require, not to exceed \$25.00 per linear foot for the proposed work the applicant desires to be done, which bond shall be subject to

approval by the parish administrator of the police jury, and shall be conditioned upon the applicant's complying with all conditions of the permit. Such bond shall continue in full force until the applicant has fully complied with all conditions of the permit. In lieu of a separate bond for each application for a permit, the applicant may give a bond in the amount of \$10,000.00 to cover all work done, or to be done, during the calendar year.

(Code 1975, §§ 25:42, 25:82)

Sec. 94-49. Requests for permits for work that may interfere with other utility lines or pipelines.

No permit shall be granted for work that will interfere with any other utility line or pipeline.

(Code 1975, § 25:83)

Sec. 94-50. Emergency repairs.

If emergency repairs are necessary to maintain service in or through any utility line or pipeline, the person making the emergency repairs shall comply with the provisions of section 94-48 within ten days from the completion date of the emergency repairs.

(Code 1975, § 25:84)

Sec. 94-51. Consent and approval of landowners required.

Nothing contained in this article shall be construed as relieving a public utility, common carrier or natural gas transporter or person from obtaining the consent and approval of the owner of lands embraced within the right-of-way of a parish road or highway to the operations undertaken by a public utility, common carrier or natural gas transporter or any person on, over or under a parish road or highway right-of-way.

(Code 1975, § 25:85)

Sec. 94-52. Violations; penalties.

Any person or public utility, common carrier or natural gas transporter found guilty of violating any provision of this article, upon conviction, shall be punished as provided in section 1-13.

(Code 1975, § 25:86)

The ordinance was offered by Mr. Altimus, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Jackson discussed the purchase of property for the Arthur Ray Teague Parkway project, advising that this tract is owned by the Sunflower Plantation. He stated that the purchase of this tract has been handled by the City of Bossier City and the police jury will reimburse Bossier City for the purchase. It was requested that this matter be delayed to allow the staff to gather additional information. (see further discussion, Page 24)

Mr. Jackson referred to the proposed adoption of ordinances establishing regulations for entities providing cable or video services within the Parish of Bossier, advising that AT&T has been able to get comprehensive rules passed for the provision of cable or video services. He stated that with State approval, AT&T is authorized to go onto parish rights-of-way without requiring approval from the police jury. Mr. Jackson stated that the proposed ordinances will help to give local governments some authority and recommended adoption. **Motion was made by Mr. Avery, seconded by Mr. Hammack, to adopt ordinances to establish regulations for entities providing cable or video services in Bossier Parish. Motion carried unanimously.**

ORDINANCE NO. 4281

AN ORDINANCE AMENDING CHAPTER 94, OF THE BOSSIER PARISH CODE OF ORDINANCES BY ADDING ARTICLE IV "CABLE OR VIDEO SERVICE PROVIDERS"; AND ADDING SECTION 94-115, REQUIRING A PERMIT FOR USE OF PARISH PROPERTY FOR BUSINESS OPERATIONS IN THE PARISH OF BOSSIER; REQUIRING THE PROVISION OF CERTAIN INFORMATION PRIOR TO ISSUANCE OF SUCH PERMIT; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 6th day of May, 2009, that Chapter 94 of the Bossier Parish Code of Ordinances is hereby amended to add Article IV, as follows:

Article IV. Cable or Video Service Providers.

Section 94-115. Permit Required.

WHEREAS, pursuant to the provisions of LSA-R.S. 33:1236, LSA-RS. 45:1361 et seq, in order to protect the health, safety, and welfare of the public, the Parish of Bossier (herein referred to as "the Parish") recognizes its right, duty, and obligation to regulate and maintain the integrity and safety of the Parish's property and rights-of-way;

WHEREAS, there are persons or entities which utilize and desire to utilize the Parish's property and rights-of-way to conduct business operations, including but not limited to the provision of telecommunication, internet, electrical, cable, water, gas or other services or products (hereinafter referred to as "Business Operations");

WHEREAS, the Parish makes and adopts the following findings and purposes:

- (1) The Parish recognizes that it holds its property and the rights-of-way within its geographical boundaries as an asset in trust for its citizens. The Parish and other public entities have invested millions of dollars in public funds to acquire, build, and maintain the rights-of-way. It also recognizes that some persons, by placing their equipment in the rights-of-way and charging the citizens of the Parish for goods and services delivered thereby, are profiting from their use of this property held by the Parish for the public good;
- (2) The Parish's rights-of-way are owned or held by the Parish primarily for the purpose of pedestrian and vehicular passage and for the Parish's provision of essential public services; and public health services, including sanitary sewer, water, and storm drainage services (together, "Public Uses");
- (3) Public Uses should in all cases be considered and treated as the dominant and preeminent uses of public property and rights-of-way;
- (4) All other uses of public rights-of-way, including use for the provision of Business Operations, must be subordinate to Public Uses;

- (5) In order to provide for the health, safety and well-being of its citizens, as well as to ensure the structural integrity of its rights-of-way and the Parish owned facilities located therein, the Parish strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances;
- (6) Right-of-way obstructions and deterioration disrupt the flow of vehicular and pedestrian traffic and are a source of frustration for merchants, business owners and the general population;
- (7) The Louisiana legislature enacted Act 433 of 2008, codified as LSA - R.S. 45:1361-1378 as the "Consumer Choice for Television Act," which provides for a state-issued certificate of franchise authority for cable and video services. In LSA - R.S.45:1374, the legislature reserved to local government certain authority to regulate the holder of a state-issued certificate of franchise authority including the Parish's lawful exercise of its police powers; and
- (8) In order for the Parish to properly protect the health, safety and welfare of its citizens, to enhance the Public Uses, and manage and maintain its property, it is appropriate and necessary that the Parish obtain and maintain current, accurate information concerning the location, construction, installation and maintenance of structures, facilities, and equipment occupying Parish Property for Business Operations ("System").

BE IT THEREFORE ordained by the Police Jury of the Parish of Bossier, State of Louisiana, that no person or entity may enter upon, traverse, either above ground or below, or otherwise utilize any property, servitude, or other property right, owned, leased, possessed, or controlled by the Parish (herein referred to as "Parish Property") for the conduct of Business Operations without first being issued a permit to enter Parish Property for Business Operations as more fully set forth hereafter.

1. Location of any System for Business Operations within Parish Property without a valid permit from the Parish pursuant to this Ordinance presents a threat to the health, safety, and welfare of the Parish's citizens and their property and is expressly forbidden.
2. The Parish recognizes and reserves any and all rights available to it to regulate use of any Parish Property.
3. The granting of any Parish license, permit, or other requirement for doing business within the Parish shall not be construed as authorizing any such person or entity the right to utilize Parish Property for the conduct of Business Operations.
4. Any person or entity desiring to operate a System occupying Parish Property ("Applicant") shall make a written request to the Parish for a permit, which shall include the following information:
 - a) Name, address, telephone number, and contact person of the person or entity making the request;
 - b) Necessary corporate information, if applicable;
 - c) Name, address, email address, and home, office and cell telephone numbers of a person with authority to act on behalf of the Applicant in case of emergency;
 - d) Description of the proposed activity;
 - e) Identification of the Parish Property which Applicant's System will occupy. Said identification shall include the following:
 - i) Map drawn to scale of the location of all of Applicant's System presently occupying Parish Property;
 - ii) Inventory of all equipment, structures, and facilities comprising Applicant's System occupying Parish Property; and
 - iii) Description of all anticipated construction, major maintenance, and major installation activities which shall include the specific locations and the beginning and ending dates of all projects to be commenced during the next calendar year; and the tentative locations and beginning and ending dates for all projects contemplated for the two year period following the next calendar year.
 - f) Proof of comprehensive general liability insurance covering and affecting the Applicant's Business Operations occupying Parish Property. Applicant shall notify the Parish of cancellation of such policy(ies) at least 30 days in advance of such cancellation; and
 - g) Name of all contractors acting or working on behalf of Applicant within Parish Property along with the name and home, office, and cell telephone numbers of a person with authority to act on behalf of the contractor in case of emergency.
5. Upon provision of all of the information required by Section (4), the Parish shall issue a permit allowing the Applicant/Permittee to enter Parish Property to conduct Business Operations in accordance with the specific information provided to the Parish by the Applicant/Permittee.
6. Standard provisions of each permit granted pursuant to this Ordinance shall include the following:
 - a) Conditions of Occupancy. The System shall be located so as to cause minimum interference with the Public Uses use of Parish Property and with the rights and reasonable convenience of property owners who own property that adjoins Parish Property.
 - b) Restoration of Public Ways. If, during the course of the Permittee's construction, installation, or maintenance of the System, there occurs a disturbance of any Parish Property by the Permittee, the Permittee shall replace and restore such Parish Property to a condition reasonably comparable to the condition of the Parish Property existing immediately prior to such disturbance.
 - c) Relocation at Request of the Parish. If the Parish shall lawfully elect to vacate, relocate, abandon, alter, reconstruct or change any Parish Property, the Permittee, upon thirty (30) days written notice by the Parish via certified mail to the Permittee, shall remove, re-lay and relocate its structure, equipment, and facilities at its own expense. Should the Permittee refuse or fail to remove System within thirty (30) days after written notification, the Parish shall have the right to remove the component parts of the System and charge the Permittee for the costs of removal.

- d) Relocation at Request of Third Party. The Permittee shall, on the request of any person holding a lawful building moving permit, protect, support, raise, lower, temporarily disconnect, relocate in or remove from any Parish Property, as necessary, any property of the Permittee provided: (i) the expense of such is paid by said person benefiting from the relocation, including, if required by the Permittee, making such payment in advance; and (ii) the Permittee is given reasonable advance written notice to prepare for such changes. For purposes of this Section, "reasonable advance written notice" shall be no less than thirty (30) days in the event of a temporary relocation, and no less than one hundred twenty (120) days for a permanent relocation.
 - e) Interference with Use of right-of-way. When working within Parish Property, Permittee shall not unreasonably interfere with Public Uses of said Parish Property and the safety, health, and convenience of the public in the public's use thereof for ordinary travel.
7. No less than three (3) business days prior to commencement of construction, installation or maintenance activities within Parish Property, the Permittee shall notify the Parish of the specific locations and beginning and ending dates of said construction, installation, or maintenance project and shall provide current, accurate contact information for both the Permittee and the contractor as outlined in Section (4). Upon receipt of this notification, the Parish shall determine whether the proposed construction, installation, or maintenance activities shall pose an unreasonable inference with Public Uses. If the Parish determines the proposed activity presents no such unreasonable interference, it shall issue the permittee a notice to proceed. If the permittee receives no written notification from the Parish within twenty-four hours of the proposed commencement of activities, the proposed activities may be deemed approved. This Section shall not apply to emergency repair projects or utility service extension projects which the Permittee could not have anticipated.
 8. The Permittee shall keep all of the information required by Section (4) current at all times by immediately providing the Parish written notice of changes.
 9. Any person or entity (1) whose System occupies Parish Property for Business Operations without obtaining the permit required in this Ordinance; (2) who fails to provide the 72-hour notice prior to commencement of construction, installation, or maintenance activities as required in Section 6; or who fails to maintain current, accurate information required by Section (4) concerning any System occupying Parish Property may have any permit granted pursuant to this Ordinance revoked and may be denied future authorization for construction, installation, or maintenance activities for a period of two years.
 10. Any violation of this Ordinance shall afford the Parish the full range of remedies available under any applicable law or regulation including the levying of fines. The election of one or more remedies shall not be construed as a waiver of any other legal and/or equitable remedy including, but not limited to the Parish's right to seek injunctive relief, damages, and attorney's fees as the law might allow.

BE IT FURTHER RESOLVED, that all ordinances and resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Parish and any cable or video service provider.

The ordinance was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

ORDINANCE NO. 4282

AN ORDINANCE AMENDING CHAPTER 94, ARTICLE IV, OF THE BOSSIER PARISH CODE OF ORDINANCES BY ADDING SECTION 94-116; FRANCHISE FEE TO BE PAID BY THOSE ENTITIES PROVIDING CABLE OR VIDEO SERVICE WITHIN THE PARISH'S UNINCORPORATED LIMITS UNDER A STATE – GRANTED FRANCHISE AUTHORITY AND OTHERWISE PROVIDING WITH RESPECT THERETO."

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 6th day of May, 2009, that Chapter 94, Article IV, of the Bossier Parish Code of Ordinances is hereby amended to add Section 94-116, as follows:

Section 94-116. Franchise fee.

WHEREAS, pursuant to the provisions of the Consumer Choice for Television Act of 2008, codified at LSA-RS. 45:1361 et seq, any person or entity desiring to provide cable or video services within the Parish of Bossier may do so by obtaining a state-issued certificate of franchise authority;

WHEREAS, pursuant to the provisions of LSA-R.S. 45:1366, the holder of a state-issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a Parish in which it operates upon the passage of an ordinance by Parish setting such a fee; and

WHEREAS, there are persons or entities which operate or desire to operate cable or video services within the Parish's unincorporated limits.

BE IT THEREFORE ordained by the Police Jury of the Parish of Bossier, State of Louisiana, that all persons or entities providing cable or video services to the citizens residing in the unincorporated limits of the Parish of Bossier pursuant to a state-issued certificate of franchise authority as provided in LSA-R.S. 45:1361 et seq shall, pursuant to the provisions of LSA-R.S. 45:1366, pay the Parish of Bossier a franchise fee equal to three percent (3%) of the cable or video service provider's gross revenues, as that term is defined by the "Consumer Choice for Television Act of 2008," derived from operations within the Parish's unincorporated limits.

BE IT FURTHER RESOLVED, that all ordinances and resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Parish and any cable or video service provider.

The ordinance was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON

GLENN BENTON, PRESIDENT

PARISH SECRETARY

BOSSIER PARISH POLICE JURY

ORDINANCE NO. 4283

AN ORDINANCE AMENDING CHAPTER 94, ARTICLE IV, OF THE BOSSEIR PARISH CODE OF ORDINANCES BY ADDING SECTION 94-117, REQUIRING THE PAYMENT OF PUBLIC, EDUCATIONAL, GOVERNMENTAL ACCESS PROGRAMMING SUPPORT TO THE PARISH OF BOSSIER BY CABLE OR VIDEO SERVICE PROVIDERS OPERATING WITHIN THE PARISH'S UNINCORPORATED LIMITS UNDER A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 6th day of May, 2009, that Chapter 94, Article IV, of the Bossier Parish Code of Ordinances is hereby amended to add Section 94-117, as follows:

Section 94-117. Payment of public, educational, governmental access programming support.

WHEREAS, pursuant to the provisions of the Consumer Choice for Television Act of 2008, codified at LSA-RS. 45:1361 et seq, any person or entity desiring to provide cable or video services within the Parish of Bossier may do so by obtaining a state-issued certificate of franchise authority;

WHEREAS, the Parish of Bossier has requested those entities providing cable or video services within the unincorporated limits of the Parish of Bossier to provide public, educational, and governmental access programming, streams, or channels ("PEG") and desires to collect PEG access support from these cable or video service providers pursuant to the provisions of LSA-R.S.45:1370

BE IT THEREFORE ordained by the Police Jury of the Parish of Bossier, State of Louisiana, that pursuant to the provisions of LSA-R.S.45:1361 et seq, providers of cable or video services holding a state-issued certificate of franchise authority as provided in LSA-R.S. 45:1361 et seq and operating within the Parish's municipal limits shall pay to the Parish of Bossier an amount equal to one half percent of the gross revenues, as that term is defined by the "Consumer Choice for Television Act of 2008," derived from operations within the Parish's unincorporated limits.

BE IT FURTHER RESOLVED, that all ordinances and resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Parish and any cable or video service provider.

The ordinance was offered by Mr. Avery, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Cochran, seconded by Mr. Hammack, to adopt a resolution ratifying and preserving the police jury's agreement/contract with Diamond Jacks Casino in regard to the casino's bankruptcy settlement. Motion carried unanimously.

RESOLUTION

A RESOLUTION RATIFYING (i) MODIFICATIONS TO CONTRACT WITH THE LOUISIANA RIVERBOAT GAMING PARTNERSHIP and (ii) THE FILING OF A JOINT MOTION IN U.S. BANKRUPTCY COURT TO ASSUME EXECUTORY CONTRACT

WHEREAS, Louisiana Riverboat Gaming Partnership ("LRGP") operates a casino in Bossier Parish currently known as Diamond Jacks;

WHEREAS, many years ago, a dispute arose between LRGP and the Parish of Bossier over the Parish's authority to assess and collect admission fees, boarding fees or other charges of this nature on LRGP's gaming business located in Bossier Parish;

WHEREAS, the Parish and LRGP entered into an Agreement dated March 17, 2000 (the "Agreement"), to resolve their dispute;

WHEREAS, the Agreement requires LRGP to (i) remit a monthly fee to the Parish of Bossier in lieu of any statutorily authorized admission fee, boarding fee or any other tax of this nature in an amount equal to sixty-five hundredths (0.65%) percent of the adjusted gross gaming revenues, (ii) furnish on a monthly basis various reports regarding its gaming operation in Bossier Parish, (iii) furnish on an annual basis an audit report prepared by its independent auditor of LRGP's gaming operation in Bossier Parish, (iv) furnish copies of any audit report prepared by the Louisiana Police Gaming Division of LRGP's gaming operation and (v) notify the Parish of Bossier of any notice it receives from various gaming control and licensing authorities of any inaccuracies in documents furnished to those authorities;

WHEREAS, the Agreement provides for its automatic annual renewal unless either party provides written notice of termination 180 days before the end of the current contractual term;

WHEREAS, no written notice of termination was provided by any party to the Agreement and therefore the Agreement has never been terminated and continues in full force and effect;

WHEREAS, subsequent to the parties executing the Agreement, the Louisiana Legislature amended the provisions of La. R.S. 27:93 to authorize local governing authorities to levy certain assessments and admission fees upon riverboats berthed in their jurisdictions;

WHEREAS, Section 2 of Act 2003, No. 1222, provides "nothing contained in the provisions of this Act, shall operate to impair the obligation of any contract previously executed by the City of Bossier City and/or the Bossier Parish Police Jury which is in effect on the effective date of this Act.";

WHEREAS, following the enactment of the amendments to La. R.S. 27:93, the City Council of Bossier City, Louisiana, adopted Ordinance No. 23 of 2004 (dated March 16, 2004), the terms of which established an assessment on each riverboat located in Bossier City and in Bossier Parish. By its terms, Ordinance No. 23 of 2004 provides that the funds derived from the assessment of monthly net gaming proceeds shall be allocated to the Parish of Bossier in the amount of sixty-three hundredths (0.63%) percent of the monthly net gaming proceeds. The Ordinance, however, expressly provided that its provisions "shall not operate to impair any contract previously executed by the City of Bossier City and/or the Bossier Parish Police Jury which is currently in effect until such contract expires." Thus, by virtue of the provisions of Bossier City's Ordinance No. 23 of 2004, the fees payable by LRGP to Bossier Parish have been reduced to

sixty-three hundredths (0.63%) percent of the monthly net gaming proceeds. The reduction in fees to the Parish of Bossier, however, is not effective until the expiration of the Agreement;

WHEREAS, the Agreement never "expired" because it automatically renewed each year;

WHEREAS, the Agreement provided that its initial term would end on January 1, 2007;

WHEREAS, upon the conclusion of the initial term (i.e. January 1, 2007), LRGP reduced its monthly remittances to Bossier Parish from sixty-five hundredths (0.65%) percent to sixty-three hundredths (0.63%) percent of the monthly net gaming proceeds pursuant to Bossier City's Ordinance No. 23 of 2004;

WHEREAS, LRGP's reduction of its monthly remittances to Bossier Parish from sixty-five hundredths (0.65%) percent to sixty-three hundredths (0.63%) percent of the monthly net gaming proceeds is consistent with the intent of the parties;

WHEREAS, on March 11, 2008, LRGP and some of its affiliates filed petitions for relief under Chapter 11 of the Bankruptcy Code in the U.S. Bankruptcy Court for the Western District of Louisiana, Shreveport Division, Case No. 08BK-10824;

WHEREAS, the Agreement constitutes an "executory" contract within the meaning of § 365(d)(2) of the Bankruptcy Code;

WHEREAS, on April 21, 2009, the Parish of Bossier and LRGP filed a "Joint Motion Pursuant to Section 365(a) of the Bankruptcy Code Authorizing Debtors to Assume Executory Contract" (the "Motion") in the U.S. Bankruptcy Court seeking the entry of an order authorizing LRGP to assume the Agreement as an executory contract pursuant to Section 365 of the Bankruptcy Code; and

WHEREAS, on April 29, 2009, the U.S. Bankruptcy Court entered an order authorizing LRGP to assume the Agreement as an executory contract pursuant to Section 365 of the Bankruptcy Code.

NOW, THEREFORE, BE IT RESOLVED by the Police Jury of the Parish of Bossier, in regular session convened, that the modifications to the Agreement outlined above be and are hereby ratified. Specifically, the Police Jury ratifies the reduction of LRGP's monthly remittances to Bossier Parish from sixty-five hundredths (0.65%) percent to sixty-three hundredths (0.63%) percent of the monthly net gaming proceeds.

BE IT FURTHER RESOLVED, that the Police Jury ratifies the actions taken by the Parish Attorney and the law firm of Wiener, Weiss & Madison, P.C. with respect to the filing of the Joint Motion described above.

The resolution was offered by Mr. Cochran, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford discussed Change Order No. 3 on the Arthur Ray Teague Parkway Construction Project No. 2008-133, and advised that this Change Order provides for costs associated with work to be done on the Cowley property as agreed upon in the acquisition of right-of-way for the project. He stated that the relocation of a driveway, pipe, dirt and sewer work, and the moving of a mobile home are necessary. Mr. Ford stated that the Change Order No. 3 results in an additional cost of \$229,059.00. **Motion was made by Mr. Cochran, seconded by Mr. Johnston, to approve Change Order No. 3 on the Arthur Ray Teague Parkway Construction 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 6th day of May, 2009, that it does hereby approve Plan Change No. 3 on the Arthur Ray Teague Parkway Construction Project No. 2008-133.

BE IT FURTHER RESOLVED that Glenn Benton, President, is hereby authorized to execute said Plan Change No. 3.

The resolution was offered by Mr. Cochran, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Hammack, seconded by Mr. Cochran, to approve Change Order No. 4 on the Arthur Ray Teague Parkway Construction Project in an additional amount of \$9,768.62, 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 6th day of May, 2009, that it does hereby approve Plan Change No. 4 on the Arthur Ray Teague Parkway Construction Project No. 2008-133.

BE IT FURTHER RESOLVED that Glenn Benton, President, is hereby authorized to execute said Plan Change No. 4.

The resolution was offered by Mr. Hammack, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

It was requested that Mr. Ford provide an update at the May 20, 2009, regular meeting on the matter of a turning lane off Louisiana Highway 3 at South Rebouche.

Motion was made by Mr. Avery, seconded by Mr. Cochran, to approve the Certificate of Substantial Completion of the Cross Creek Subdivision Concrete Street Repair Project No. 2008-168, 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 6th day of May, 2009, that it does hereby approve the Certificate of Substantial Completion of the Cross Creek Subdivision Concrete Street Repair Project No. 2008-168.

BE IT FURTHER RESOLVED that Glenn Benton, President, be and is hereby authorized to execute any and all documents in connection with said Certificate of Substantial Completion.

The resolution was offered by Mr. Avery, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Ms. Bennett, seconded by Mr. Johnston, to approve the Certificate of Substantial Completion of the Forest Hills Subdivision Concrete Ditch Paving Project No. 2008-167, and 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 6th day of May, 2009, that it does hereby approve the Certificate of Substantial Completion of the Forest Hills Subdivision Ditch Paving Project No. 2008-167.

BE IT FURTHER RESOLVED that Glenn Benton, President, be and is hereby authorized to execute any and all documents in connection with said Certificate of Substantial Completion.

The resolution was offered by Ms. Bennett, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Ms. Bennett, seconded by Mr. Hammack, to adopt an ordinance authorizing the Parish of Bossier to enter into a Local Services Agreement with the City of Bossier City in connection with the acquisition of property for the Linton Road Improvements Project, and authorizing the Administrator to execute any documents in connection with said agreement. Motion carried, with Mr. Avery abstaining from vote.

ORDINANCE NO. 4284

AN ORDINANCE AUTHORIZING THE PARISH OF BOSSIER TO ENTER INTO A LOCAL SERVICES AGREEMENT WITH THE CITY OF BOSSIER CITY AND AUTHORIZING THE PARISH ADMINISTRATOR TO EXECUTE ANY DOCUMENTS IN FURTHERANCE THEREOF.

WHEREAS, the Parish of Bossier and the City of Bossier City mutually benefit from the development of infrastructure which enhances existing businesses and encourages the development of new business entities in both the Parish of Bossier and the City of Bossier City; and

WHEREAS, the Parish of Bossier and the City of Bossier City have engaged in joint endeavors regarding the development of parks, industrial parks, research parks, juvenile detention facilities, jail operations, and street, highway or road projects, zoning master plans and a uniform development code of which benefits the citizens of Parish of Bossier and the City of Bossier City; and

WHEREAS, a Local Services Agreement between the Parish of Bossier and the City of Bossier City will facilitate intergovernmental functions to provide greater economy and efficiency in the operation of local services; and

WHEREAS, the citizens of the Parish of Bossier and the City of Bossier City will benefit from the elimination of traffic congestion caused by improvement in the flow of traffic through Bossier Parish and Bossier City as well as the economic development stimulated by road and street improvements in the Linton Road Improvement Project.

NOW, THEREFORE, BE IT ORDAINED by the Bossier Parish Police Jury of Bossier Parish, Louisiana, in regular session convened, that the PARISH OF BOSSIER and the CITY OF BOSSIER CITY are joining together to plan, finance, construct, acquire and/or improve public projects, servitudes, rights of way, easements, streets, highways and roads within the Parish of Bossier and the City of Bossier City; to operate and maintain such public projects or improvements necessary or incidental thereto and to avail themselves of the method of acquisition of public projects, servitudes, rights of way, easements, streets, highways and roads within the Parish of Bossier and/or City of Bossier City, specifically allowed in LSA-R.S. 33:1329, all for and on behalf of the residents of the Parish of Bossier and the City of Bossier City.

BE IT FURTHER ORDAINED, that the Parish of Bossier and/or the City of Bossier City shall have the right individually or jointly to acquire property pursuant to LSA-R.S. 33:1329 in furtherance of the development of the Linton Road Improvements Project, being a joint project of both entities.

BE IT FURTHER ORDAINED, that William R. Altimus, Parish Administrator, is authorized to sign the Local Services Agreement containing the provisions set forth herein between the PARISH OF BOSSIER and the CITY OF BOSSIER CITY.

BE IT FURTHER ORDAINED that the Parish of Bossier authorizes the Parish Attorney to take whatever action necessary in furtherance of the joint project set forth herein.

The ordinance was offered by Ms. Bennett, seconded by Mr. Hammack. Upon vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Rocky Rockett, Greater Bossier Economic Development Foundation, was present for discussion of the request of Arkla-Centerpoint to purchase a two (2) acre tract in the Viking Drive Industrial Park for a price of \$25,000 per acre for location of a 6,000 square foot office structure. He stated that the location of the proposed office complex in the Viking Drive Industrial Park will create an estimated 20 jobs.

Mr. Paul Draper was present on behalf of Arkla-Centerpoint, and stated that Arkla-Centerpoint currently has a freeze on capital expenditures and advised that construction on the proposed facility could begin within six months.

Motion was made by Mr. Hammack, seconded by Mr. Avery, to approve the sale of 2 acres in the Viking Drive Industrial Park to Arkla-Centerpoint for a price of \$25,000 per acre, and to authorize Mr. Altimus to execute necessary documents. Motion carried unanimously.

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session convened on this 6th day of May, 2009, that it does hereby approve the sale of two (2) acres in the Viking Drive Industrial Park to Arkla-Centerpoint for a price of \$25,000 per acre, and does authorize Bill Altimus, Parish Administrator, to execute any necessary documents in connection with said sale.

The resolution was offered by Mr. Hammack, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 6th day of May, 2009.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Cochran requested that Mr. Rockett review the agreement with the J. Haws and Associates, advising that construction on their proposed facility has not started.

Mr. Ford referred to the proposed purchase of property for the Arthur Ray Teague Parkway project as previously discussed on Page 13, and reported that this is a 26-acre tract owned by the Sunflower Plantation Company. He stated that the City of Bossier City is purchasing the property and the parish will reimburse the City. **Motion was made by Mr. Plummer, seconded by Mr. Butler, to authorize the purchase of a 26-acre tract of land owned by Sunflower Plantation Company, in connection with the Arthur Ray Teague Parkway Extension Project.**

Mr. Ford reported that a meeting on the proposed East/West Corridor project will be held at 6:00 p.m., on May 14, 2009, in the police jury meeting room. He stated that adjacent landowners are notified of the meeting.

Motion was made by Ms. Bennett, seconded by Mr. Butler, to approve an expenditure of \$12,000 for the purchase of fencing and netting at the Princeton Sports Complex. Motion carried unanimously.

Mr. Ford presented photographs of flooding problems on property located on Sistrunk Lane in Bayou Pointe Subdivision. He stated that vacant property located behind the site drains improperly and he will meet with officials from the Department of Transportation and Development to determine a solution to resolve the flooding. Mr. Ford stated that a survey of the property is needed and he will obtain a cost proposal for review at the May 20, 2009, meeting.

Mr. Ford provided an update on the Vickers Road Improvements Project, advising that the acquisition of right-of-way for the project is moving forward.

Mr. Ford stated that the centerline study for the proposed Palmetto Road widening is complete. He stated that he will meet with Ms. Bennett to review the study and discuss costs for the project.

Mr. Ford stated that he is working with GNF Management Company, Inc., on upcoming street improvement projects through the Community Development Block Grant Program, advising that Liberty Drive and Longhorn Drive are being considered.

Mr. Ford advised that residents of Gary Rex Circle in Dogwood Subdivision have requested assistance in widening the road and the installation of a cul-de-sac. He stated that residents will be responsible for the cost of the survey and the re-plat. Mr. Ford stated that it will cost an estimated \$45,000 to widen and bring the road up to standards, and stated that this project will be considered for funding next year.

Mr. Ronnie Andrews, Public Works Director, provided an update on the 2009 road overlay program and advised that two additional roads are now complete. He stated that he will provide a cost estimate for the Old Cotton Valley Road at the May 20, 2009, regular meeting.

Mr. Andrews advised of a request from the Town of Plain Dealing for 10 loads of sand for the beach at the Plain Dealing Lake. He stated that the Town of Plain Dealing will pay all costs for materials and fuel. **Motion was made by Mr. Johnston, seconded by Ms. Bennett, to authorize parish highway crews to haul 10 loads of sand to the beach at Plain Dealing Lake, with the Town of Plain Dealing paying all material and fuel costs. Motion carried unanimously.**

Mr. Avery advised of a request for discretionary funds for extension of the bleachers at Airline High School. The matter will be considered at the May 20, 2009 Finance Committee meeting.

Mr. Benton urged jurors to tour the new Princeton Sports Complex, advising that the facility is very impressive.

Mr. Jackson stated that the proposed Commercial Vehicle Enforcement Unit ordinance will be considered at the May 20, 2009, regular meeting.

A meeting of the Subdivision Regulations Committee is scheduled at noon on May 20, 2009, in the police jury office.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session convened on this 6th day of May, 2009, **motion was made by Mr. Altimus, seconded by Mr. Avery, to adjourn. Motion carried unanimously.** The meeting was adjourned at 4:10 p.m.

CINDY A. DODSON
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY