

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
January 19, 2011
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The Bossier Parish Police Jury met in regular and legal session on the 19th day of January, 2011, 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 Mr. Mac Plummer and the pledge of allegiance was led by Mr. Winfred Johnston. 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.

Motion was made by Mr. Hammack, seconded by Mr. Plummer, to adopt the minutes of the December 1, 2010, regular meeting, the December 15, 2010, regular meeting as amended, and the December 15, 2010, Finance Committee meeting, all as published.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Avery, seconded by Mr. Butler, to amend the agenda to add Mr. Paul Fryer, Lazenby & Associates.

The President called for public comment. There being none, **votes were cast and the 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. Hammack, Mr. Johnston, Mr. Meachum, Mr. Plummer.

NAYS: None

ABSTAIN: None

ABSENT: None

Motion was made by Mr. Benton, seconded by Mr. Altimus, to amend the agenda to award the bid for new canopies and playground equipment at the Princeton Sports Complex Project No. 2010-286, in accordance with bids opened and read aloud at 2:00 p.m. on January 18, 2011.

The President called for public comment. There being none, **votes were cast and the 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. Hammack, Mr. Johnston, Mr. Meachum, Mr. Plummer.

NAYS: None

ABSTAIN: None

ABSENT: None

Motion was made by Mr. Hammack, seconded by Mr. Altimus, to amend the agenda to add discussion of an ongoing property standards violation at 535 Twin Point Drive, Benton, LA.

The President called for public comment. There being none, **votes were cast and the 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. Hammack, Mr. Johnston, Mr. Meachum, Mr. Plummer.

NAYS: None

ABSTAIN: None

ABSENT: None

Mr. Paul Fryer, Lazenby & Associates, presented an update on the North/South Corridor project. He stated that field work on the topographic survey should be complete by the end of January and advised that they are currently working in the Swan Lake/Crouch Road area. Mr. Fryer advised that preliminary plans are approximately ten percent complete, and that once those plans are complete, they will begin property survey work. He stated that final plans should be ready in early 2012 and they will proceed with right-of-way purchases.

The President called for the election of officers for the Bossier Parish Police Jury for the year 2011. **Motion was made by Mr. Cochran, seconded by Mr. Butler, to nominate Mr. Rick Avery as President of the Bossier Parish Police Jury for the year 2011.**

The President called for public comment. There being none and no further nominations, **votes were cast and Mr. Rick Avery was elected as President of the Bossier Parish Police Jury for the year 2011 by unanimous vote.**

Motion was made by Mr. Avery, seconded by Mr. Plummer, to nominate Mr. Brad Cummings as Vice President of the Bossier Parish Police Jury for the year 2011.

The President called for public comment. There being none and no further nominations, **votes were cast and Mr. Brad Cummings was elected as Vice President of the Bossier Parish Police Jury for the year 2011 by unanimous vote.**

Mr. Avery presented Ms. Bennett with a plaque of appreciation for her service as President for the year 2010.

Motion was made by Mr. Cochran, seconded by Mr. Butler, to appoint Mr. Bill Altimus as Parish Administrator for a one-year term.

The President called for public comment. There being none, **votes were cast and the motion carried, with Mr. Altimus abstaining from vote.**

Motion was made by Mr. Butler, seconded by Mr. Darby, to appoint Ms. Cindy Dodson as Parish Secretary for a one-year term.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Mr. Jackson stated that the Parish Secretary and Parish Treasurer are normally two-year appointments, but the law does not allow the jury to extend contracts of key employees past the jurors' term of office which will end in 2011.

Motion was made by Mr. Avery, seconded by Mr. Butler, to appoint Ms. Sheryl Thomas as Parish Treasurer for a one-year term.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Altimus, seconded by Mr. Cummings, to authorize the advertising for bids for one new paver for the Bossier Parish Highway Department.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Mr. Ford, Parish Engineer, recommended that the low bid of Daren Bailey, Inc., in the amount of \$99,452.00, be accepted for new canopies and playground equipment at the Princeton Sports Complex, Project No. 2010-286. **Motion was made by Mr. Benton, seconded by Mr. Butler, to award the bid for new canopies and playground equipment at the Princeton Sports Complex, Project No. 2010-286 to Daren Bailey, Inc., low bidder meeting bid specifications.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bids were received on January 18, 2011, and results are as follows:

Bidder:	Bid Amount:
Precision Builders	\$118,000.00
Douglas Construction & Remodeling, Inc.	\$142,925.00
ELA Group, Inc.	\$147,540.00
Integrity, Inc.	\$105,800.00
Daren Bailey, Inc.	\$ 99,452.00
Pace Contracting, LLC	\$101,000.00
LaDanCo, LLC	\$132,991.00
Whitlock & Shelton Construction, Inc.	\$123,000.00

Ms. Dodson announced the public hearing to hear public comments and consider adoption of the proposed parish noise ordinance.

Mr. Jerry Jones, CenterPoint Energy, expressed appreciation to the jury and parish staff for working with the industry to reach an amicable resolution to the noise ordinance. He stated that CenterPoint Energy has three main concerns at this time being noise impact rights, the grandfather clause, and where the noise is measured from. Mr. Jones advised that while the oil/gas industry appreciates the inclusion of the noise impact right as a concession for the industry, they feel it could create a higher expectation by adjacent landowners, making the acquisition of property more difficult.

Mr. Jones stated that the industry is also concerned with the provisions of the grandfather clause, advising that any generator already in place at the time of the effective date of the proposed noise ordinance is protected. He stated that if there is a significant change in the equipment, it is possible that the grandfather status will be lost and meeting the regulations of the new noise ordinance will be costly. Mr. Jones advised that the industry feels that if a generator is grandfathered in under the proposed noise ordinance, the owner should be allowed to continue operation of the compressor within the terms allowed by existing permits.

Mr. Jones stated that there is also concern regarding whether the noise will be measured from the property line or from the receptor. He requested that if the jury determines that the measurement of noise will be taken from the property line, an increase in the proposed decibel table be considered. Mr. Jones requested that the proposed decibel level be increased by five decibels for areas not considered noise sensitive areas.

Mr. Cummings expressed concern that if the proposed noise ordinance causes an increase in costs for industries, the increased costs will ultimately be passed down to the consumer.

Mr. Butler expressed concern that the proposed noise ordinance will affect future drilling in Bossier Parish.

Ms. Bennett referred to ongoing negotiations regarding the proposed noise ordinance, advising that it appears there is a stall on getting the regulations in place. She stated that she is concerned that the wording of the ordinance has become ambiguous and may not serve the parish or the industry well. Ms. Bennett recommended that the jury act on the matter today.

Mr. Jackson stated that the noise impact right is included in the ordinance to provide a bargaining tool for industry in Bossier Parish and does not benefit the parish in any way. He advised that the decibel table was created based on over 300,000 noise measurements taken in Bossier Parish by experts, and that the proposed ordinance allows the noise emitter the opportunity to conduct their own study to establish the ambient level or to use the table provided in the proposed noise ordinance.

Mr. Jackson stated that he has been advised that an increase of five decibels is substantial and advised that the tables are based on the monitoring done. Mr. Butler expressed objection to the decibel table, advising that it is among one of the most restrictive in the nation. He stated that the ordinance may put Bossier Parish at a competitive disadvantage as businesses

may decide to go elsewhere.

Ms. Jodee Bruyninckx, Louisiana Oil and Gas Association, stated that the industry continues to have concerns regarding the location of the noise measurement site, the grandfather clause provision, and maximum allowable decibel levels. She advised that Bossier Parish has based the proposed noise ordinance on the ordinances currently in place in Forth Worth, Texas, and Huntsville, Alabama, and stated that the households per square mile in Forth Worth is 721.4, the households per square mile in Huntsville is 423, and the households per square mile in Bossier Parish is 48. Ms. Bruyninchkx advised that when comparing these numbers, it appears more reasonable to use the measurement of noise in rural settings from the receptor and not the property line. She urged continued dialogue to ensure the adoption of responsible regulations for sustained economic growth.

Mr. Don Behrens, President of Behrens and Associates, stated that certain provisions of the proposed noise ordinance are very uncommon for rural areas. He advised that measuring from the property line in a rural setting will likely cause extreme hardship on industries working in Bossier Parish. Mr. Behrens suggested that land-use regulations be implemented parishwide in order to protect industries, as well as the residents within a rural setting, with the noise level being based on how a particular area is zoned.

Mr. John Satterfield, Director of Environmental and Regulatory Affairs for Chesapeake Energy, stated that Chesapeake currently has 33 oil/gas rigs operating in the Haynesville Shale and is currently the largest operator in the Haynesville Shale. He stated that Chesapeake Energy has an obligation to its shareholders and with what appears to be an uncertain environment right now; they will be looking more closely at where Chesapeake Energy will be drilling its oil/gas wells. Mr. Satterfield stated that the proposed noise ordinance, as written, will create substantial risks for an industry to continue drilling in this area.

Mr. Jackson stated that it is the intent of the police jury to not impose the new noise regulations until April 1, 2011. He clarified that the new regulations will not impact existing operations.

After further discussion, **motion was made by Ms. Bennett, seconded by Mr. Benton, to adopt an ordinance amending Chapter 46, Article II, of the Bossier Parish Code of Ordinances, to provide for the regulation of noise in Bossier Parish, and providing fines and penalties for violation thereof, said ordinance to become effective April 1, 2011.**

The President called for public comment. Mr. Cummings asked if a budget has been established to cover the costs of enforcing the proposed noise ordinance. He expressed concern as to whether this is a quality of life issue for the citizens of Bossier Parish, and questioned if the citizens are prepared for such regulations.

Mr. Johnston stated that while the citizens of Bossier Parish should be protected from the excessive noise, he does not feel that the ordinance should be adopted at this time.

Mr. Butler recommended that the sound level table in the proposed noise ordinance be increased by five decibels.

Mr. Charles Grubb, Attorney for the Caddo Parish Commission, stated that the adoption of an ordinance in Caddo Parish requires two separate approval processes, and that it is possible that the proposed noise ordinance may be presented to the Caddo Parish Commission for approval in February of 2011.

After further discussion, **votes were cast and the motion carried, with the following vote recorded:**
AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Cochran, Mr. Darby, Mr. Hammack, Mr. Plummer.
NAYS: Mr. Butler, Mr. Cummings, Mr. Johnston, Mr. Meachum
ABSTAIN: None
ABSENT: None

ORDINANCE NO. 4372

AN ORDINANCE AMENDING CHAPTER 46 OF THE BOSSIER PARISH CODE OF ORDINANCES BY ADDING ARTICLE III, SECTIONS 46-34 THROUGH 46-41, PROVIDING FOR THE REGULATION OF NOISE WITHIN THE UNINCORPORATED LIMITS OF THE PARISH OF BOSSIER; FINES AND PENALTIES FOR VIOLATION THEREOF; TO BE EFFECTIVE APRIL 1, 2011.

WHEREAS excessive sound is a serious hazard to the public health and welfare, safety, and the quality of life: and

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated but not eliminated;

WHEREAS through a cooperative endeavor with the Caddo Parish Commission, the governments hired experts; conducted exhaustive sound studies; held multiple public meetings and received input from the public; and,

WHEREAS the people have a right to and should be ensured an environment free from excessive sound that may jeopardize their health or welfare or safety or degrade the quality of life, and injury the property rights and values of the people and Parish; and

NOW, THEREFORE, it is the policy of the Parish of Bossier to prevent excessive sound which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

This ordinance shall apply to the control of all sound originating within the unincorporated limits of the Parish of Bossier and shall be effective April 1, 2011.

ARTICLE III. REGULATION OF NOISE WITHIN THE UNINCORPORATED LIMITS OF THE PARISH OF BOSSIER.

SECTION. 46-34: DEFINITIONS

A-weighted sound level—the sound pressure level in decibels as measured on a sound level meter using the A-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear. The level is designated dBA.

Ambient Sound—all encompassing sound associated with a given environment composing of sound sources near and far.

Background Sound—all encompassing sound associated with a given environment without contributions from the source(s) of interest. It combines long-term and short-term background sound.

Background Sound Level—the sound level defined by the long-term background sound level in an area which excludes the noise source of interest and short-term background noise.

C-weighted sound level—the sound pressure level in decibels as measured on a sound level meter using the C-weighting network which is more sensitive to low-frequency sounds than the A-weighting network. C-weighting is used to assess the low-frequency content of a complex sound environment. The level is designated dBC.

Construction—any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar property.

Daytime hours—the hours from 7:00 a.m. on one day and 10:00 p.m. the same day.

Designated Protected Receiver—a property that is not residential where the owner has applied for and obtained approval from the Parish to reduce the maximum permissible sound levels below those established for properties designated as other receiver. All such applications shall be acted upon by the Parish Administrator following a public hearing thereon and the sending of specific notice to the owners of all property located within five hundred feet of the proposed designated protected receiver.

Decibel (dB)—a unit for measuring the level of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

Demolition—any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Emergency—any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency Signaling Device—includes fire, burglar, civil defense alarm, siren, whistle, or similar device intended primarily for emergency purposes.

Emergency Work—any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Impulsive Sound—a sound of short duration, usually less than two seconds, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, hammering, and the discharge of firearms.

Lasting Activity—an activity that is associated with the intended long-term use of the property.

Long-term background sound—the background sound during a measurement period after removing the short-term background sound. It is considered to be approximately stationary during the measurement period and the sound sources captured can be described statistically over the measurement period.

Muffler or Sound Dissipative Device—a properly functioning system for abating the sound of escaping gasses on equipment where such a device is part of the normal configuration of the equipment.

Nighttime hours—the hours between 10:00 p.m. on one day and 7:00 a.m. the following day.

Noise—any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Noise Control Officer (NCO)—the department having lead responsibility for this ordinance.

Noise Impact Right—a property right agreement defining a permissible noise level impact by a noise generator upon a property which is attached to and transfers with ownership of the affected property.

Noise Sensitive Receiver—includes, but is not limited to, a property where a school, hospital, nursing home, church, court, public library, or similar institution is located.

Plainly Audible^[1]—any sound that can be detected by a person using his or her unaided hearing faculties.

Property line—with respect to single occupancy properties, the line along the ground surface and its vertical extension that separates the real property owned, leased, or occupied by one person or entity from that owned, leased, or occupied by another person or entity. With respect to shared occupancy properties the term shall mean the imaginary line that represents the legal limits of occupancy of any person or entity who owns, leases, or otherwise occupies an apartment, condominium, hotel or motel room, office, or any other type of occupancy from that of other occupants.

Pure Tone—any sound which can be distinctly heard as a single pitch or a set of single pitches.

Qualified Professional in Environmental Noise—an individual who has education or training in environmental noise measurement instruments and practices and has experience in the performance of environmental noise measurements. If necessary for the purposes of this ordinance, the individual must also have experience in the assessment and mitigation of environmental noise.

Receiving Property Type—the property designations identified in this ordinance for the purpose of determining the maximum permissible sound levels for a regulated receiver.

Receptor—an occupied structure or outdoor public space (e.g. park, playground, etc.) located on a regulated receiver property.

Regulated Receiver—any real property designated as a residential property, designated protected receiver, noise sensitive receiver, or other receiver.

Residential property—any real property developed and used for human habitation that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, unless such premises are actually occupied and used primarily for purposes other than human habitation.

Short-term background sound—consists of one or more infrequent sound events and is relatively loud compared to the long-term background sound. The time of occurrence of these events cannot be described statistically over the full measurement period—e.g. barking dog, accelerating vehicle, aircraft flyover, etc.

Significant Noise Generators (SNG)—those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in this ordinance.

Sound Level—the sound pressure level obtained by the use of a sound level meter. If a frequency-weighting network is used, such as A or C, then the level shall be indicated as dBA or dBC, respectively. If a frequency weighting is not used, then the un-weighted or flat level shall be indicated as dB(Flat). Frequency-weighted networks shall comply with the American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 (R2006)) or the latest approved revision thereof.

Sound Level Meter—an instrument which includes a microphone, amplifier, RMS detector, integrator or time averaging device, output meter, and weighting networks used to measure sound pressure levels. The instrument should meet requirements for a Type 1 or Type 2 sound level meter as specified in the American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 (R2006)), or the latest approved revision thereof.

Sound Pressure—the instantaneous difference between the actual pressure and the average or barometric pressure of a given point in space, as produced by sound energy.

Sound Pressure Level—20 times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals (20 micronewtons per square meter). The sound pressure level is denoted L_p or SPL and is expressed in decibels (dB).

Temporary Noise Event—an activity that generates noise which could impact a protected receiver and occurs over the course of up to 14 consecutive days. The use of the term “temporary” is relative to the acoustic tolerance of a noisy activity and does not speak to whether that activity is associated with the intended long-term use of the property.

Temporary Activity—an activity that is planned to occur for a pre-determined, finite length of time. Examples include but are not limited to construction, maintenance, and drilling of wells.

Utility—a business entity subject to government regulation that provides an essential commodity or service such as , but not limited to, water, electric, electric distribution, gas, gas distribution, gas transmission, and telephone.

Workover operation—a term used in the oil and gas industry meaning work performed in a well after its initial completion.

SECTION 46-35: Authority Having Jurisdiction (AHJ)

- A. The noise ordinance shall be enforced by a Noise Control Officer (NCO). The requirements to be an NCO are established as follows:
 - 1. An employee of the Parish who is trained to perform noise enforcement activities.
 - 2. An employee who has received noise enforcement training. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons in order to be considered a noise control officer.
- B. Powers—noise control officers shall have the power to:
 - 1. Coordinate the noise control activities of all departments in the Parish and cooperate with all other public bodies and agencies to the extent practicable;
 - 2. Review the actions of the Parish and advise of the effect, if any, of such actions on noise control;
 - 3. Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this ordinance;
 - 4. Issue permits and variances;
 - 5. Investigate and pursue possible violations of this ordinance for sound levels which equal or exceed the sound levels set forth in Section 46-37, when measured at a receiving property located within the designated jurisdiction of the noise control officer, in accordance with Section 46-39 below; and
 - 6. Cooperate with noise control officers of adjacent municipalities in enforcing one another’s noise ordinances.
 - 7. Determine if a complaint is frivolous, duplicitous, or vexatious.

SECTION 46-36: Applicability

- A. This ordinance applies to sound originating from or received at or within the property line of the following property types:
 - 1. Residential Property
 - 2. Designated Protected Receiver
 - 3. Noise Sensitive Receiver
 - 4. Other Receiver
- B. All significant noise generators permitted or initiated on or after the adoption date of this ordinance shall be subject to the regulations contained herein.
- C. A noise generator existing prior to the date of adoption of this ordinance is subject to the regulations contained herein if the actions of the noise generator constitute a new use. A significant increase in acoustic conditions at a regulated receiver constitutes a new use for the noise generator if the conditions are due to the following:
 - 1. Changes in the operation of the noise generator,
 - 2. Modifications to or addition of equipment,
 - 3. Changes to the physical layout of the noise generating property,
 - 4. Facility expansion, or
 - 5. Any action on the part of owner or operator that leads to an increase in sound level, or an increase in the frequency or number of occurrences of temporary noise events, at a regulated receiver.

A significant increase in acoustic conditions at a regulated receiver includes an increase in sound level by more than 5 dBA or an increase to the applicable levels in Table 1, whichever is greater, or an increase in frequency (or number) of occurrences.
- D. For a change in designation of a receiving property type that decreases the maximum permissible sound levels at a property, the regulated levels corresponding to the new designation shall only apply to noise generators beginning operation, or which constitute new uses for existing noise generators, on or after the date of approval of the new designation. Existing noise sources associated with lasting activities at the time of the change in property type designation shall be treated as part of the background sound at the receiving property.
- E. All noise sources in existence prior to February 1, 2011 shall continue to be regulated by ordinances in effect prior to the effective date of this ordinance.

SECTION 46-37: Maximum Permissible Sound Levels⁽ⁱⁱⁱ⁾

- A. No person or entity shall cause, allow, or permit the operation of any source of sound which creates a sound level that exceeds the background sound level by more than 5 dBA or the

applicable levels in Table 1 at a regulated receiver, whichever is greater, when measured in accordance with Section 46-39. For compliance purposes, if the background sound level cannot be determined in accordance with Section 46-39, the levels listed in Table 1 relative to the receiving property type shall be used. For planning and permitting purposes, a noise survey is required to determine the background sound level at the nearest or most impacted property, and the survey must be conducted in accordance with Section 46-39. Once a noise survey has been reviewed and approved by the AHJ, the established background sound level will apply to all properties considered by the noise survey until another noise survey is approved by the AHJ. The sound level shall be measured at or within the receiving property line in accordance with Section 46-39.

Table 1: Maximum permissible A-weighted sound levels (dBA) listed by receiving property type and time of day.

Outdoor						
Receiving Property Type:	Noise Sensitive Receiver		Residential or Designated Protected Receiver		Other Receiver	
	7AM-10PM	10PM-7AM	7AM-10PM	10PM-7AM	7AM-10PM	10PM-7AM
Maximum permissible A-weighted sound level, dBA*	45	40	50	45	60	60

*maximum permissible levels are subject to Sections 46-37.B, 46-37.C, 46-37.D, and 46-37.E.

- B. A temporary noise allowance can be applied to the levels determined in Section 46-37.A. This allowance accounts for a receiver’s added tolerance for known temporary noise events due to temporary activities of up to 14 days. The allowance requires that the party responsible for the noise source inform the potentially impacted recipients of the duration and nature of the noise. A temporary noise allowance can occur only once every 90 days for whatever duration of that activity consistent with the following:
 - 1. For noise events lasting one day or less, a 15 dB increase in maximum permissible A-weighted sound level is permissible.
 - 2. For noise events lasting up to 14 consecutive days, a 10 dB increase in A-weighted sound level is permissible.
 - 3. For any noise events lasting longer than 14 days, the noise associated with that temporary activity is not considered a temporary noise event.
- C. Low frequency noise limit:
 - 1. No person or entity shall cause, allow, or permit the operation of any source of sound which creates low-frequency outdoor sound levels in the 31.5 and 63 Hz octave bands that exceed 65 dB(Flat) or exceeds the background sound levels in the 31.5 and 63 Hz octave bands by more than 5 dB(Flat), whichever is greater.
- D. Impulsive noise limit:
 - 1. No person or entity shall cause, allow, or permit the operation of any source of sound which creates impulse sound levels that exceed the background sound level by 15 dBA at or within the receiving property line in accordance with the impulsive measurement requirements of Section 46-39.
- E. Tones:
 - 1. No person or entity shall cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third (1/3) octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB(Flat)) values as follows:
 - a) 5 dB for center frequencies of 500 Hertz and above,
 - b) 8 dB for center frequencies between 160 and 400 Hertz, and
 - c) 15 dB for center frequencies less than or equal to 125 Hertz.

SECTION 46-38: Exemptions and Restricted Uses

The following standards shall apply to the associated activities or sound sources below:

- A. Emergency signaling devices are exempt from Section 46-37 in the case of an emergency and the following cases:
 - 1. Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five (5) minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
 - 2. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within fifteen (15) minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this section.
 - 3. Testing of an emergency signaling device in accordance with state and federal regulations.
- B. Nonemergency signaling devices operated by houses of religious worship, ice cream trucks, seasonal contribution solicitors, or by governmental entities for traffic control purposes are exempt from the operation of this provision.
- C. Operation and testing of emergency equipment and safety protection systems (for example, relief valves) are exempt from Section 46-37.
- D. Accidents and emergency responses to accidents which pose a clear and immediate danger to life,

- health, or significant loss of property are exempt from Section 46-37.
- E. Motor vehicles and motorcycles on traffic ways of the parish are exempt from Section 46-37 provided that:
1. Vehicle horns, signaling devices, and similar devices are sounded for less than five (5) consecutive seconds or are sounded as a danger warning.
 2. Adequate Mufflers or Sound Dissipative Devices are properly installed such that:
 - a) No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation.
 - b) No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.
- F. No person shall repair, rebuild, modify, or test any motor vehicle, motorcycle, or motorboat in such a manner as to exceed the limits set forth in Section 46-37.
- G. Motor sports parks and recreational vehicles:
1. Except as permitted in the following subsection (2), no person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted there from exceeds the limits set forth in Section 46-37 at or across the property line when operated on private property. This ordinance shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or non-commercial racing vehicles, motorcycles, go-carts, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats.
 2. Permits for vehicle racing events may be obtained from the AHJ after submission of a noise management plan as required.
- H. Airport and Aircraft Operations:
1. The AHJ shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise disturbance which the airport owner may have authority to control in its capacity as proprietor.
 2. Nothing in this ordinance shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft which are in all respects, conducted in accordance with, or pursuant to applicable Federal Laws or regulations.
- I. Any public performance, gathering or parade for which a permit has been obtained from the parish is exempt from Section 46-37.
- J. Outdoor school and playground activities are exempt from Section 46-37. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.
- K. Power Tools:
1. Commercial and industrial use of power tools and landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on or within 250 feet of a regulated receiver between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Section 46-37. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Section 46-37 do not apply.
 2. Non-commercial or non-industrial use of power tools and landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Section 46-37. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Section 46-37 do not apply.
- L. Construction and demolition activity, excluding emergency work, shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Section 46-37. All motorized equipment used in construction and demolition activity shall be operated with a muffler. At all other times, the limits set forth in Section 46-37 do not apply to construction and demolition activities.
- M. Repairs or excavations of bridges, streets or highways by or on behalf of the Parish, State of Louisiana, or the federal government, are exempt from limits set forth in Section 46-37 between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders its impractical to perform the work between 7:00 a.m. and 7:00 p.m.
- N. Any government or utility construction or maintenance activities are exempt from Section 46-37.
- O. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at a residential property line between the hours of 10:00 p.m. and 8:00 a.m.
- P. Personal vehicular music amplification equipment shall not be operated in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator.
- Q. Self-contained, portable, hand-held music or sound amplification or reproduction equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator.
- R. Significant Noise Generators (SNG) shall submit a Noise Management Plan (NMP) for approval by

the Parish. Significant noise generators are those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in Section 46-37, and may include but are not limited to oil and gas industry sites (e.g. wells heads, compressor stations, refineries, etc.), motor sports parks, machine shops, industrial plants, etc.

1. No SNG shall create any noise that exceeds the limits set forth in Section 46-37 subject to applicable exemptions in Section 46-38.
 2. Prior to the issuance of a SNG permit and the commencement of operations, the operator shall submit a noise management plan (NMP), approved by the AHJ, detailing how the equipment, structures, site plan, and proposed activities on site complies with the maximum permissible sound levels of this ordinance. Refer to the Parish's Noise Management Plan guidance document for specific information. At a minimum, the noise management plan must:
 - a) Identify operation noise impacts;
 - b) Provide documentation establishing the background sound level prior to construction. A noise survey must be conducted in accordance with Section 46-39 for the nearest or most impacted property. Once a noise survey has been reviewed and approved by the AHJ, the established background sound level will apply to all future development until another noise survey is approved by the AHJ.; and
 - c) Detail how the impacts will be mitigated. In determining noise mitigation, specific site characteristics shall be considered, including but not limited to the following:
 - (1) Location and acoustic characteristics of all noise sources that have the potential to exceed the limits set forth in Section 46-37;
 - (2) Nature and proximity of all adjacent development, location, and type;
 - (3) Seasonal and prevailing weather patterns, including wind directions;
 - (4) Vegetative cover on or adjacent to the site; and
 - (5) Topography.
 3. The operator shall be responsible for verifying compliance with this ordinance and the noise management plan after the installation of the noise generation equipment.
 4. The sound level meter used in conducting noise evaluations shall be in accordance with Section 46-39.
 5. Noise mitigation equipment, structures, products, and materials or other alternate methods as approved by the AHJ may be used to ensure compliance.
 6. The AHJ may require continuous monitoring for up to 72 hours, or for such duration as the SNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this ordinance when the SNG is in within 1,000 feet of a regulated receiver. In the event of complaints, additional measurements may be required upon notification to proceed by the AHJ. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 15 minutes, unless the duration or duty cycle of the sound source under observation is less than 15 minutes. The cost of such monitoring shall be borne by the operator of the SNG.
 7. If a complaint is received by either the operator or the Parish from any regulated receiver, the operator shall, within twenty-four (24) hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor for up to seventy-two (72) hour period the exterior sound level generated to ensure compliance. At the request of the AHJ, the operator shall monitor the exterior sound level at the source of the complaint. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 15 minutes, unless the duration or duty cycle of the sound source under observation is less than 15 minutes. The cost of such monitoring shall be borne by the operator of the SNG.
 8. A citation may be immediately issued for a clear violation of the provisions of this ordinance. However, if the operator of the SNG is in compliance with the approved noise management plan, and a violation still occurs, the operator will be given twenty-four (24) hours from notice of non-compliance to correct the violation from an identified source before a citation is issued. Additional extensions of the twenty-four (24) hour period may be granted in the event that the source of the violation cannot be identified after reasonable diligence by the operator or if the mitigation efforts require additional time for investigation and implementation.
- S. Oil and Gas Wells—in addition to the requirements listed for Significant Noise Generators in Section 46-38.
1. All workover operations shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless the operator demonstrates through a NMP that such activities can meet the limits set forth in Section 46-37. Heavy vehicles associated with workover operations may not operate in residential areas between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays.
 2. The exterior sound level generated by the drilling, re-drilling or other operations of all gas wells located within one thousand (1,000) feet of a regulated receiver shall be continuously monitored for up to 72 hours, or for such duration as the SNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this ordinance. The cost of such monitoring shall be borne by the

operator. If a complaint is received by either the operator or the Parish from any regulated receiver, the operator shall, within twenty-four (24) hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor for up to seventy-two (72) hour period the exterior sound level generated by the drilling, re-drilling or other operations to ensure compliance. At the request of the AHJ, the operator shall monitor the exterior sound level at the source of the complaint. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 15 minutes, unless the duration or duty cycle of the sound source under observation is less than 15 minutes. The cost of such monitoring shall be borne by the operator of the SNG.

T. Loudspeakers/Public Address Systems

1. No person or entity shall cause, allow, or permit for any purpose any loudspeaker, public address system, or similar device that produces, reproduces, or amplifies sound, such that the sound therefrom exceeds the levels stated in Section 46-37 relative to the receiving property type without first obtaining a permit to do so. The permit shall be granted only for the amplification of music or human speech, or both. The permit:
 - a) May be obtained by making application to the Parish.
 - b) Requires payment of a \$10.00 fee for the administrative costs of issuing the permit or a sworn statement of inability to pay the fee.
 - c) Is valid for one 14 hour period between the hours of 8:00 a.m. and 10:00 p.m.
 - d) Shall not be issued to the same or any other person or entity for the same location more than twice during any 30 day period. In the case of a sound truck, location shall relate to the area traversed by the truck in one day.
 - e) Shall not authorize, allow, or otherwise permit the production, reproduction, or amplification of sound that exceeds 65 dBA when measured from the property line of the nearest receiving property.
 - f) Requires an application containing the following information:
 - (1) The date of the application and the date and hours for which the permit is requested.
 - (2) The name and address of the applicant.
 - (3) The name and address of the person who will have charge of the sound amplifying equipment.
 - (4) The purpose for which the sound equipment will be used.
 - (5) The address and a description of the location where the sound equipment will be used.
 - (6) A description of the type of sound amplifying equipment to be used.

U. Legal discharge of firearms

V. The owner of a regulated receiver property may grant a noise impact right to a noise generator for a defined noise impact. This noise impact right must, at a minimum, specify the maximum permissible sound levels for the receiver property due to the specific noise generator. The agreement must be officially recorded and transferrable with the deed or other document transferring with ownership of the impacted property. A copy of the agreement establishing the noise impact right shall be submitted to the Parish by the noise generator in a noise management plan. Upon acceptance of the agreement by both parties, the noise generator is subject to the terms of the agreement and is protected from the levels identified in Section 46-37 for the receiving property in question.

W. Permits for Variance

1. Any person who owns or operates any noise source may apply to the Parish for a variance from one or more of the provisions of this ordinance.
2. Applications for a permit of variance shall supply information including, but not limited to:
 - a) The nature and location of the noise source for which such application is made.
 - b) The reason for which the permit of variance is requested.
 - c) The level of noise at the nearest or most impacted receiver that will occur during the period of the variance.
 - d) The section or sections of this ordinance for which the permit of variance shall apply.
 - e) A description of interim noise control measures to be taken for the applicant to minimize noise and the impacts occurring therefrom.
 - f) A specific schedule of the noise control measures that shall be taken to bring the source into compliance with this article within a reasonable time should the source continue after the variance period.
3. Applicants must bear the cost of a third-party review of their application by a qualified professional in environmental noise; the recommendation of the third-party review will be advisory to the Parish authority.
4. No variance shall be approved unless the applicant presents adequate proof that:
 - a) Sound levels occurring during the period of the variance will not constitute a danger to public health.
 - b) Compliance with the article would impose an unreasonable hardship on the applicant without equal or greater benefits to the public.
5. In making the determination of granting a variance, the AHJ shall consider the following factors:
 - a) The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property that is caused or threatened to be caused.

- b) The social and economic value of the activity for which the variance is sought.
- c) The ability of the applicant to apply the best practical noise control measures.
- 6. If approved for a variance, the party responsible for the noise source must inform the potentially impacted recipients of the duration and nature of the noise.
- 7. If approved for a variance, the AHJ shall determine the duration of the permit.
- 8. A copy of the permit of variance must be kept on file by the Parish.
- 9. Failure to supply the information required by the AHJ shall be cause for rejection of the application.
- 10. In the event a permit for variance shall be denied, the aggrieved applicant shall have the right to a hearing before the Parish Administrator or its designee, provided that the request for such hearing is made to the AHJ within five (5) days after receipt of the notice.

SECTION 46-39: Procedures for Measuring Noise

- A. Testing shall be conducted in accordance with methods set forth hereinafter, and expanded in greater detail in the parish's Noise Measurement Procedures Guidance document. Alternative methods, procedures, or instruments may be used subject to approval and conditions prescribed by the AHJ. The AHJ may itself employ such alternatives when warranted by test conditions or other circumstances.
Acceptable measurement methods:
- B. Measurements shall be conducted by the NCO or other qualified professional in environmental noise in accordance with methods set forth hereinafter.
- C. Operating conditions of the noise source during the measurement will vary based on the noise source of interest. Insofar as practicable, measurements shall be conducted under representative conditions to those that initiated the investigation. Relevant operational conditions may include but are not limited to typical, design, maximum, and fluctuating conditions.
- D. If short-term background sounds increase the monitored sound levels, the measurements should be postponed until these extraneous sounds do not increase the monitored sound levels of interest or these periods of noise should be removed during post-processing of the measurement data.
- E. General requirements—the investigator shall, to the extent practicable, conduct all measurements in accordance with the following procedures and report related information:
 - 1. Identify all measurement equipment by manufacturer, model number, and serial number.
 - 2. Report the date, day of week, and time of day.
 - 3. Identify all sources contributing sound to the point of measurement—characterize and localize sound sources.
 - 4. Conduct measurements at or within the property line of any affected person or entity. Report the distance and direction to the noise source in question.
 - a) For noise due to temporary activities, measurements shall be conducted at least 10 feet from the receptor on the side of the receptor where the sound levels are most representative of the noise source in question.
 - b) For noise due to lasting activities, measurements shall be conducted at or within the property line as appropriate for the noise source in question.
 - 5. The measurement session should consist of three individual measurement periods. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 5 minutes, unless the duration or duty cycle of the sound source under observation is less than 5 minutes.
 - 6. Background sound level measurements intended for the purpose of planning or permitting shall be conducted for a minimum measurement period of 3 consecutive days (72 consecutive hours) and include at least 24 hours during either Saturday or Sunday. Measurements must be processed to eliminate the contributions of short-term background sounds as identified in Section 46-39.
 - 7. Calibrate the measuring device before and after each series of readings. Report calibration results.
 - 8. Report environmental conditions during measurements including wind speed and direction.
 - 9. Describe relevant source operational condition(s).
 - 10. Outdoor sound measurements made under the following conditions shall not be used to determine compliance:
 - a) Measurements without a wind screen properly attached to the measuring device.
 - b) Measurements when the wind speed exceeds 11 miles per hour (including gusts).
 - c) Measurements under any condition which allows the measuring device to become wet, such as rain, snow, or condensation.
 - d) When the ambient temperature is below 14 degrees F (-10 degrees C) or above 122 degrees F (50 degrees C).
 - 11. Background sound level measurement values to be reported:
 - a) For the purpose of compliance, report the A-weighted, time-interval equivalent 15 minute sound pressure level, $L_{Aeq15min}$, measured in accordance with Section 46-39.
 - b) For the purpose of planning or permitting, report the A-weighted, time-interval equivalent 3 day sound pressure level, $L_{Aeq3days}$, after the measurements have been processed for removal of short-term background sounds and measured in accordance with Section 46-39.
- F. Measurement Instrumentation
 - 1. The sound level meter must be able to measure the continuous energy equivalent sound level of steady, intermittent, and fluctuating sources. Any instrument used for sound pressure level measurement must be able to measure A-weighted sound pressure levels with a slow,

exponential time-averaging setting and meet requirements for a Type 1 sound level meter as specified in the American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 (R2006)), or the latest approved revision thereof.

2. To investigate impulsive noise limits, the sound level meter must be able to measure A-weighted sound pressure levels with a fast, exponential time-averaging setting.
3. To investigate the presence of tonal components, the sound level meter must be able to measure 1/3 octave band sound pressure levels. The meter must meet the minimum technical specification in the American National Standards Institute (ANSI) publication S1.11-2004 or latest revision for Class 2 filter sets.
4. The calibrator must meet the requirements for ANSI S1.40-2006 or latest revision.
5. The sound level meter must be recalibrated at least every two years and the field calibrator must be recalibrated at least once per year by the manufacturer or by a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology. A copy of written documentation of such recalibration, in a form approved by the parish, shall be kept with the equipment to which it refers.

SECTION 46-40: Enforcement

- A. Any person or entity that clearly violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than \$500.00 or a term of imprisonment of 30 days. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense. Further, the Parish may enforce this ordinance through all civil remedies available, including, but not limited to, injunctive relief.
- B. No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

SECTION 46-41: Severability and Abrogation

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- B. All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

The ordinance was offered by Ms. Bennett, seconded by Mr. Benton. Upon unanimous vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

^[i] “Plainly Audible” is a standard used in multiple United States jurisdictions. (See *State v. Ewing*, 81 Hawai’i 156, 914 P.2d 549 (App. 1996)) The standard has been held as neither vague nor overbroad and provides a clear understanding to those it regulates.

^[ii] Maximum Permissible Sound Level

The predetermined levels are defined by the receiving property type. The levels in Table 1 are based on the World Health Organization’s *Guidelines for Community Noise* (1999) in conjunction with analysis of onsite measurements conducted throughout the parish.

Ms. Dodson announced the public hearing to approve the application of Rosedale Investments, LLC, to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located in Sections 32 and 33, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential Agriculture District, to R-LD, PUD, Residential Low Density District, Planned Unit Development, for an extension to Rosedale Subdivision. The application received a favorable recommendation from the Bossier City-Parish MPC.

Mr. Reggie Lewis, Raley & Associates, stated that the zoning amendment is being requested for the proposed development of Rosedale Place Subdivision, Unit 12, advising that the proposed unit will follow the original masterplan approved for Rosedale Place in 2001. Mr. Raley stated that the new unit will come under the original homeowners association.

Mr. Ford, Parish Engineer, requested a copy of the covenants for the proposed Unit 12. He stated that perimeter fencing is requested by the HOA and will be allowed.

There being no opposition, **motion was made by Mr. Benton, seconded by Mr. Butler, to approve the application of Rosedale Investments, LLC, to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a tract of land located in Sections 32 and 33, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential Agriculture District, to R-LD, PUD, Residential Low Density District, Planned Unit Development, for an extension to Rosedale Place Subdivision, subject to review and approval by the Parish Attorney.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4373

AN ORDINANCE TO AMEND BOSSIER PARISH ORDINANCE NO. 3908 OF 2003, WHICH ADOPTED A UNIFIED DEVELOPMENT CODE FOR THE BOSSIER CITY-PARISH METROPOLITAN PLANNING COMMISSION AND THE PARISH OF BOSSIER, LOUISIANA, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED IN SECTIONS 32 AND 33, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LA, FROM R-A, RESIDENTIAL AGRICULTURE DISTRICT, TO R-LD, PUD, RESIDENTIAL LOW DENSITY DISTRICT, PLANNED UNIT DEVELOPMENT, FOR AN EXTENSION TO ROSEDALE PLACE SUBDIVISION.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 19th day of January, 2011, that Ordinance No. 3908 of 2003 (Unified Development Code) of the Police Jury of Bossier Parish, is hereby amended to change the zoning classification of a tract of land located in Sections 32 and 33, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential Agriculture District, to R-LD, PUD, Residential Low Density District, Planned Unit Development, for an extension to Rosedale Place Subdivision, being more particularly described as follows:

3 tracts of land; **Tract A** being described as follows: A tract of land being a portion of Lots 4 and 5 of Big Bee Bend Plantation as recorded in Book 36, page 150 of the records of Bossier Parish, Louisiana, and being located in Section 33 of T19N-R13W, Bossier Parish, Louisiana. Said tract being more fully described as follows: Beginning at the northeast corner of Lot 237, Rosedale Place, Unit 9, as recorded in Book 1364, page 18, of the records of Bossier Parish, Louisiana, run thence south 89° 37' 40" west along the north line of said Unit 9, a distance of 369.47 feet to the northwest corner of Lot 232 of said Unit 9; Thence run south 00° 22' 20" east along the west line of said Lot 232 a distance of 55.00 feet the northeast corner of Lot 171, Rosedale Place, Unit 6, as recorded in Book 1207, pages 275-277, of the records of Bossier Parish, Louisiana; Thence run south 89° 37' 40" west along the north line of said Unit 6, and Rosedale Place, Unit 5, as recorded in Book 1207, pages 208-211, of the records of Bossier Parish, Louisiana, a distance of 657.48 feet to the east line of Rosedale Place, Unit 2, as recorded in Book 808, page 813, of the records of Bossier Parish, Louisiana; Thence run along the east lines of said Unit 2, and Rosedale Place, Unit 3, as recorded in Book 1207, page 43 and Rosedale Place, Unit 4, as recorded in Book 1207, page 165, all of the records of Bossier Parish, Louisiana, the following five calls: north 00° 22' 20" west a distance of 253.95 feet, north 04° 56' 42" east a distance of 31.78 feet, north 19° 25' 09" east a distance of 47.52 feet, north 29° 59' 32" east a distance of 47.51 feet, north 44° 10' 59" east a distance of 124.25 feet; thence run north 44° 10' 59" east a distance of 6.84 feet, thence run south 45° 49' 01" east a distance of 178.90 feet; thence run north 44° 10' 59" east a distance of 37.29 feet, thence run south 45° 49' 01" east a distance of 50.00 feet, thence run north 44° 10' 59" east a distance of 7.50 feet, thence run south 45° 49' 01" east a distance of 120.00 feet, thence run north 44° 10' 59" east a distance of 152.39 feet, thence run north 38° 53' 56" east a distance of 267.03 feet, thence run north 55° 24' 08" east a distance of 47.11 feet, thence run north 72° 31' 12" east a distance of 116.33 feet, thence run north 84° 31' 52" east a distance of 43.56 feet, thence run south 76° 31' 08" east a distance of 59.46 feet, thence run south 82° 27' 59" east a distance of 83.42 feet; thence run south 00° 34' 49" east a distance of 550.83 feet to the point of beginning, said tract containing 10.29 acres. **Tract B** being described as follows: A tract of land being a portion of Lots 4 and 5 of Big Bee Bend Plantation as recorded in Book 36, page 150 of the records of Bossier Parish, Louisiana and an adjacent tract of land, all being located in Sections 33 and 34 of T19N-R13W, Bossier Parish, Louisiana. Said tract being more fully described as follows: Beginning at the southeast corner of Lot 246, Rosedale Place, Unit 9, as recorded in Book 1364, page 18, of the records of Bossier Parish, Louisiana, run thence along the east line of said Unit 9 the following three calls: north 00° 00' 30" east a distance of 102.59 feet, north 00° 19' 55" east a distance of 303.73 feet, north 00° 42' 54" west a distance of 99.05 feet, thence continue north 00° 42' 54" west a distance of 193.21 feet, thence run north 00° 37' 01" west a distance of 233.28 feet, thence run south 61° 45' 10" east a distance of 576.12 feet, thence run north 42° 37' 21" east a distance of 63.37 feet, thence run south 47° 22' 39" east a distance of 120.00 feet, thence run north 42° 37' 21" east a distance of 150.89 feet, thence run along a curve to the left a distance of 40.63 feet said curve having a radius of 975.00 feet and a chord of north 41° 25' 44" east 40.62 feet, thence run north 40° 14' 06" east a distance of 103.95 feet to the south high bank of a ditch, thence run south 61° 09' 48" east along the south high bank of a ditch a distance of 183.62 feet to the north right of way line of Wemple Road, thence run along the north right of way line of Wemple Road the following three calls: south 40° 14' 06" west a distance of 164.30 feet, south 42° 37' 21" west a distance of 828.48 feet, south 41° 59' 06" west a distance of 247.34 feet, thence run north 48° 00' 54" west with the most easterly line of Rosedale Place, Unit 8, as recorded in Book 1207, pages 450-452, of the records of Bossier Parish, Louisiana, a distance of 180.00 feet to the north right of way line of Creole Drive, thence

run south 41° 59' 06" west along the north right of way line of Creole Drive a distance of 7.48 feet to the southeast corner of Lot 200 of said Unit 8, thence run north 00° 00' 30" east along the east line of Lot 200 a distance of 47.38 feet to the northeast corner of Lot 200, thence run south 89° 37' 40" west along the north line of Lot 200 a distance of 20.00 feet to the point of beginning, said tract containing 12.15 acres. **AND, Tract C** being described as follows: A tract of land being a portion of Lots 3, 4 and 5 of Big Bee Bend Plantation as recorded in Book 36, Page 150 of the records of Bossier Parish, Louisiana and an adjacent tract of land, all being located in Sections 33 and 34, T19N-R13W, Bossier Parish, Louisiana, said tract being more fully described as follows: Beginning at the northwest corner of Lot 172, Rosedale Place, Unit 7, as recorded in Book 1207, Page 358 of the Records of Bossier Parish, Louisiana, run thence north 00° 22' 20" west along the east boundary of Lots 169 through 171 of Rosedale Place, Unit 6 as recorded in Book 1207, Pages 275 – 277, a distance of 290.00 feet; thence run north 89° 37' 40" east a distance of 369.47 feet; thence run north 00° 34' 49" west a distance of 664.67 feet; thence run north 75° 32' 47" west a distance of 20.60 feet; thence run north 14° 27' 13" east a distance of 275.00 feet; thence run south 75° 32' 47" east a distance of 225.47 feet; thence run south 72° 27' 12" east a distance of 51.72 feet; thence run south 17° 32' 48" west a distance of 105.00 feet; thence run south 00° 15' 38" west a distance of 149.10 feet; thence run south 00° 37' 01" east a distance of 409.63 feet; thence run south 00° 42' 54" east a distance of 292.26 feet; thence run south 00° 19' 55" west a distance of 303.73 feet; thence run south 00° 00' 30" west a distance of 102.59 feet to the north boundary of Lot 200, Rosedale Place, Unit 8, as recorded in Book 1207, Pages 450 – 452; thence run south 89° 37' 40" west along the north boundary of Lot 200, a distance of 154.82 feet to the west right of way line of Quincy Drive; thence run south 00° 22' 20" east along the west right of way line of Quincy Dr., a distance of 5.99 feet; thence run along a curve to the left along the west right of way line of Quincy Drive, a distance of 105.47 feet said curve having a radius of 191.94 feet and a chord of south 16° 06' 48" east 104.15 feet to the northeast corner of Lot 201, Rosedale Pl., Unit 8; thence run south 58° 08' 44" west along the north boundary of Lots 201 and 202, Rosedale Place, Unit 8, a distance of 173.84 feet; thence run north 00° 22' 20" west along the east boundary of Lots 207, 178 – 175, Rosedale Place, Unit 7, a distance of 402.01 feet, to the northeast corner of Lot 175; thence run south 89° 37' 40" west along the north boundary of Lots 175 – 172, Rosedale Place, Unit 7, a distance of 375.00 feet to the point of beginning. **Less and Except**, Lots 219 – 246, Rosedale Place, Unit 9, a subdivision of Bossier Parish, Louisiana, as per plat thereof recorded as Instrument No. 870074 of the Conveyance records of Bossier Parish, Louisiana. **And Further Less and Except**, Lots 247-261, Rosedale Place, Unit 10, a subdivision of Bossier Parish, Louisiana, as per plat thereof recorded a Instrument No. 934808 of the Conveyance records of Bossier Parish, Louisiana.

Applicant: Rosedale Investments, LLC

Purpose: Extension to Rosedale Place Subdivision

The ordinance was offered by Mr. Benton, seconded by Mr. Butler. Upon unanimous vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Rosedale Place, Unit No. 12, being a replat of Lot 265, Rosedale Place, Unit No. 11, located in Section 34, Township 19 North, Range 13 West, Bossier Parish, LA, and being a Planned Unit Development.

Mr. Ford stated that the proposed subdivision consists of 18 lots, and is a continuation of the existing subdivision.

There being no opposition, **motion was made by Mr. Benton, seconded by Mr. Johnston, to approve the plat of the proposed development of Rosedale Place, Unit No. 12, being a replat of Lot 265, Rosedale Place, Unit No. 11, located in Section 34, Township 19 North, Range 13 West, Bossier Parish, LA, and being a Planned Unit Development, as presented.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Gray Duck North, Unit No. 3, located in Section 5, Township 18 North, Range 11 West, Bossier Parish, LA.

Ms. Michan Holbrook, Coyle Engineering Co., Inc., stated that the proposed subdivision consists of 20 lots, and is a continuation of the existing subdivision.

There being no opposition, **motion was made by Mr. Benton, seconded by Mr. Johnston, to approve the plat of the proposed development of Gray Duck North, Unit No. 3, located in Section 5, Township 18 North, Range 11 West, Bossier Parish, LA, as presented.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Mr. Richard Gunter, Property Standards Officer, presented current photographs of property located at 235 Hedge Drive, Benton, LA, and advised that there has been no change in the condition of this property since December 1, 2010. Mr. Gunter recommended that the property be condemned.

Motion was made by Ms. Bennett, seconded by Mr. Cochran, to proceed with the condemnation of property at 235 Hedge Drive, Benton, LA, in accordance with property standards regulations.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Mr. Richard Gunter, Property Standards Officer, presented current photographs of property located at 1877 Highway 162, Benton, LA, and advised that there has been no change in the condition of this property and recommended that the property be condemned.

Motion was made by Mr. Johnston, seconded by Mr. Hammack, to proceed with the condemnation of property at 1877 Highway 162, Benton, LA, in accordance with property standards regulations.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Ms. Bennett stated that on July 7, 2010, Mr. Rob Simpson, owner of property at 535 Twin Point Drive, Benton, LA, appeared before the jury regarding a property standards violation at his home. She advised that Mr. Simpson was at that time, operating a business from his home and the jury agreed to allow Mr. Simpson time in which to remove the commercial equipment items from his property.

Mr. Richard Gunter, Property Standards Officer, presented recent photographs of the property and reported that it appears that Mr. Simpson is continuing to operate his business at 535 Twin Point Drive. Mr. Benton expressed concern regarding a large fuel tank on the property since this is within a subdivision.

Mr. Jackson stated that the jury can request that the Bossier Parish Sheriff's Department issue a citation to Mr. Simpson as he is in violation of zoning regulations at this location and/or the jury can file a civil suit in the 26th Judicial District Court and obtain an injunction prohibiting Mr. Simpson from operating his business at 535 Twin Point Drive in accordance with the zoning ordinances. He advised that once an injunction is issued by the court, if the defendant does not comply with the court order, he is subject to contempt of court.

Motion was made by Ms. Bennett, seconded by Mr. Cummings, to request that the Bossier Parish Sheriff's Department issue a citation to Mr. Robert E. Simpson, 535 Twin Point Drive, Benton, LA, for violation of parish zoning regulations at this location, and to authorize the Parish Attorney to proceed with pursuing legal action in the matter of a zoning violation at 535 Twin Point Drive, Benton, LA, involving the operation of a business by Mr. Robert E. Simpson within a residentially zoned area.

The President called for public comment. There being none, **votes were cast and the motion carried, with Mr. Avery abstaining from vote.**

Mr. Mac Plummer reported on a meeting of the Parks and Recreation Committee, advising that the committee has no recommendations at this time. He requested that the matter be tabled for consideration at a later date.

Ms. Cindy Dodson, Parish Secretary, advised that a resolution has been prepared and forwarded to the Louisiana Secretary of State's legal department for approval regarding the calling of a special election on April 2, 2011, to allow the citizens of Bossier to vote on the matter of homestead exemption for fully disabled veterans, in accordance with Act No. 1049, House Bill 246, of the 2010 Regular Session of the Louisiana Legislature. She stated that upon receipt of the legal department's approval, it was determined that the resolution must also be approved by the State Bond Commission.

Ms. Dodson advised that the deadline for placing this matter on the agenda for the next meeting of the State Bond Commission has passed and therefore a special election will not be called for April 2, 2011.

Ms. Michelle Rodgers, Bossier Parish Assessor's Office, stated that the Assessor's Office has no objection to this matter being added to the October 22, 2011, ballot. After further discussion, it was recommended that an election be called for October 22, 2011, to allow the citizens of Bossier to vote on the matter of homestead exemption for fully disabled veterans, in accordance with Act No. 1049, House Bill 246, of the 2010 Regular Session of the Louisiana Legislature. The jury concurred.

Motion was made by Mr. Johnston, seconded by Mr. Butler, to approve the reappointment of Mr. G. M. Coker and Mr. Joe Cook to the Board of Commissioners for Ivan Fire District No. 3, for two-year terms each, terms to expire December 31, 2012.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Mr. Greg Blount, IBTS, presented a proposal for implementation of a Community Ratings System Program for Bossier Parish, advising that the program is associated with the National Flood Insurance Program. He stated that the implementation process will take approximately one year to complete and requires approximately 500 man hours over this one-year period. Mr. Blount stated that the program is primarily an administrative program and will require the coordination of Bossier Parish, FEMA, the Insurance Standards Office and IBTS.

Mr. Blount stated that there are different levels of certification for the flood program and after reviewing all documents he advised that their goal is to reach a certification level rating of six or seven. He stated that according to different scenarios provided by FEMA, if Bossier Parish obtains a level seven rating under the CRS program, it could result in a savings of approximately \$130,000 to the citizens of Bossier Parish on the cost of flood insurance, and at a level six rating, the savings would be approximately \$175,000.

Mr. Blount advised that the initial cost to the police jury is \$22,000, with an estimated \$3,000 to \$4,000 per year maintenance cost.

After further discussion, **motion was made by Ms. Bennett, seconded by Mr. Plummer, to proceed with the implementation of a Bossier Parish Community Rating System.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Cummings, seconded by Mr. Plummer, to ratify and accept the recommendation of the Commercial Vehicle Enforcement Unit Board of Appeals to uphold the findings of the Commercial Vehicle Enforcement Unit Officer, and deny the request of Livingston Doublewide Service, Inc., Report No. 124, issued by the Commercial Vehicle Enforcement Unit on November 10, 2010.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Cochran, seconded by Mr. Johnston, to approve the request of Muddy Waters Sports Bar for a letter of no objection to the selling of alcohol and beer at a special event Super Bowl Bash on February 6, 2011, at the Muddy Waters Sports Bar, 5000 Benton Road, Suite 15, Bossier City, LA.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Cochran, seconded by Mr. Johnston, to approve the request of Muddy Waters Sports Bar for a letter of no objection to the selling of alcohol and beer at a special event Daytona 500 Super Bowl for NASCAR on February 20, 2011, at the Muddy Waters Sports Bar, 5000 Benton Road, Suite 15, Bossier City, LA.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Ms. Bennett, seconded by Mr. Altimus, to accept the proposal of Atchley & Atchley, Inc., in the amount of \$8,500 for design work for drainage improvements in Cypress Forest Subdivision, and to authorize the President to execute documents.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 19th day of January, 2011, that Rick Avery, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, a proposal with Atchley & Atchley, Inc., in the amount of \$8,500 for design work for drainage improvements in Cypress Forest Subdivision.

The resolution was offered by Ms. Bennett, seconded by Mr. Altimus. Upon unanimous vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford advised that there are two pipelines located across the western edge of Lot 32, Forest Hills Subdivision, which are operated by McLeod Gas Gathering and Processing Company. He stated that McLeod purchased Lot 32 with the intent of building an access road across the lot to access their metering station. Mr. Ford stated that McLeod Gas Gathering and Processing Company has now donated the lot to the police jury for its use, as they no longer desire ownership. Mr. Cummings requested information regarding the size of the pipelines.

After further discussion, **motion was made by Mr. Benton, seconded by Mr. Cochran, to accept the donation of Lot 32, Forest Hills Subdivision, from McLeod Gas Gathering and Processing Company to the Bossier Parish Police Jury, subject to review and approval by the Parish Attorney.**

The President called for public comment. There being none, **votes were cast and the motion carried, with the following vote recorded:**

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

NAYS: Mr. Cummings

ABSTAIN: None

ABSENT: None

Motion was made by Ms. Bennett, seconded by Mr. Butler, to accept the streets and drainage in Turtle Creek Subdivision, Unit No. 1, into the parish road system for permanent maintenance.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4374

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 19th day of January, 2011, has received a request from F. J. Burnell, Inc., that the parish accept into its system for permanent maintenance, the streets and drainage in Turtle Creek Subdivision, Unit No. 1, Bossier Parish, Louisiana; and

WHEREAS, the said streets and drainage have been completed in accordance with the specifications of the Bossier Parish Police Jury; and

WHEREAS, a two-year maintenance bond has been executed in favor of the Bossier Parish Police Jury to guarantee against failure of said streets and drainage as to material and workmanship as required by Chapter 110, Section 110-201 of the Bossier Parish Code of Ordinances.

WHEREAS, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury that it does accept the two-year maintenance bond of F. J. Burnell, Inc., including labor and materials, for the above captioned streets and drainage.

BE IT FURTHER RESOLVED, that the Bossier Parish Police Jury does hereby accept into the parish maintenance system for continuous maintenance, streets and drainage located in Turtle Creek Subdivision, Unit No. 1, Bossier Parish, Louisiana:

Turtle Creek Drive – 0.14 miles

Caiden Street – 0.04 miles

Danielle Drive – 0.26 miles

BE IT FURTHER RESOLVED, that a certified copy of this ordinance be recorded in the Office of the Clerk of Court, Bossier Parish, Louisiana, together with the maintenance bond.

The Ordinance was offered by Ms. Bennett, seconded by Mr. Butler. Upon vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Butler, seconded by Mr. Cochran, to amend Ordinance No. 4333 of May 5, 2010, which accepted the streets and drainage in Kingston Plantation Subdivision, Unit No. 3, into the parish road system for permanent maintenance, to include Kingston Plantation Subdivision, Unit No. 3, Phase I and II.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4375

AN ORDINANCE AMENDING ORDINANCE NO. 4333 OF MAY 5, 2010, WHICH ACCEPTED THE STREETS AND DRAINAGE IN KINGSTON PLANTATION SUBDIVISION, UNIT NO. 3 INTO THE PARISH ROAD SYSTEM FOR PERMANENT MAINTENANCE, TO INCLUDE THE STREETS AND DRAINAGE IN KINGSTON PLANTATION SUBDIVISION, UNIT NO. 3, PHASE I AND II.

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 19th day of January, 2011, has received a request from Specialty Trackhoe & Dozer Services, Inc., that the parish accept into its system for permanent maintenance the streets and drainage in Kingston Plantation, Unit No. 3, Phase I and II, Bossier Parish, Louisiana; and

WHEREAS, the said streets and drainage have been completed in accordance with the specifications of the Bossier Parish Police Jury; and

WHEREAS, a two-year maintenance bond has been executed in favor of the Bossier Parish Police Jury to guarantee against failure of said streets and drainage as to material and workmanship as required by Chapter 110, Section 110-201 of the Bossier Parish Code of Ordinance.

WHEREAS, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury that it does accept the two-year maintenance bond of Specialty Trackhoe & Dozer Services, Inc., including labor and materials, for the above captioned streets and drainage.

BE IT FURTHER RESOLVED, that the Bossier Parish Police Jury does hereby accept into the parish maintenance system for continuous maintenance, streets and drainage located in Kingston Plantation, Unit No. 3, Phase I and Phase II, Bossier Parish, Louisiana:

- Kingston Plantation Blvd – 0.23 miles
- Silkwood Drive – 0.12 miles
- Colonel Burt Drive – 0.10 miles

BE IT FURTHER RESOLVED, that a certified copy of this ordinance be recorded in the Office of the Clerk of Court, Bossier Parish, Louisiana, together with the maintenance bond.

The Ordinance was offered by Mr. Butler, seconded by Mr. Cochran. Upon vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Ms. Bennett, seconded by Mr. Johnston, to adopt an ordinance establishing a 30 mile per hour speed limit on Cypress Village Drive.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4376

AN ORDINANCE REGULATING THE SPEED OF VEHICLES ON CYPRESS VILLAGE DRIVE LOCATED IN SECTIONS 1 AND 6, TOWNSHIP 19 NORTH, RANGES 12 AND 13 WEST, BOSSIER PARISH, LOUISIANA, AND PROVIDING THE PENALTIES FOR VIOLATION THEREOF.

SECTION 1. BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 19th day of January, 2011, that from and after the effective date of this ordinance, it shall be unlawful for any person to operate or drive a vehicle upon Cypress Village Drive located off Parks Road in Sections 1 and 6, Township 19 North, Ranges 12 and 13 West, Bossier Parish, Louisiana, in excess of thirty (30) miles per hour.

BE IT FURTHER ORDAINED, etc., that any person found guilty of violating the provisions of this ordinance shall be fined a sum not to exceed Five Hundred and no/100 Dollars (\$500.00), or imprisoned for not more than thirty (30) days, or both.

SECTION 2. BE IT FURTHER ORDAINED, etc., that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

The ordinance was offered by Ms. Bennett, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Ms. Bennett, seconded by Mr. Johnston, to adopt an ordinance establishing a 45 mile per hour speed limit on Parks Road.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4377

AN ORDINANCE REGULATING THE SPEED OF VEHICLES ON PARKS ROAD LOCATED IN SECTIONS 6, 7, 10, 11 AND 12, TOWNSHIP 19 NORTH, RANGES 12 AND 13 WEST, BOSSIER PARISH, LOUISIANA, AND PROVIDING THE PENALTIES FOR VIOLATION THEREOF.

SECTION 1. BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 19th day of January, 2011, that from and after the effective date of this ordinance, it shall be unlawful for any person to operate or drive a vehicle upon Parks Road located off Linton Road in Sections 6, 7, 10, 11 and 12, Township 19 North, Ranges 12 and 13 West, Bossier Parish, Louisiana, in excess of forty-five (45) miles per hour.

BE IT FURTHER ORDAINED, etc., that any person found guilty of violating the provisions of this ordinance shall be fined a sum not to exceed Five Hundred and no/100 Dollars (\$500.00), or imprisoned for not more than thirty (30) days, or both.

SECTION 2. BE IT FURTHER ORDAINED, etc., that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

The ordinance was offered by Ms. Bennett, seconded by Mr. Johnston. Upon unanimous vote, it was duly adopted on this 19th day of January, 2011.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Altimus advised jurors that assignment sheets for the 2011 police jury committees have been provided. He asked that the jurors indicate which committees they are interested in serving on and return the forms to the police jury office.

Mr. Ford presented photographs of the Ivan Lake Dam pipe replacement project, advising that due to current weather conditions, crews are not working at this time.

Mr. Ford reported on the Department of Transportation and Development Engineering Conference that he, Mr. Easterly and Mr. Kha attended last week. He stated that several topics were addressed that will affect local governing authorities. Mr. Ford reported that the "right-sizing" of the state highway system was addressed and advised that a bill is being submitted to the House and Senate committees on transportation, highways, and public works that would allow DOTD to distribute 5,000 miles of State roadway to local governments. He stated that local entities would receive increased financial resources to maintain these highways. Mr. Ford stated that there was also discussion of the policy on driveways built on State roads, advising that for a second driveway, a traffic impact analysis is required.

Mr. Ford advised that the Louisiana National Guard has agreed to provide dirt work at the Princeton Sports Complex as part of training exercises for the National Guard at no cost to the police jury. He stated that the dirt work will be used in the construction of additional fields at the complex.

Mr. Ford stated that construction has begun on Whitehurst Street which provides access to the proposed juvenile detention center.

Mr. Ford reported that the Commerce Drive Extension project at the Commerce Industrial Parks is almost complete.

Mr. Ford advised that the new equipment building at the highway department is now complete and requested that the President be authorized to sign a Certificate of Substantial Completion. The jury concurred. Approval of the President's signature will be ratified at the February 2, 2011, regular meeting.

Mr. Ford provided an update on the Bellevue Road project stating that due to weather, the crews are not working at this time, but that the speed limit was lowered for safety precautions.

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

Mr. Cochran reported that he has received complaints regarding individuals selling water from Lake Bistineau and requested that the Parish Attorney review this matter.

Mr. Darby stated that redistricting for Bossier Parish will be an important task for the year 2011.

Mr. Hammack requested an update on demands that were sent to oil and gas companies regarding royalties owed to Bossier Parish. Mr. Jackson provided an update stating that two responses have been received, but no monies have been received to date.

Mr. Hammack requested an update on parishwide zoning. Mr. Altimus stated that the contract has been signed with the consultants for the last phase of the project and public hearings should be scheduled in the next few months. Mr. Hammack stated that the police jury may need to carefully consider exempting certain areas from noise regulations.

Jurors each extended congratulations to Mr. Avery on his election as President and to Mr. Cummings on his election as Vice President for the year 2011. Members of the jury also expressed appreciation to Ms. Bennett for her service as President for 2010.

Finance Committee Meeting – January 19, 2011, 1:30 p.m.

The Finance Committee of the Bossier Parish Police Jury met on this 19th day of January, 2011, at 1:30 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana, with all members present.

Mr. Pat Boggs, pharmacist for the Bossier Parish corrections facilities, discussed his 2011 budget request for an increase in the amount of his annual contract salary, stating that he has been the pharmacist for the corrections facilities for the last five years and has not received a salary increase during that time. He advised that since November of 2005, there has been an increase in the number of prescriptions filled and this has required him to utilize employees from his private pharmacy to assist him at the jail facilities.

Mr. Boggs stated that he spends approximately two hours every morning at the corrections facility filling and bubble wrapping prescriptions before he reports to his pharmacy, and on each Wednesday evening he returns to the corrections facility to continue working. He stated that his current annual contract salary is \$72,000 and an increase of \$1,000 per month is requested.

After further discussion, **motion was made by Mr. Altimus, seconded by Mr. Darby to table the request of Mr. Pat Boggs, pharmacist for the Bossier Parish corrections facilities, for an increase in his annual contract salary, for further review.**

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.** The matter is to be considered at the February 16, 2011, finance meeting.

Motion was made by Mr. Cochran, seconded by Mr. Johnston, to approve payment of accounts payable invoices in the amount of \$3,589.12 for the Johnny Gray Jones Youth Shelter for the month of December, 2010, as follows:

ABC Auto Parts	\$122.54	
Home Depot Credit Services	\$ 46.20	
Louisiana Key & Lock Service	\$645.00	
Louisiana Key & Lock Service	\$750.00	
Perot Plumbing, LLC	\$185.00	
Swan Lake Hardware, LLC	\$ 38.96	
Area Wide	\$ 80.00	
Ark La Tex Power Cleaning	\$250.00	
Bobby Brannon Heating & Air Conditioning	\$763.10	
Custom-Bilt Cabinet & Supply, Inc.	\$328.32	
Office of State Fire Marshal	\$ 80.00	
Fire Tech Systems, Inc.	\$300.00	

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Altimus, seconded by Mr. Benton, to approve payment of all other accounts payable invoices for the month of December, 2010.

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Altimus, seconded by Mr. Avery, to remove from the agenda, the request of Stockwell Elementary for discretionary funds for the purchase of computers for the robotics program.

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Johnston, seconded by Mr. Darby, that Mr. Johnston will contribute discretionary funds in the amount of \$2,000, Mr. Darby will contribute discretionary funds in the amount of \$1,000, and Mr. Butler will contribute discretionary funds in the amount of \$492.98, for a total of \$3,492.98, to Plain Dealing High School for the purchase of uniforms for the softball team.

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Motion was made by Mr. Altimus, seconded by Mr. Cochran, that Mr. Altimus, Mr. Cummings and Mr. Darby will contribute matching discretionary funds in the amount of \$1,000 each, for a total of \$3,000, to Central Park Elementary School for the purchase of a school sign.

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

Mr. Altimus presented information on various tax revenues for Bossier Parish for the period 2008-2010.

The Finance Committee meeting was adjourned by the Chairman.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 19th day of January, 2011, the meeting was adjourned by the President at 4:37 p.m.

CINDY A. DODSON
PARISH SECRETARY

RICK AVERY, PRESIDENT
BOSSIER PARISH POLICE JURY