

BOSSIER PARISH POLICE JURY  
BENTON, LOUISIANA  
MINUTES  
April 7, 2010

www.bossierparishla.gov

The Bossier Parish Police Jury met in regular and legal session on the 7<sup>th</sup> day of April, 2010, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Ms. Wanda Bennett, called the meeting to order. The invocation was given by Ms. Wanda Bennett and the pledge of allegiance was led by Mr. Brad Cummings. The Parish Secretary, Ms. Cindy Dodson, called the roll, with the following members present:

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

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

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Mr. Brad Thompson, Wilbur Smith Associates, reported on the results of a series of public meetings which were held in an effort to gain public input on the proposed development of parishwide zoning regulations. He stated that two guiding principles for development of zoning regulations in the exurban and rural tiers of Bossier Parish are to maintain the character of rural living and the scenic quality of rural and exurban highways. Mr. Thompson explained that regulations are very limited in the rural tier and slightly more stringent in the exurban tier.

Mr. Thompson discussed several key issues raised by public comments at the community meetings. He stated that any existing land use is allowed to continue as long as the owner does not wish to change or expand the current use, as re-zoning is then required. Mr. Thompson stated that a record of all non-conforming uses will be maintained.

Mr. Avery asked if there is a time limit in which the zoning classification of a particular property will revert back to its original classification if the property is not used for the purpose it is zoned for. Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that the MPC rarely does this, but expressed his desire for this to become a requirement of zoning regulations.

After further discussion, **motion was made by Mr. Altimus, seconded by Mr. Benton, to take this matter under advisement to allow jurors time to review the findings and recommendations of Wilbur Smith Associates, to be further considered at a later date. Motion carried unanimously.**

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**Motion was made by Mr. Avery, seconded by Mr. Altimus, to authorize the advertising for bids for construction of an equipment shelter at the Bossier Parish highway department facility. Motion carried unanimously.**

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**Motion was made by Mr. Avery, seconded by Mr. Benton, to authorize the advertising for bids for modifications to the HVAC cooling tower in the computer room at the Bossier Parish Courthouse. Motion carried unanimously.**

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Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Sligo Industrial Park, Unit No. 1, located in Sections 22 and 27, Township 17 North, Range 12 West, Bossier Parish, LA, and being a resubdivision of an amended plat, Victoria Place, Unit No. 1, Bossier Parish, LA.

Mr. Jackson advised that there are still unresolved issues regarding this matter and requested that the matter be delayed for 30 days. **Motion was made by Mr. Cummings, seconded by Mr. Plummer, to table the public hearing to consider approval of the plat of the proposed development of Sligo Industrial Park, Unit No. 1, for 30 days, as requested. Motion carried unanimously.** The matter will be considered at the May 5, 2010, regular meeting.

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Ms. Dodson announced the public hearing to consider the application of River Rouge Plantation, LLC, to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a 78 acre tract of land located on the south side of Cash Point Road, in a portion of Sections 29 and 30, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture, to I-1, Light-Industry District, for an industrial complex. The application received a favorable recommendation from the Bossier City-Parish MPC.

Mr. Ford advised that the engineer for the project has requested that the public hearing be delayed for two weeks. **Motion was made by Mr. Avery, seconded by Mr. Butler, to table this matter as requested, to be considered at the April 21, 2010, regular meeting. Motion carried unanimously.**

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Mr. Avery requested that Mr. Sam Marsiglia, Bossier City-Parish MPC, send a letter to Centrex regarding vehicles parked on property owned by Mr. Rob Stinson, as this is a violation of zoning regulations at this location.

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Ms. Dodson announced the public hearing to consider approval of the plat of the proposed resubdivision of Lots 24, 25 and 26, Northlake Estates, Unit No. 3, located off Butler Hill Road in Section 14, Township 20 North, Range 13 West, Bossier Parish, LA. Mr. Ford advised that the owner of these lots desires to build a house across lot lines, and stated that the residents of the subdivision have been notified of the proposal. He stated that he has received no objection from the other landowners. Mr. Ford stated that he will require some minor changes to the plat, but recommended that the proposal be approved. There being no opposition, **motion was made by Mr. Johnston, seconded by Mr. Plummer, to approve the plat of the proposed resubdivision of Lots 24, 25 and 26, Northlake Estates, Unit No. 3, subject to final revisions and approval by Mr. Ford. Motion carried unanimously.**

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Mr. Russell Craig, Commercial Vehicle Enforcement Unit officer, was present for discussion of proposed amendments to the Commercial Vehicle Enforcement ordinance. Mr. Craig requested that a correction be made in the

proposed amendments to indicate tire rating in lieu of tire pressure. Ms. Bennett asked that this correction be noted. Mr. Craig stated that tires are rated at a certain rate and the weight is posted on the tire itself. He stated that to exceed the recommended tire rating creates a tremendous safety issue. Mr. Craig advised that the current ordinance addresses the violation, but does not provide penalties. **Motion was made by Mr. Plummer, seconded by Mr. Cummings to adopt amendments to the Commercial Vehicle Enforcement Ordinance, to include penalties for violation of regulations which provide that no tire shall exceed the manufacturer’s recommended tire rating. Motion carried unanimously.**

ORDINANCE NO. 4329

AN ORDINANCE AMENDING ORDINANCE NO. 4287 OF JUNE 3, 2009, “COMMERCIAL VEHICLE ENFORCEMENT” REGULATIONS FOR THE PARISH OF BOSSIER, AS AMENDED BY ORDINANCE NO. 4311 OF OCTOBER 21, 2009 AND BY ORDINANCE NO. 4321 OF JANUARY 6, 2010, TO AMEND CERTAIN PENALTY PROVISIONS.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 7<sup>th</sup> day of April, 2010, that Section 3, BPPJCVEU 388(A) of Ordinance No. 4287 of June 3, 2009, as amended by Ordinance No. 4311 of October 21, 2009, and by Ordinance No. 4321 of January 6, 2010, be and is hereby amended as follows:

SECTION 3. BPPJCVEU 388 Penalties, Subsection A, is hereby amended to read as follows:

- A. Whoever owns or drives any vehicle or combination of vehicles in violation of any rule, regulation, directive, or requirement of the Bossier Parish Police Jury adopted pursuant to BPPJCVEU 380 through 385, and 386(B), or in violation of BPPJCVEU 380 through 385, and 386(B), shall be assessed a penalty of not more than \$175.00 for each initial violation and not more than \$500.00 for subsequent violations.

BE IT FURTHER ORDAINED, etc., that all other provisions of Ordinance No. 4287 of June 3, 2009, as amended by Ordinance No. 4311 of October 21, 2009, and Ordinance No. 4321 of January 6, 2010, are unchanged and shall remain in full force and effect.

The ordinance was offered by Mr. Plummer, seconded by Mr. Cummings. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Altimus, seconded by Mr. Plummer, to approve the request of the 26<sup>th</sup> Judicial District Court for support of House Bill 429 which provides for validation of electronic recording as a certifiable method of court reporting and addresses the certification of electronic court reporters. Motion carried unanimously.**

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**Motion was made by Mr. Benton, seconded by Mr. Butler, to approve Plan Change No. 1 on the Princeton Sports Complex Water and Sanitary Sewer Project No. 2009-238, and to authorize the Parish Administrator to execute documents. Motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, that it does hereby approve Plan Change No. 1 on the Princeton Sports Complex Water and Sanitary Sewer Project No. 2009-238.

BE IT FURTHER RESOLVED that William Altimus, Parish Administrator, is hereby authorized to execute said Plan Change No. 1.

The resolution was offered by Mr. Benton, seconded by Mr. Butler. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Benton, seconded by Mr. Altimus, to approve the request of Cypress Baptist Church to hold a 5K run on June 5, 2010, from the church located at 4701 Palmetto Road, Benton, LA, through Woodlake South Subdivision. Motion carried unanimously.**

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**Motion was made by Mr. Meachum, seconded by Mr. Darby, to approve Change Order No. 19 on the Cyber Innovation Center Building, and to authorize the Parish Administrator to execute documents. Motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, that it does hereby approve Change Order No. 19 on the Cyber Innovation Center Building.

BE IT FURTHER RESOLVED that William R. Altimus, Parish Administrator, is hereby authorized to execute said Change Order No. 19.

The resolution was offered by Mr. Meachum, seconded by Mr. Darby. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Avery, seconded by Mr. Benton, to approve Plan Change No. 3 on the Cyber Innovation Center Infrastructure Improvements Project, subject to concurrence with the Louisiana Economic Development Department, and to authorize the Parish Administrator to execute documents. Motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, that it does hereby approve Plan Change No. 3 on the Cyber Innovation Center Infrastructure Improvements Project, subject to concurrence with the Louisiana Economic Development Department.

BE IT FURTHER RESOLVED that William R. Altimus, Parish Administrator, is hereby authorized to execute said Plan Change No. 3.

The resolution was offered by Mr. Avery, seconded by Mr. Benton. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Avery, seconded by Mr. Benton, to amend the agenda to allow consideration of the Certificate of Substantial Completion of the Cyber Innovation Center Central Plant Mechanical and Electrical Equipment Package. Motion carried, with the following vote recorded:**

**AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Butler, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr. Johnston, Mr. Meachum, Mr. Plummer.**

**NAYS: None**

**ABSTAIN: None**

**ABSENT: Mr. Hammack**

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**Motion was made by Mr. Avery, seconded by Mr. Benton, to approve the Certificate of Substantial Completion of the Cyber Innovation Center Central Plant Mechanical and 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 7<sup>th</sup> day of April, 2010, that it does hereby approve the Certificate of Substantial Completion of the Cyber Innovation Center Central Plant Mechanical and Electrical Equipment Package.

BE IT FURTHER RESOLVED that William R. Altimus, Parish Administrator, 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. Benton. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Jackson, Parish Attorney, discussed the sale of Lot 3, Commerce Industrial Park, Unit No. 1, to Quality Land & Investments, LLC, and requested approval of the following documents:

- 1) Option to Purchase
- 2) Right of First Refusal
- 3) Infrastructure Expenses and Cooperative Agreement

Mr. Jackson stated that Quality Land & Investments, LLC, has agreed to pay \$20,000 per acre, and advised that the police jury will utilize a portion of the proceeds from the sale of the property to extend the road along the frontage of the property for approximately 300 feet, and for drainage and ditch improvements. He stated that if the property is later sold, the police jury has been given the Right of First Refusal at the same selling price. Mr. Jackson advised that in accordance with the standard requirements, Quality Land & Investments, LLC, has three years from the date of closing to complete the initial project and hire its employees.

**Motion was made by Mr. Cochran, seconded by Mr. Johnston, to ratify approval of the following documents in connection with the sale of Lot 3, Commerce Industrial Park, Unit No. 1, to Quality Land & Investments, LLC:**

- 1) Option to Purchase
- 2) Right of First Refusal
- 3) Infrastructure Expenses and Cooperative Agreement

**Motion carried unanimously.**

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**Motion was made by Mr. Plummer, seconded by Mr. Butler, to authorize William Altimus, Parish Administrator, to execute any and all documents in connection with the sale of Lot 3, Commerce Industrial Park, Unit No. 1, to Quality Land & Investments, LLC. Motion carried unanimously.**

**RESOLUTION**

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, that William R. Altimus, Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents in connection with the sale of Lot 3, Commerce Industrial Park, Unit No. 1, to Quality Land & Investments, LLC.

The resolution was offered by Mr. Plummer, seconded by Mr. Butler. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Johnston, seconded by Mr. Darby, to declare the following items as surplus, to be sold at auction on Saturday, April 10, 2010, at Lawler Auction Service, Inc., located at 7781 Hwy 1 North, Shreveport, LA:**

- 2001 Chevy Malibu, VIN #1G1ND52J91M567825
- 1999 Ford Crown Victoria, VIN #2FAFP73W4XX165498
- 1998 Ford Taurus, VIN #1FAFP57U1WA257480
- 2001 Dodge ½ Ton P/U, VIN #3B7HC13Y01G805768

2003 Ford F250 ¾ Ton P/U, VIN #3FTNX20L13MB28448  
2001 Dodge Ram ½ Ton P/U, VIN #1B7HC16X91S676814  
A/C Loader 605-B, #18Y05316

**Motion carried unanimously.**

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Mr. Ronnie Andrews, Public Works Director, reported that representatives with the Bossier Parish EMS District have advised that they no longer need the parish’s assistance with dirt work at the new EMS building on Swan Lake Road. No action was taken.

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**Motion was made by Mr. Butler, seconded by Mr. Benton, to amend the 2010 Road Overlay Program to remove Hacienda Circle, and to add Avenida Drive. Motion carried unanimously.**

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**Motion was made by Mr. Butler, seconded by Mr. Benton, to amend the 2011 Road Overlay Program to add Hacienda Circle. Motion carried unanimously.**

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Mr. Ford reported that Balar Engineers & Surveyors has underestimated the surveying costs associated with the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, and advised that Amendment No. 1 is necessary to correct these costs. **Motion was made by Mr. Benton, seconded by Mr. Johnston, to approve Amendment No. 1 to the Agreement between Owner and Engineer for Professional Engineering Services with Balar Engineers & Surveyors for the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, and to authorize the Parish Administrator to execute documents. Motion carried, with Mr. Cummings opposing.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, that William Altimus, Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, Amendment No. 1 to the Agreement between Owner and Engineer for Professional Engineering Services with Balar Engineers & Surveyors in connection with the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, State of Louisiana.

The resolution was offered by Mr. Benton, seconded by Mr. Johnston. Upon vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Altimus reported that Senator Robert Adley has scheduled a meeting in Baton Rouge today at 1:30 p.m. with representatives from Webster, Bossier and Bienville Parishes, and from the Department of Wildlife and Fisheries to discuss plans regarding the eradication of salvinia on Lake Bistineau. He stated that Mr. Montgomery is attending the meeting and will provide a report at a later date.

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Mr. Altimus reported that HUD has contacted Mr. Kenneth Starnes, Section 8 Housing, requesting that the Bossier Parish Section 8 Housing Program apply for 20 vouchers for homeless veterans. He stated that he has instructed Mr. Starnes to apply for these vouchers.

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Mr. Altimus reported on a Press Release received from Governor Jindal’s office regarding Capital Outlay funds for this year, advising that the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier could possibly receive a substantial amount of funding.

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Mr. Altimus advised that a CIC luncheon is scheduled on April 21<sup>st</sup> at Louisiana Downs, and encouraged jurors to attend.

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Mr. Altimus advised of a request from Bossier Parish Community College for assistance with the clearing of thorn trees on a small strip of property owned by the school. **Motion was made by Mr. Butler, seconded by Mr. Avery, to authorize parish crews to clear trees on a small strip of property owned by Bossier Parish Community College located next to the school. Motion carried unanimously.**

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Mr. Altimus advised that a Research Agreement has been received from Louisiana State University for the study of water quality of the Carrizo-Wilcox, Red River Alluvial and other aquifers in Bossier, Caddo and DeSoto Parishes. He stated that the police jury’s portion of funding for the study has been approved and is included in the 2010 police jury budget. Mr. Altimus advised that the original agreement provides that LSU will retain any unexpended funds in this project, and stated that it is requested that the agreement be amended to remove this wording and provide that any unexpended funds will be returned equally to each of the donor parishes for this project. **Motion was made by Mr. Plummer, seconded by Mr. Johnston, to authorize Ms. Wanda Bennett, President, to execute a Research Agreement with Louisiana State University for the study of water quality of the Carrizo-Wilcox, Red River Alluvial and other aquifers in Bossier, Caddo and DeSoto Parishes. Motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, that Wanda Bennett, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, a Research Agreement with Louisiana State University for the study of water quality of the Carrizo-Wilcox, Red River Alluvial and other aquifers in Bossier, Caddo and DeSoto Parishes.

The resolution was offered by Mr. Plummer, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford advised that several requests have been received from oil companies desiring to lease parish property for the exploration of oil and gas. He presented a map indicating three areas of the parish from which the police jury currently receives royalty payments, and advised that the parish owns approximately 600 to 700 acres that the police jury may have mineral rights on. Mr. Ford recommended that the parish contact oil companies to request any royalties due the police jury and to express the parish's interest in leasing its property. He further recommended that the staff begin researching this matter to determine what is needed in order to proceed with preparation of a demand letter to all applicable oil companies requesting immediate payment of any royalties due to Bossier Parish.

**Motion was made by Mr. Meachum, seconded by Mr. Plummer, to authorize the police jury staff to proceed with the research of oil and gas mineral leases in the parish and to authorize preparation of a demand letter to any applicable oil companies to request immediate payment of all royalties due Bossier Parish, and to advise of the police jury's desire to lease its property. Motion carried unanimously.**

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Mr. Ford reported that he has interviewed Mr. Nguyen Kha, P.E., for the position of Bossier Parish Assistant Engineer. He stated that Mr. Kha is familiar with Bossier Parish and will be a great asset to the engineering department. Mr. Altimus encouraged Mr. Ford to proceed with employment negotiations with Mr. Kha. Mr. Avery stated that he is in favor of hiring Mr. Kha for the position. Mr. Cummings requested that Mr. Ford explain to Mr. Kha, the police jury's employee salary schedule and step increase policy. The jury concurred.

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Mr. Ford reported that the purchase of a cold-planing machine for the highway department is being considered. He stated that this machine does milling work on a road, and the parish could then use the milling as needed. Mr. Ford stated that the cost of a cold-planing machine is approximately \$300,000 to \$325,000. **Motion was made by Mr. Butler, seconded by Mr. Benton, to authorize the advertising for bids for the purchase of a cold-planer machine for the highway department. Motion carried unanimously.**

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Mr. Ford reported on a meeting with the Corps of Engineers regarding the Red Chute Bayou Levee, and presented a profile of the levee indicating the authorized grade. He stated that the Corps will bring the levee back up to its pre-storm grade. Mr. Ford stated that additional meetings will be scheduled to further review the costs for the project.

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Mr. Ford reported that the diversion structure at the Sligo bridge worked well and flooding conditions had very little effect on Dogwood Subdivision. He stated that direct contribution from the diversion structure helped to maintain Red Chute and Flat River.

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Mr. Ford advised that the following projects will be advertised for bid, bids to be received on May 12, 2010:  
 Bay Hills Concrete Street Repair Project  
 Creekside Subdivision Concrete Street Repair Project  
 Forest Hills Subdivision Concrete Ditch Improvements Project  
 Dogwood Subdivision Concrete Street Repair Project  
 Koran Doyline Road Improvements Project  
 Lakewood Subdivision (Tealwood Drive) Storm Drain Pipe Project

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Mr. Ford presented an update on the Princeton Sports Complex and on the Parks Road Bridge. Mr. Altimus suggested contacting the Cypress Black Bayou Recreation and Water Conservation District regarding possible construction of a gravel parking lot and utilizing the old bridge for public fishing. Mr. Ford stated that he would contact Cypress Black Bayou Recreation District regarding this matter.

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Mr. Ford advised that the Town of Haughton has requested that highway department crews be authorized to assist them with cleaning out ditches in connection with drainage problems near the police department and city hall. **Motion was made by Mr. Meachum, seconded by Mr. Benton, to authorize the highway department to assist the Town of Haughton with cleaning out ditches in connection with drainage problems near the police department and city hall. Motion carried unanimously.**

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Mr. Ronnie Andrews, Public Works Director, presented an update on activities of the highway department and on several road projects in the parish.

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Ms. Bennett advised that the Cypress Black Bayou Recreation and Water Conservation District has requested that highway department crews be authorized to assist in the repair of a road located in the park, advising that they have offered to pay for the materials. **Motion was made by Mr. Altimus, seconded by Mr. Benton, to authorize parish crews to assist in the repair of a road located in the Cypress Park recreation area, with the Cypress Black Bayou Recreation and Water Conservation District paying the cost of the materials. Motion carried unanimously.**

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Mr. Avery reported that a concrete ditch in Bayou Bend Subdivision needs to be cleaned out, and requested that Mr. Andrews address this matter.

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Mr. Patrick Jackson, Parish Attorney, stated that he and Mr. Ford will meet with officials from Legacy Elementary School to discuss litter and other problems in that area. Mr. Jackson requested that Mr. Avery attend the meeting.

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**Motion was made by Mr. Johnston, seconded by Mr. Avery, to amend the agenda to adjourn into executive session to discuss a potential settlement of the Walton Construction litigation and to present a proposal from Walton Construction Company. Motion carried, with the following vote recorded:**

**AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Butler, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr.**

**Johnston, Mr. Meachum, Mr. Plummer.**

**NAYS: None**  
**ABSTAIN: None**  
**ABSENT: Mr. Hammack**

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The meeting was reconvened and called to order by the President. **Motion was made by Mr. Plummer, seconded by Mr. Cochran, to ratify the settlement agreement with Walton Construction Company in the litigation Cause No. 126,786 with the construction of the courthouse as it has been represented in the settlement agreement submitted into the record. Motion carried unanimously.**

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**Motion was made by Mr. Cochran, seconded by Mr. Altimus, to amend the agenda to add the adoption of a resolution authorizing the acquisition of property and/or institution of expropriation proceedings necessary for construction and completion of the Tall Timbers Drainage Improvements Project. Motion carried, with the following vote recorded:**

**AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Butler, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr. Johnston, Mr. Meachum, Mr. Plummer.**  
**NAYS: None**  
**ABSTAIN: None**  
**ABSENT: Mr. Hammack**

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**Motion was made by Mr. Benton, seconded by Mr. Altimus, to adopt a resolution authorizing the acquisition of property and/or institution of expropriation proceedings necessary for construction and completion of the Tall Timbers Drainage Improvements Project. Motion carried unanimously.**

**RESOLUTION**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY AND/OR INSTITUTION OF EXPROPRIATION PROCEEDINGS NECESSARY FOR CONSTRUCTION AND COMPLETION OF THE TALL TIMBERS DRAINAGE IMPROVEMENTS PROJECT**

**WHEREAS**, the Parish of Bossier will commence a project to, among other things, improve, widen and/or expand the drainage system and flood control in the Tall Timbers area, known as the Tall Timbers Lateral Improvements, Phase III, State Project No. 576-08-0001, Statewide Flood Control Project (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 floodway structure or in other areas, specifically including, but not limited to, parcels or tracts of land from the following property parcel/tracts:

PARCEL NO(S).	OWNER(S)	Description
62	Graham W. Rogers, Sr. (deceased) and Gayle Johnson Labor, subject to tax sale interest of James Anthony Celmer and Penrod Oil & Gas	Exhibit A
63	Graham W. Rogers, Sr. (deceased) and Gayle Johnson Labor, subject to tax sale interest of James Anthony Celmer and Penrod Oil & Gas	Exhibit B

**WHEREAS**, in the event that the offers of compensation for the purchase of the necessary additional parcels of property 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 Parish of Bossier; and

**WHEREAS**, the acquisition or taking of the property is necessary for the drainage improvements project and said project is in accordance with the best modern practices adopted in the interest of safety and convenience of the public.

**NOW, THEREFORE, BE IT RESOLVED** by the Police Jury of the Parish of Bossier, in regular session convened, that the 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, 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 authorized to execute any other document related to the Project and do any and all things necessary and properly 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 in conflict herewith are hereby repealed.

The resolution was offered by Mr. Benton, seconded by Mr. Altimus. Upon unanimous vote, it was duly adopted on this 7<sup>th</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

**Exhibit A**  
Legal Description  
Of Parcel 62

A Drainage Servitude located in Section 11, Township 18 North, Range 12 West, Bossier Parish, Louisiana, said tract also being a portion of Lot 62, Wafer Forest Subdivision, as recorded in Conveyance Book 450, Page 165 of the Records of Bossier Parish, Louisiana, and being more fully described as follows: BEGINNING at the southwest corner of said Lot 62 run thence along the common lot line of said Lot 62 and 63 of said Wafer Forest Subdivision North 00° 48' 54" East a distance of 115.98 feet; Thence leaving said common lot line run North 76° 40' 57" East a distance of 11.85 feet; Run thence South 78° 30' 01" East a distance of 29.07 feet; Run thence North 84° 43' 07" East a distance of 20.06 feet to a point on the common lot line of said Lot 62 and 61 of said Wafer Forest Subdivision; Run thence along said common lot line South 00° 48' 54" West a distance of 115.45 feet to the southeast corner of said Lot 62; Thence leaving said common lot line run along the southerly lot line of said Lot 62 North 89° 20' 06" West a distance of 60.00 feet to the POINT OF BEGINNING, containing 0.159 acres or 6947.673 square feet more or less.

**Exhibit B**  
Legal Description  
Of Parcel 63

A Drainage Servitude located in Section 11, Township 18 North, Range 12 West, Bossier Parish, Louisiana, said tract also being a portion of Lot 63, Wafer Forest Subdivision, as recorded in Conveyance Book 450, Page 165 of the Records of Bossier Parish, Louisiana, and being more fully described as follows: BEGINNING at the southeast corner of said Lot 63, said point also located on the northerly right of way line of Randy Lane; Run thence along said northerly right of way line North 89° 20' 06" West a distance of 27.19 feet to the point of curvature of a curve to the right (said curve having a radius of 30.00 feet and a chord bearing North 51° 50' 36" West a distance of 36.52 feet); Run thence along said northerly right of way and curve an arc length of 39.26 feet to a point on the easterly right of way line of Woodland Circle; Run thence along said easterly right of way line North 14° 21' 06" West a distance of 59.75 feet; Thence leaving said easterly right of way line run thence North 45° 38' 42" East a distance of 21.42 feet; Run thence North 64° 19' 24" East a distance of 30.58 feet; Run thence North 76° 40' 57" East a distance of 30.30 feet to a point on the common lot line of said Lot 63 and 62 of said Wafer Forest Subdivision; Run thence along said common lot line South 00° 48' 54" West a distance of 115.98 feet to the POINT OF BEGINNING, containing 0.148 acres or 6443.065 square feet more or less.

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 7<sup>th</sup> day of April, 2010, the meeting was adjourned by the President at 4:30 p.m.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY