

BOSSIER PARISH POLICE JURY  
BENTON, LOUISIANA  
MINUTES  
October 3, 2012

www.bossierparishla.gov

The Bossier Parish Police Jury met in regular and legal session on the 3<sup>rd</sup> day of October, 2012, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Rick Avery, called the meeting to order. The invocation was given by Mr. Glenn Benton, and the pledge of allegiance was led by Mr. Jimmy Cochran. The Parish Secretary, Ms. Cindy Dodson, called the roll, with all members present, as follows:

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|--------------------|--------------------------|
| Mr. Rick Avery     | Mr. Jerome Darby         |
| Ms. Wanda Bennett  | Mr. Wayne Hammack        |
| Mr. Glenn Benton   | Mr. Mac Plummer, excused |
| Mr. Bob Brotherton | Mr. Doug Rimmer          |
| Mr. Jimmy Cochran  | Mr. Fred Shewmake        |
| Mr. Sonny Cook     | Mr. Jack Skaggs          |

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

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Ms. Stacy Brown, Shreveport-Bossier Convention & Tourist Bureau, provided information on the Shreveport-Bossier Sports Commission, advising that the Sports Commission is a division of the Shreveport-Bossier Convention and Tourist Bureau in partnership with the Bossier Parish Police Jury, Caddo Parish Commission, the City of Bossier City, and the City of Shreveport. She stated that the Advisory Board consists of representatives from each entity.

Ms. Brown stated that the commission acts as a marketing organization working to attract diverse sporting activities and events to the area. She stated that these events provide a tremendous increase in the local economy and enhance the quality of life in Caddo and Bossier Parishes. Ms. Brown stated that the commission provides bid development assistance and event management, including operations assistance, volunteers, promotion and advertisement, and many other tasks necessary to make these sporting events a success.

Ms. Brown stated that the Shreveport-Bossier Sports Commission hosted approximately 55 events in 2012, and stated that several major events are planned for 2013, some of which include the 2013 LHSAA Regional Basketball Semi-Finals, 2013 and 2014 LHSAA Boys and Girls Golf Championship, 2013 BASS Open Series, 2013 Collegiate Wakeboard Nationals, and the 2013 Forrest Wood Cup World Championship.

Ms. Brown expressed appreciation to the Bossier Parish Police Jury for its continued support of the Shreveport-Bossier Sports Commission.

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Ms. Dodson announced the public hearing to consider the application of G & H Development, LLC, to the Benton-Parish MPC, for a zoning amendment to change the zoning classification of a 55.139-acre tract of land, more or less, located in Section 24, Township 20 North, Range 14 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to R-1, One-Family Residence District, for a subdivision development. The application received an unfavorable recommendation from the Benton-Parish MPC.

Mr. Lee Ayres and Mr. Curtis Shelton, Ayres, Warren, Shelton & Williams, LLC, and Mr. David Touchstone, Attorney at Law, were present on behalf of G & H Development, LLC. Mr. Ayres stated that the proposed rezoning of this 55.139-acre tract located in Section 24 for a subdivision development will be an asset to the community, and promote the general welfare, safety, health, overall productivity, progress and growth of Bossier Parish. He stated that there are several citizens who have expressed concern and are opposed to the proposed subdivision, and that he would like to address each of these concerns today.

Mr. Ayres stated that he has six key points as to why the proposed subdivision will be beneficial to Bossier Parish, advising that the first key point is that this subdivision will be an asset to the community. He stated that the proposed homes will be upscale affordable homes in the price range of \$185,000 to \$240,000, and will range in size from 1,450 square feet to 1,950 square feet. Mr. Ayres stated that the proposed homes will qualify for rural development financing through the Farmers Home Administration. He stated that several citizens expressed concern at the Benton-Parish MPC meeting that the proposed homes will allow for low-income housing, but stated that these homes will be upscale and pleasing to young families and professionals.

Mr. Ayres stated that secondly, there is a need for this development due to the continued growth in Bossier Parish.

In presenting his third key point, Mr. Ayres stated that the proposed subdivision is consistent with the overall progress, growth and development of Bossier Parish. He stated that opposing parties have expressed concern that the proposed development is not a fit for this area, and is inconsistent with the overall development of Bossier Parish. Mr. Ayres further stated that there is concern that the proposed development is a high-density subdivision. He stated that these concerns are not accurate. Mr. Ayres stated that there are currently several subdivisions, including a congested manufactured home subdivision, near the proposed site of this development.

Mr. Ayres stated that fourthly, the proposed subdivision will lead to economic development for Bossier Parish. He advised that the average market value of properties located in Section 24 of Bossier Parish is \$125,309.62, and stated that the value of the homes in the proposed subdivision will range from \$185,000 to \$240,000. Mr. Ayres stated that the homes in the proposed development will not lower the value of existing property in this area.

Mr. Ayres presented a listing of all property located in Section 24, and stated that based on the current tax roll, \$29,991.20 in property tax revenue is received from properties in Section 24. He stated that the proposed subdivision development will increase property tax revenues to approximately \$218,410.50. Mr. Ayres stated that sales tax revenues will also increase due to the increase in families patronizing local stores, and stated that sales tax revenue alone from construction of the proposed subdivision will be approximately \$500,000.

Mr. Ayres stated that his fifth key point is that with the development of the proposed subdivision, there will be improvements to the existing water line from the old corporate limits of the Town of Benton to the proposed subdivision.

He stated that G & H Development, LLC, has agreed to replace the existing four-inch water line with an eight-inch water line at no cost to the parish or the Town of Benton, which will benefit anyone receiving water service from the existing

line. Mr. Ayres further stated that G & H Development, LLC, is willing to install an eight-inch sewer line from the old corporate limits of the Town of Benton to the proposed development at no cost to the parish or the Town of Benton.

Mr. Ayres stated that there is also concern regarding the availability of an adequate servitude for installation of a new water and sewer line to the proposed development. He stated that in accordance with a legal opinion provided by Mr. David Touchstone, there is in fact an available servitude for the proposed water and sewer lines. He stated that if approved, the Town of Benton will request permission from the police jury to install the water and sewer lines within this servitude.

Mr. Ayres stated that his sixth key point is that the proposed subdivision will improve fire protection in the area. He stated that fire hydrants in this area are in poor condition and are tied to the existing four-inch water line. Mr. Ayres stated that this has proven to be an issue with fighting fires in the past because these lines cannot support a pumper truck. He stated that G & H Development will not only provide a new eight-inch water line, but will also install new fire hydrants every 600 feet. Mr. Ayres presented a letter from J. T. Wallace, Jr., Fire Chief for Benton Fire District No. 4, indicating that the proposed subdivision development will have no adverse effect on the current fire insurance rating.

Mr. Ayres stated that there is also concern among those opposed that the proposed new subdivision will overload the elementary school system in Benton. He stated that there is no factual basis for this concern, and presented a letter from the Bossier Parish School Board showing that the current enrollment is 849, which leaves space for 256 additional students. Mr. Ayres stated that the current growth rate for Benton Elementary School is 27 students on average per year or 1.2 classrooms per year, which indicates that the spare capacity of 256 divided by growth rate equals 9.5 years to capacity. He stated that this information proves that the proposed subdivision will not cause overcrowding for Benton Elementary School. Mr. Ayres stated that the letter from the school board specifically states that the proposed development will not cause overcrowding in Benton Elementary School, and advised that those opposed are aware of this letter. Mr. Ayres stated that the Bossier Parish School Board indicates on its website that they are excited about the continued growth of Bossier Parish, and stated that there is no factual basis for concern regarding overcrowding of Benton schools due to this proposed subdivision.

Mr. Ayres stated that there is also concern that construction traffic from the development will cause damage to the Old Plain Dealing Road. He stated that in accordance with a traffic study conducted by French Engineering, the existing traffic on Old Plain Dealing Road consists of large tractor-trailer trucks, horse trailers, and sand trucks. Mr. Ayres stated that it has been determined that there is no factual evidence indicating that construction traffic from this development will cause any additional damage to Old Plain Dealing Road.

Mr. Ayres stated that the opposition is concerned regarding the potential for increased traffic due to the proposed subdivision. He stated that if all homes are sold with two cars per home, there will be an additional 300 cars per day. Mr. Ayres stated that in accordance with the traffic analysis, this will not overload Old Plain Dealing Road. He stated that the traffic study indicates that there are approximately 900 cars per day on the road, and there is no valid basis for concern regarding an increase in traffic due to the development.

Mr. Ayres stated that there is also concern regarding environmental issues, advising that one of the concerns presented is concrete exposure. Mr. Ayres stated that a Stormwater and Pollution Prevention Plan must be submitted to the Department of Environmental Quality. He presented a Material Safety Data Sheet on concrete that is required from all developers which indicates that there is no permissible exposure limit or threshold limit value.

Mr. Avery expressed concern regarding EPA requirements due to the possibility of runoff to a private lake located on the adjacent property. Mr. Ayres stated that a drainage study by French Engineering indicates that the construction of a detention pond will prevent any additional run-off. He stated that in accordance with the drainage study, there will be no adverse impact on drainage in the area. Mr. Ayres stated that Lot 1000 of the development will serve as a detention pond with 42,000 square surface feet and an average depth of about 2.4 feet. He stated that this will provide over 100,000 cubic feet of ability to maintain water control and distribute it appropriately in small volume.

Mr. Ayres referred to concerns regarding the private lake located at the southwest corner adjacent to the proposed development. He stated that the lake has been affected due to logging in the past, which caused silting in a portion of the lake near the site of the proposed subdivision. Mr. Avery stated that silt actually cleans toxic chemicals and expressed concern that any additional chemicals to this area of the lake could affect the larger adjoining lake. Mr. Ayres stated that silting in this area of the lake is due to timber being cut, not a subdivision.

Mr. Ayres stated that there is concern that new residents of the proposed subdivision will complain about the existing farm animals in this area. He stated that there would be no legal basis for complaints regarding farm animals.

Mr. Ayres advised that the opposition has expressed concern regarding a cemetery that is located in this area. He stated that the cemetery is not located on the proposed site, and the proposed subdivision would have no effect on this cemetery.

Mr. Ayres referred to a legal issue presented by Mr. Jerry Jones, legal counsel for the opposition, in reference to Section 126-1161 of the Bossier Parish Code of Ordinances. He stated that Mr. Jones was mistaken in his argument that the property can only be rezoned if there was a mistake in the original zoning or a change in circumstances that necessitates rezoning. Mr. Ayres stated that this argument was overruled by the Louisiana Supreme Court in 1990, advising that a body such as a police jury enabled by Legislation from the Legislature, needs to determine if a proposed rezoning will promote the general welfare, health, and safety of the public. He stated that the Supreme Court expressly rejected and declined to follow the "change or mistake" argument which also leads to spot zoning, advising that the Supreme Court ruled that spot zoning is an acceptable, permissible rezoning if it promotes the general welfare, health and safety of the public. Mr. Ayres stated that he believes that Section 126-1161.4 of the Bossier Parish Code of Ordinances clearly applies to the proposed development in that it provides that the "subdivision or imminent subdivision of open land into urban building sites makes reclassification necessary and desirable".

In closing, Mr. Ayres presented a video of the Benton-Parish MPC meeting where the request for rezoning was denied and advised that it appears there was confusion among board members as to what the motion was and what they were voting for. Mr. Ayres stated that the proposed subdivision is clearly good for Bossier Parish, and asked that the police jury overturn the Benton-Parish MPC's unfavorable ruling and approve the requested rezoning.

Mr. Lake Childress, Diamond Realty & Associates, stated that he has been a realtor in Bossier Parish for six years. He stated that, in his opinion, the new construction of a subdivision is a solid way to improve property values, and that a lower density development will not work. Mr. Childress stated that the proposed subdivision will be the only subdivision in Benton that offers new construction in this price range, and if approved, he plans to purchase a home in the new development. He stated that the development of this subdivision could be a turning point in the Town of

Benton's future and urged the jury's approval.

Ms. Martha Reyenga, 1056 Old Plain Dealing Road, expressed opposition advising that Mr. Ayres does not have a personal interest in the proposed subdivision. She stated that he cannot speak on behalf of the residents living on Old Plain Dealing Road nor can he convey their feelings on this matter. Ms. Reyenga stated that there are approximately 26 landowners on Old Plain Dealing Road from the Town of Benton city limits to Willow Bend Road who own from 1.4 acres up to 680 acres, and no acreage consists of 154 homes on 80' X 120' lots.

Ms. Reyenga stated that the majority of these landowners are against the proposed rezoning as they wish to retain their rural lifestyle. She stated that there are a variety of farm animals that share the land and have for many years, and advised that her family has been a stationary fixture on Old Plain Dealing Road for over 70 years in the same geographical area.

Ms. Reyenga stated that Bossier Parish was once owned and primarily occupied by farmers and cattle ranchers. She stated that although change continues to come, it must be remembered that landowners still hold fast to their roots. Ms. Reyenga stated that they are rural landowners for a reason and that not everyone is a city dweller. She stated that they do not wish to reside in a densely populated area. Ms. Reyenga stated that landowners do not accept the change brought about by developers wanting to make a fit for a subdivision where there is none. She stated that they are in this precise location for a reason and want to continue their lives in a rural setting. Ms. Reyenga stated that landowners and their future heirs do not want to be told that they do not belong, and that the rural lifestyle and heritage must be retained within our parish. Ms. Reyenga asked that the police jury understand its constituents' viewpoints in considering the requested zoning change.

Ms. Allison Brigham, 945 Old Plain Dealing Road, stated that their farm is located adjacent to the site of the proposed subdivision. She advised that Mr. Ayres has stated that the proposed subdivision is an asset to the community, but the majority of the community is present at today's meeting and is opposed to the proposed subdivision, with the exception of only one resident of the area. Ms. Brigham stated that placing a subdivision in the middle of rural land is not consistent with the community as Mr. Ayres has stated. She stated that the proposed development may be a fit for a different location in Bossier Parish, but not for this location.

Ms. Brigham stated that there are cattle farmers, goat farmers, chickens, and a number of other farms in the area, and placing a subdivision next to her farm is going to be a problem. She stated that she is aware that the developer has proposed a fence surrounding the property, but expressed concern regarding maintenance of the fence. Ms. Brigham stated that she has bulls on her property, which is adjacent to the proposed development, and if the fencing is not maintained, there will be a problem if the bulls find weakened areas in the fence.

Ms. Brigham stated that Mr. Ayres advised that he has obtained a legal opinion regarding the available servitude for new water and sewer lines, but that the legal opinion was issued by legal counsel for G & H Development. She stated that a final legal opinion has not been issued as to whether they have the right to access servitude in the area. Ms. Brigham advised that the landowners' property lines actually go to the center of Old Plain Dealing Road which will be an issue in obtaining the necessary right-of-way for water and sewer lines. She stated that the opposing parties did not express concern regarding concrete and the Material Safety and Data Sheet as presented by Mr. Ayres, but are concerned regarding the construction vehicles carrying concrete and the additional heavy weight of the trucks. Ms. Brigham stated that these trucks will affect the condition of Old Plain Dealing Road, as there will be additional deterioration in the road due to the additional weight and increased traffic. She stated that Old Plain Dealing road is a narrow road which is also a concern.

Ms. Brigham advised that the main concern with the Material Safety Data Sheet is the matter of fertilizers, diesel, gases, and other types of chemical runoff from the proposed subdivision into the private lake. She stated that the logging activity Mr. Ayres referred to is on her property, advising that the land was cleared to allow extra grazing areas for her cattle.

Mr. Charles Brigham stated that he cleared the timber next to the lake which is approximately five acres, and advised that a spring feeds a smaller pond that borders the larger lake. He stated that a wooded area remains near the spring where the watershed is located. Mr. Brigham advised that Mr. Ayres stated that this area is silted in, but advised that he recently visited the spring, and advised that the spring is alive and well with no silt. He stated that the spring which feeds the lake is the primary watering hole for approximately 500 head of cattle and if 154 homes are placed on the proposed site, the fertilizer, pesticides, and poisons from the proposed development will kill the spring and the lake, killing the fish and leaving the cattle without water.

Ms. Brigham stated that traffic on Old Plain Dealing Road is interrupted often due to long trains, and this could be an issue if emergency vehicles are unable to respond to those areas. She stated that traffic backs up at Highway 3 and Old Plain Dealing Road when a train comes through. She stated that there are also issues with automobile accidents on Old Plain Dealing Road, and there is concern there will be an increase in accidents on the road if a 154-home subdivision is developed in this area.

Ms. Brigham stated that living in rural Bossier Parish is their way of life. She stated that she is not against growth in Bossier Parish, but not at the detriment of the individuals living in a low density area. She stated that she is against placing a high density subdivision in the middle of farmland, and advised that there have been other subdivisions developed in areas near farms and the residents of the subdivision began complaining about the farm animals. Ms. Brigham stated that this will not be fair to the farmers who were living there first. She expressed concern that a child from the proposed subdivision will trespass onto her property where she keeps her bulls and cows, and the child could be hurt.

Ms. Kathy Earnest, 875 Old Plain Dealing Road, presented a petition signed by 142 residents of the immediate area and along Old Plain Dealing Road, advising that the petition is signed by 99 percent of the residents immediately affected by the proposed subdivision. She also presented affidavits signed by landowners on both sides of Old Plain Dealing Road indicating that they will not give or grant right-of-way needed for the extension of water and sewer lines. Ms. Earnest stated that landowners on Old Plain Dealing Road were aware when they purchased the property that their property boundary line ran to the centerline of Old Plain Dealing Road. She stated that this gave them the tools to effectively block the possibility of water and sewer lines and advised that the Benton Town Council is aware of this. Ms. Earnest stated that in Ordinance No. 346 of the year 2000 of the Town of Benton, which annexed property on Old Plain Dealing Road into the corporate limits of the Town of Benton, the property descriptions read in part "to the centerline of the Benton Plain Dealing Road" and/or "along the centerline of the Benton Plain Dealing Road". She stated that the Benton Town Council, with knowledge of the property lines being to the centerline of Benton Plain Dealing Road,

agreed to allow this proposed subdivision to connect to the existing water and sewer system. Ms. Earnest expressed concern that the main sewer treatment plant is not adequate to support an additional 154 homes, advising that there are deficiencies in the plant which are outlined in an engineering report provided by Cothren, Graff and Smoak Engineering in May, 2012. She stated that the 2012 budget of the Town of Benton projects that its water and sewer fund will experience a loss by year end due to necessary maintenance and repair of the existing treatment plant. Ms. Earnest expressed concern, advising that the Benton Town Council has agreed to connect 154 additional homes to a water and sewer system that is currently in a dilapidated condition.

Ms. Earnest expressed concern that if the natural drainage is altered, how it will affect the surrounding landowners. She stated that there are too many unresolved issues surrounding this development that prove that the proposed subdivision will not be in the best interest of the landowners in this area.

Mr. Jerry Jones, attorney for the opposition, stated that he represents the neighbors and those opposing this proposed subdivision. He stated that Mr. Ayres has presented information in an attempt to explain why the proposed development is acceptable. Mr. Jones stated that the developers purchased this property without guarantee that the requested zoning amendment would be approved, and are now trying to force a subdivision into an area where a subdivision does not belong. He stated that fortunately, the Benton-Parish MPC denied the request for rezoning. Mr. Jones referred to comments by Mr. Ayres regarding confusion at the Benton-Parish MPC meeting, advising there was no confusion among board members and it was a very solid vote and statement from the Benton-Parish MPC in denying this request. He stated that this area is surrounded north, south, east and west by agriculture, including horse farming and cattle farming and there is not another 1/3-acre residence within a mile of the proposed site. He stated that zoning is done for a reason, and parish ordinances provide that the parish will not rezone property unless it is necessary and desirable, and to say that this request for rezoning for a proposed subdivision in this area is necessary and desirable ignores common sense.

Mr. Jones stated that for the police jury to grant this rezoning, the police jury would effectively be saying that there is no other area in Bossier Parish where a 55-acre tract of land is available for a 154 homes and this is the only area available in Bossier Parish for young families and professionals to build their first home. He stated that it would be disingenuous to say that it is necessary to place a high-density subdivision in the middle of horse and cattle farms for the general health, safety and welfare of the citizens of Bossier Parish. Mr. Jones stated that Mr. Ayres' comment that this type of zoning is consistent with what the police jury has done in the past is inaccurate, and stated that Mr. Ayres could not provide the police jury with any examples to support this claim. Mr. Jones stated that the Benton-Parish MPC made the right decision to deny the request for rezoning, and to overturn that denial would ignore a very reasonable decision after hearing the comments and opposition by the residents of this area. He stated that this is rural Bossier Parish and 30 years from now it may be urban, but in 2012 it should remain rural. Mr. Jones requested the police jury to uphold the Benton-Parish MPC's decision to deny the request of G & H Development, LLC, for a zoning amendment.

Ms. Nancy Penwell, Benton-Parish MPC, stated that the decision for denial is based on the information provided to the MPC at the time of its hearing, and advised that the most decisive factor considered during the public hearing was the matter of utilities and whether the new lines could be run legally. She stated that the MPC did not have adequate information to approve the requested zoning amendment for this area.

Ms. Bennett complimented Mr. Ayres on his research and presentation, and stated that she agrees that this type of home is ideal for young families. She stated that Bossier Parish is open for continued growth, but the residents of this area have invested a lot of years in their land and in their rural lifestyle. Ms. Bennett stated that the fact that those residents were there first and have a right to be protected, along with their investment and their lifestyle, will be considered in the final decision today. She stated that she agrees that this area may someday be urban due to the continued growth in Bossier Parish, and stated that this is an example of why the police jury is looking into parishwide zoning. Ms. Bennett stated that she does not believe the proposed subdivision is a fit for this community.

**Motion was made by Ms. Bennett, seconded by Mr. Rimmer, to uphold the unfavorable recommendation of the Benton-Parish Metropolitan Planning Commission, and deny the application of G & H Development, LLC, for a zoning amendment.**

The President called for any further public comment. Mr. Cochran stated that the residents living in this area have been there for a long time, and a subdivision is not suitable for this location.

Ms. Bennett requested that the record show that the police jury office has received several letters from residents who are opposed to the proposed rezoning.

Mr. Benton stated that the police jury has been working for approximately four years to establish parishwide zoning, and that this is a perfect example of why parishwide zoning is needed in Bossier Parish.

Mr. Avery stated that the police jury welcomes developers to Bossier Parish, and encouraged G & H Development, LLC, to locate property in Bossier Parish to accommodate the proposed development.

**Votes were cast and the motion carried unanimously.**

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Ms. Dodson announced the public hearing to consider the application of Wayne Pierce, to the Bossier City-Parish MPC, for a zoning amendment to change the zoning classification of a tract of land containing 23.70 acres, more or less, located in Section 21, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to R-MD, Residential-Medium Density District, for a multifamily development. The application received a favorable recommendation from the Bossier City-Parish MPC.

Mr. Wayne Pierce was present on behalf of the applicant, Reserve at Brushy Creek, LLC. Mr. Skaggs requested information on a recent traffic study on Kingston Road. Mr. Pierce stated that according to the traffic study, both east and westbound turn lanes are required off Kingston Road at the site of the proposed development. He stated that he and Mr. Ford have discussed the results of the study and are reviewing options to best address increased traffic along Kingston Road due to future development and growth.

Mr. Skaggs asked if there are any issues with drainage plans for the proposed development. Mr. Ford stated that drainage in the area will not be affected by this development.

Mr. Ford stated that the construction of turn lanes on Kingston Road may require additional right-of-way and advised that the cost for the turn lanes is significant. He stated that the possible construction of a school on Kingston Road has also been discussed, as well as additional developments. Mr. Ford stated that any plans for continued development along Kingston Road should be addressed closely in an effort to avoid future traffic congestion.

There being no opposition, **motion was made by Mr. Skaggs, seconded by Mr. Shewmake, to approve the**

**application of Wayne Pierce to the Bossier City-Parish MPC, for a zoning amendment to change the zoning classification of a tract of land containing 23.70 acres, more or less, located in Section 21, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to R-MD, Residential-Medium Density District, for a multifamily development.**

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

ORDINANCE NO. 4454

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 CONTAINING 23.70 ACRES, MORE OR LESS, LOCATED IN SECTION 21, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LA, FROM R-A, RESIDENTIAL-AGRICULTURE DISTRICT, TO R-MD, RESIDENTIAL-MEDIUM DENSITY DISTRICT, FOR A MULTIFAMILY DEVELOPMENT

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 3<sup>rd</sup> day of October, 2012, 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 containing 23.70 acres, more or less, located in Section 21, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture District, to R-MD, Residential-Medium Density District, for a multifamily development, being more particularly described as follows: Description of a tract of land located in Section 21, Township 19 North, Range 13 West, Bossier Parish, Louisiana, and being more fully described as follows: Commencing at the Northwest corner of said Section 21, run thence south 86° 52' 25" East for a distance of 91.03 feet to the point of beginning of the tract herein described.

From said point of beginning, run thence South 86° 52' 42" East for a distance of 82.40 feet,

Thence run South 89° 42' 51" East for a distance of 110.32 feet,

Thence run North 89° 11' 09" East for a distance of 421.56 feet,

Thence run South 89° 17' 09" East for a distance of 344.65 feet,

Thence run South 01° 07' 50" West for a distance of 1495.09 feet,

Thence run South 89° 49' 28" West for a distance of 131.21 feet,

Thence run North 29° 03' 59" West for a distance of 28.48 feet,

Thence run North 27° 36' 52" West for a distance of 72.40 feet,

Thence run North 48° 31' 02" West for a distance of 28.55 feet,

Thence run North 26° 22' 55" West for a distance of 49.47 feet,

Thence run North 36° 47' 44" West for a distance of 66.82 feet,

Thence run North 42° 44' 19" West for a distance of 69.96 feet,

Thence run North 38° 59' 42" West for a distance of 60.96 feet,

Thence run North 45° 13' 55" West for a distance of 66.69 feet,

Thence run North 37° 19' 37" West for a distance of 72.88 feet,

Thence run North 50° 53' 05" West for a distance of 75.68 feet,

Thence run North 40° 24' 21" West for a distance of 101.77 feet,

Thence run North 41° 50' 43" West for a distance of 106.75 feet,

Thence run North 43° 37' 06" West for a distance of 95.35 feet,

Thence run North 40° 15' 13" West for a distance of 95.92 feet,

Thence run North 53° 39' 02" West for a distance of 81.00 feet,

Thence run North 46° 39' 06" West for a distance of 58.01 feet,

Thence run North 45° 38' 11" West for a distance of 102.12 feet,

Thence run North 47° 29' 58" West for a distance of 50.85 feet,

Thence run North 30° 00' 03" West for a distance of 100.56 feet,

Thence run North 01° 21' 57" East for a distance of 35.31 feet,

Thence run South 43° 03' 39" East for a distance of 129.98 feet,

Thence run North 01° 21' 57" East for a distance of 521.22 feet to the point of beginning.

Said tract containing 23.652 acres.

Applicant: Wayne Pierce

Purpose: Multifamily development

The ordinance was offered by Mr. Skaggs, seconded by Mr. Shewmake. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Ms. Dodson announced the public hearing to consider the application of Dianne Louise Alexander, to the Bossier City-Parish MPC, for a zoning amendment to change the zoning classification of a 5.586-acre tract of land located at 5290 River Bend Road, Haughton, Bossier Parish, LA, from R-T, Racetrack District, to R-A, Residential-Agriculture District, for a single family residence. The application received a favorable recommendation from the Bossier City- Parish MPC.

Ms. Dianne Alexander stated that there are currently two homes located on this tract of land and she is requesting that the zoning be amended from R-T, Racetrack District, to R-A, Residential- Agriculture District. She stated that she will be subdividing the tract for construction of an additional home.

Mr. Sam Marsiglia, Bossier City-Parish MPC, stated that in 1978, this area of land was zoned R-T and throughout the years, several of the parcels have been rezoned to R-A for single family homes.

There being no opposition, **motion was made by Mr. Rimmer, seconded by Mr. Benton, to approve the application of Dianne Louise Alexander, to the Bossier City-Parish MPC, for a zoning amendment to change the zoning classification of a 5.586-acre tract of land located at 5290 River Bend Road, Haughton, Bossier Parish, LA, from R-T, Racetrack District, to R-A, Residential-Agriculture District, for a single family residence.**

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

## ORDINANCE NO. 4455

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 5.586-ACRE TRACT OF LAND LOCATED AT 5290 RIVER BEND ROAD, HAUGHTON, BOSSIER PARISH, LA, FROM R-T, RACETRACK DISTRICT, TO R-A, RESIDENTIAL-AGRICULTURE DISTRICT, FOR A SINGLE FAMILY RESIDENCE

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session convened on this 3<sup>rd</sup> day of October, 2012, 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 5.586-acre tract of land located at 5290 River Bend Road, Haughton, Bossier Parish, LA, from R-T, Racetrack District, to R-A, Residential-Agriculture District, for a single family residence, being more particularly described as follows:

That certain 3.716 acre tract of land lying in the Southeast Quarter of Section 16, Township 18 North, Range 12 West, Bossier Parish, Louisiana, and being more particularly described as follows:

From a concrete monument at the intersection of the North right of way line of Interstate Highway No. 20 with the West right of way line of Bodcau Road which is 570.72 feet West of and 300.45 feet North of the Southeast Corner of Section 16, Township 18 North, Range 12 West, Bossier Parish, Louisiana, run North 89 degrees 27 minutes 57 seconds West, with the North right of way line of Interstate Highway No. 20, 1475.71 feet to a concrete monument; thence run North 0 degrees 33 minutes 56 seconds East 201.37 feet to a found ½ inch iron pipe and the point of beginning; thence continue North 0 degrees 33 minutes 56 seconds East for a distance of 785.48 feet (call 791.02 feet) to a found 3/8 inch iron rod; thence run South 69 degrees 20 minutes 12 seconds East for a distance of 100.00 feet to a found 3/8 inch iron rod; thence run South 22 degrees 59 minutes 44 seconds East for a distance of 585.14 feet (call 591.36 feet) to a set ½ inch iron pipe; thence run around a curve in a clockwise direction, said curve having a radius of 357.51 feet, a chord bearing and distance of South 50 degrees 35 minutes 07 seconds West 281.71 feet, for a distance of 289.56 feet to a point of tangency; thence run South 73 degrees 47 minutes 16 seconds West for a distance of 116.92 feet, to the point beginning; said tract containing 161,870 square feet or 3.716 acres; together with all improvements located thereon and all rights thereto belonging.

That certain 1.87 acre tract of land lying in the Southeast Quarter of Section 16, Township 18 North, Range 12 West, Bossier Parish, Louisiana, and being more particularly described as follows:

From a concrete monument at the intersection of the North right of way line of Interstate Highway 20 with the West right of way line of Bodcau Road which is 300.45 feet North and 570.72 feet West of the Southeast Corner of Section 16, Township 18 North, Range 12 West, Bossier Parish, Louisiana, run North 89 degrees 27 minutes 57 seconds West with the North right of way line of Interstate Highway 20, 1475.71 feet to a concrete monument; thence North 0 degrees 33 minutes 56 seconds East 987.10 feet; thence South 69 degrees 20 minutes 12 seconds East 100 feet to a one half inch iron rod and the point of beginning of the tract of and herein described; thence continue South 69 degrees 20 minutes 12 seconds East 287.90 feet to a one half inch iron rod; thence South 19 degrees 7 minutes 25 seconds East 213.53 feet to a one half inch iron rod in the Northwesterly right of way line of River Bend Road; thence 82.68 feet, with a curve to the right whose radius is 967.06 feet and whose long chord bears South 22 degrees 25 minutes 5 seconds West 82.65 feet; thence South 24 degrees 52 minutes 2 seconds West 163.84 feet; thence 17.82 feet, with a curve to the right whose radius is 357.51 feet and whose long chord bears South 26 degrees 17 minutes 43 seconds West 17.82 feet to a one half inch iron rod in the Northwesterly right of way line of River Bend Road; thence North 22 degrees 59 minutes 44 seconds West 591.36 feet to the point of beginning; containing 1.87 acres, more or less; together with all improvements located thereon and all rights thereto belonging.

Applicant: Dianne Louise Alexander

Purpose: Single family residence

The ordinance was offered by Mr. Rimmer, seconded by Mr. Benton. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Ms. Dodson announced the public hearing to consider approval of the minor plat of Dianne Louise Alexander, located in Section 16, Township 18 North, Range 12 West, Bossier Parish, LA.

There being no opposition, **motion was made by Mr. Rimmer, seconded by Mr. Benton, to approve the minor plat of Dianne Louise Alexander, located in Section 16, Township 18 North, Range 12 West, Bossier Parish, LA, as presented.**

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

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Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of Forest Hills Subdivision, Unit No. 8-A, being a resubdivision of Lots 26, 27, and 28, Forest Hills Subdivision, Unit No. 8, located in Section 14, Township 18 North, Range 12 West, Bossier Parish, LA.

Ms. Michan Holbrook, Coyle Engineering Co., was present. Mr. Benton stated that the landowner has purchased additional property behind his lot.

There being no opposition, **motion was made by Mr. Benton, seconded by Mr. Rimmer, to approve the plat of the proposed development of Forest Hills Subdivision, Unit No. 8-A, being a resubdivision of Lots 26, 27, and 28, Forest Hills Subdivision, Unit No. 8, located in Section 14, Township 18 North, Range 12 West, Bossier Parish, LA, as presented.**

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

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Ms. Dodson announced the public hearing to consider approval of the plat of the proposed development of St. Charles Court Village Subdivision, Unit No. 4, located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA.

Mr. Adam Powell, Raley and Associates, Inc., was present. Mr. Ford stated that the plat was originally

approved by the police jury on July 18, 2012, but upon receipt of the construction plans, it was determined that the utility easement for the drainage pipe from the detention pond to the subdivision is not adequate for maintenance of the drainage pipe. He stated that construction plans indicate fencing within the utility easement, not on the property line, and recommended that the developer provide a 25-foot easement without fencing, to ensure that crews are able to provide necessary maintenance.

Mr. Warren Cantrell expressed concern as to who will maintain the 25-foot easement. It was recommended that the Homeowners Association be responsible for maintenance of the easement, with the parish being responsible for mowing it twice a year.

Mr. Powell stated that this will affect the density of the development, as approximately 50 homes will be in jeopardy.

After further discussion, **motion was made by Mr. Skaggs, seconded by Ms. Bennett, to table the public hearing to consider approval of the plat of the proposed development of St. Charles Court Village Subdivision, Unit No. 4, located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA, to be considered at the October 17, 2012, regular meeting.**

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

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Mr. Mike Vetkoetter, Property Standards Officer, presented current photographs of property located at 1031 Wemple Road, Bossier City, LA, advising that the property owner is working to bring the property into compliance with property standards regulations.

Ms. Emily West, property owner, stated that she inherited this property and has been working to bring it into compliance. She stated that she plans to demolish the house located on the property and it was recommended that she speak with Mr. Sammy Halphen to discuss the possibility of allowing one of the fire departments to burn the house as a fire training exercise.

After further discussion, it was recommended that the property owner be allowed an additional 60 days in which to complete clean up of the property.

**Motion was made by Mr. Rimmer, seconded by Mr. Skaggs, to allow the owner of property at 1031 Wemple Road, Bossier City, LA, an additional 60 days in which to bring the property into compliance with property standards regulations.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** The matter will be reviewed at the December 5, 2012, regular meeting.

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Ms. Dodson announced the hearing to consider condemnation of property at 7515 Booker Road, Haughton, LA. Mr. Vetkoetter presented current photographs of the property and reported that there has been no change in the condition. He stated that the property is in foreclosure, and advised that the mortgage company has been contacted, but nothing has been done.

After further discussion, **motion was made by Mr. Cook, seconded by Mr. Darby, to proceed with condemnation of property at 7515 Booker Road, Haughton, LA, in accordance with property standards regulations.**

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

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Ms. Dodson announced the hearing to consider condemnation of property at 315 Briars Court, Bossier City, LA. Mr. Vetkoetter presented current photographs of the property and reported that the owner has done very little cleanup.

After further discussion, **motion was made by Mr. Shewmake, seconded by Mr. Cochran, to proceed with condemnation of property at 315 Briars Court, Bossier City, LA, in accordance with property standards regulations.**

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

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Mr. Benton, Chairman of the Road/Subdivision Regulations Committee, reported on a meeting of that committee, advising that he, Ms. Bennett, Mr. Cook, and Mr. Shewmake were present. He stated that Mr. Altimus, Mr. Ford, Mr. Jackson, Mr. Greg Blount, Mr. Steve Quaid, Mr. Nguyen Kha, and Mr. Bobby Edmiston were also present. Other jurors present were Mr. Avery, Mr. Brotherton, Mr. Hammack, and Mr. Rimmer.

Mr. Benton reported that it is recommended by the committee that the proposal of IBTS be accepted for Building Department Services, Floodplain Services, Community Rating Services, and Stormwater Services for Bossier Parish. **Motion was made by Mr. Benton, seconded by Mr. Hammack, to accept the recommendation of the Road/Subdivision Regulations Committee to accept the proposal of IBTS for Building Department Services, Floodplain Services, Community Rating Services, and Stormwater Services for Bossier Parish, and to authorize the Parish Administrator to execute any and all documents or contracts in connection with the proposal.**

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 3<sup>rd</sup> day of October, 2012, that William Altimus, Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents or contracts in connection with the proposal of IBTS for Building Department Services, Floodplain Services, Community Rating Services, and Stormwater Services for Bossier Parish.

The resolution was offered by Mr. Benton, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Benton reported that the committee also discussed the proposed construction by Mr. Larry Taylor, of a home off Vanceville Road. He stated that it is understood that the home is to be constructed above the base flood elevation, but Vanceville Road will be approximately three feet above the driveway leading to the house. Mr. Benton stated that the committee has expressed concern regarding a possible liability to the parish if a building permit for construction of the home is granted with the jury being aware that during a flood event, it could potentially be impossible for fire trucks, ambulances or other emergency vehicles to reach the house. Mr. Jackson suggested that the police jury mandate that it be recorded in the deed records that ingress and egress to the property is below the base flood elevation so that subsequent buyers are aware. He stated that if the jury requires that Mr. Taylor record on both the plat and the deed records that ingress and egress is below the base flood elevation and during certain times of the year the property is inaccessible, when a subsequent buyer obtains the title, the required information will appear as a title defect. He stated that this will present a problem in obtaining bank financing.

Mr. Jackson stated that parish ordinances do not prohibit ingress and egress below the base flood elevation provided the home is constructed above the base flood elevation. Mr. Ford stated that the home is to be built eight to ten feet off the ground on stilts, but the area where the owner would park his cars would be two feet under water if built to a flood elevation of 171 feet. He stated that the road going in will have up to three feet of water going over it. Mr. Ford stated that Mr. Taylor mentioned some type of emergency exit/drive, and requested clarification.

Mr. Kenny Smith, Smith Engineering, was present on behalf of Mr. Larry Taylor and stated that the drainage plan has been approved by the U.S. Army Corps of Engineers. Mr. Ford stated that the Bossier Levee Board has not approved Mr. Taylor's request to install culverts in Willow Chute, pending the decision of the parish as to whether a building permit will be issued. Mr. Smith stated that the drainage plan was designed by Owen & White, Inc., and there is no adverse impact to Willow Chute, upstream or downstream, with the proposed project. He stated that the Vanceville Road itself, if and when a 100-year flood event occurs, will be inundated and overtopped a few years ago. He stated that if the driveway elevation was above the base flood elevation, you would still be unable to reach the property because the public road itself would be underwater. Mr. Smith stated that Mr. Taylor is aware of all of these issues.

Mr. Ford stated that he sent a letter requesting four things. He stated that he is concerned about the existing homes located to the west of Mr. Taylor's property and wants to be certain that a development will not impact these homes. He stated that Mr. Taylor hired Owen & White, Inc., and a study was done to determine if the culverts will cause water to back up to these homes. Mr. Ford presented a picture that was taken in 2009 of where Mr. Taylor's home is to be located which indicated severe flooding in the area at that time. He stated that the home will be inaccessible during periods of storm events.

Mr. Benton stated that if someone desires to build a home in the swamp and we are not liable for it now or in the future, then it is the landowner's choice. Ms. Bennett expressed concern that this house is to be built on stilts. She stated the jury often considers whether a development will be a suitable fit for the proposed location, and asked how this type of home will affect the existing homes which are built on slabs. Ms. Bennett stated that she is concerned with the fact that these homeowners will have to look at a house on stilts, the flooding issues, and with the bad decision on the ingress and egress. She asked Mr. Ford if he knew how the people around the property feel about the proposed home.

Mr. Avery asked Mr. Ford for his opinion on this situation. Mr. Benton referred to the picture previously shown stating that access off Vanceville Road appears to be nearly in someone's back yard. Mr. Ford stated that the proposed house will sit just off to the side of the adjoining landowner's back yard. He presented the proposed plat of where the home is to be located, as well as the proposed access road. Jurors expressed concern regarding the impact of a flooding event. Mr. Smith advised that flooding doesn't happen instantaneously, and someone would have enough time to leave the home if flooding occurs. He stated that the plans have been reviewed and approved by every agency. Mr. Avery called for a motion.

**Motion was made by Mr. Benton, seconded by Mr. Cook, to amend the agenda to allow consideration of a request for issuance of a building permit to Mr. Larry Taylor for construction of a home off Vanceville Road.**

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

**AYES:** Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cook, Mr. Darby, Mr. Hammack, Mr. Shewmake, Mr. Skaggs  
**NAYS:** Mr. Cochran, Mr. Rimmer  
**ABSTAIN:** None  
**ABSENT:** Mr. Plummer

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**Motion was made by Mr. Benton, seconded by Mr. Cook, to approve a building permit for Mr. Larry Taylor, for construction of a home off Vanceville Road, with the stipulation that Mr. Taylor must record in the Clerk of Court's Office on both the plat and the deed records, that ingress and egress is below the base flood elevation and this property may be inaccessible at times due to flooding.**

The President called for public comment. There being none, **motion failed, with the following vote recorded:**

**AYES:** Mr. Benton, Mr. Brotherton, Mr. Hammack  
**NAYS:** Mr. Avery, Ms. Bennett, Mr. Cochran, Mr. Cook, Mr. Darby, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs  
**ABSTAIN:** None  
**ABSENT:** Mr. Plummer

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Mr. Ford reported that the Road/Subdivision Regulations Committee also discussed continued development along Kingston Road, advising that he will be meeting with representatives of the school board to discuss future transportation plans for Kingston Road.

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Mr. Benton stated that the Road/Subdivision Regulations Committee also discussed the construction of a new unit of Dogwood South Subdivision off Tall Pines Road, advising that the issue of subdivision fencing located within the parish easement was addressed. He stated that when fencing is placed within the parish easement, this leaves no room for future expansion of roadways, and advised that the matter of requiring developers to provide an additional 10 feet on each side of the road is being considered.

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Mr. Ford reported that the Sligo Water System will provide water service to the South Bossier Park. He stated that the Road/Subdivision Regulations Committee discussed the matter of other private water systems in the parish, advising that there have been requests for inclusion in the Consolidated Waterworks/Sewerage District. Mr. Ford stated that there may be a need to expand the boundaries of the Consolidated Waterworks/Sewerage District to allow the inclusion of additional private water/sewerage systems in the parish.

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**Motion was made by Mr. Brotherton, seconded by Mr. Rimmer, to adopt a resolution supporting an amended application for funding through the FY2012-2013 Local Government Assistance Program, to reduce the amount requested to \$40,560 for the extension of water lines along Sligo Road for the Sligo Water System.**

The President called for public comment. Ms. Dodson stated that Mr. Robert Adley submitted a letter of support for \$40,560 for this project, and advised that adequate funding for the remaining portion for this project is available from a previous grant received by the parish.

**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 3rd day of October, 2012, that it does hereby approve and support an amended application for funding through the FY2012-2013 Local Government Assistance Program in the amount of \$40,560 for the extension of water lines along Sligo Road for the Sligo Water System.

The resolution was offered by Mr. Brotherton, seconded by Mr. Rimmer. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford presented Plan Change No. 1 on the Gary Rex Circle Improvements Project No. 2011-323, advising that the plan change results in an additional cost of \$12,362.50. **Motion was made by Mr. Rimmer, seconded by Mr. Skaggs, to approve Plan Change No. 1 on the Gary Rex Circle Improvements Project No. 2011-323, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve Plan Change No. 1 on the Gary Rex Circle Improvements Project No. 2011-323.

BE IT FURTHER RESOLVED that Rick Avery, President, is hereby authorized to execute said Plan Change No. 1.

The resolution was offered by Mr. Rimmer, seconded by Mr. Skaggs. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Ms. Bennett, seconded by Mr. Shewmake, to approve the Certificate of Substantial Completion of the Palmetto Road Widening, Phase I, Project No. 2012-369, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve the Certificate of Substantial Completion of the Palmetto Road Widening, Phase I, Project No. 2012-369.

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

The resolution was offered by Ms. Bennett, seconded by Mr. Shewmake. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Ms. Bennett, seconded by Mr. Skaggs, to approve the Certificate of Substantial Completion of the Parks Road Realignment Project No. 2012-356, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve the Certificate of Substantial Completion of the Parks Road Realignment Project No. 2012-356.

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

The resolution was offered by Ms. Bennett, seconded by Mr. Skaggs. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Cook, seconded by Mr. Brotherton, to approve the Certificate of Substantial Completion of the Creekside Subdivision Concrete Street Repair Project No. 2012-364, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve the Certificate of Substantial Completion of the Creekside Subdivision Concrete Street Repair Project No. 2012-364.

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

The resolution was offered by Mr. Cook, seconded by Mr. Brotherton. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford presented Plan Change No. 1 on the Kingston Road (Highway 3 to Airline Drive) Project No. 2012-362, advising that the plan change results in an additional cost of \$11,484.02. **Motion was made by Mr. Skaggs, seconded by Ms. Bennett, to approve Plan Change No. 1 on the Kingston Road (Highway 3 to Airline Drive) Project No. 2012-362, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve Plan Change No. 1 on the Kingston Road (Highway 3 to Airline Drive) Project No. 2012-362.

BE IT FURTHER RESOLVED that Rick Avery, President, is hereby authorized to execute said Plan Change No. 1.

The resolution was offered by Mr. Skaggs, seconded by Ms. Bennett. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Ms. Bennett, seconded by Mr. Brotherton, to approve the Certificate of Substantial Completion of the Kingston Road (Highway 3 to Airline Drive) Project No. 2012-362, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve the Certificate of Substantial Completion of the Kingston Road (Highway 3 to Airline Drive) Project No. 2012-362.

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

The resolution was offered by Ms. Bennett, seconded by Mr. Brotherton. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford presented Plan Change No. 2 on the North and South Turn Lane, LA Highway 157 at Johnson Koran Road and Sligo Road Project No. 2012-385, advising that the plan change results in an additional cost of \$6,721.20. **Motion was made by Mr. Brotherton, seconded by Mr. Rimmer, to approve Plan Change No. 2 on the North and South Turn Lane, LA Highway 157 at Johnson Koran Road and Sligo Road Project No. 2012-385, 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 3<sup>rd</sup> day of October, 2012, that it does hereby approve Plan Change No. 2 on North and South Turn Lane, LA Highway 157 at Johnson Koran Road and Sligo Road Project No. 2012-385.

BE IT FURTHER RESOLVED that Rick Avery, President, is hereby authorized to execute said Plan Change No. 2.

The resolution was offered by Mr. Brotherton, seconded by Mr. Rimmer. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Shewmake, seconded by Mr. Cochran, to adopt an ordinance to officially post certain bridge structures in Bossier Parish in connection with the Louisiana Off-System Bridge Replacement Program.**

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

ORDINANCE NO. 4456

AN ORDINANCE TO OFFICIALLY POST CERTAIN BRIDGE STRUCTURES LOCATED ALONG THE PARISH TRANSPORTATION SYSTEM IN THE PARISH OF BOSSIER, STATE OF LOUISIANA.

WHEREAS, the Bossier Parish Police Jury is responsible for health, safety and welfare of the public utilizing the parish transportation system in Bossier Parish, and the bridge structures located on these transportation routes; and

WHEREAS, the Bossier Parish Police Jury, in order to provide advance information regarding the bridge structures located on its parish transportation routes, has structurally rated and posted certain bridges, as required by federal, state and local laws.

NOW, THEREFORE, BE IT ORDAINED by the Bossier Parish Police Jury that the bridge structures listed below by structure number and location are hereby officially posted by signing to provide sufficient advance notice to the motoring public as to the load carrying capabilities of each structure:

| <u>Structure</u> | <u>Location</u>                          | <u>Load Posting (T)</u> |
|------------------|--|-------------------------|
| PO832217933391   | Old Coughatta Road, Trib Flat River      | 3                       |
| PO832225933301   | Smith Road, Red Chute Bayou              | 25-40                   |
| PO832242933601   | Caplis Sligo Road, Flat River            | 10-15                   |
| PO832245932731   | Fairview Koran, Spring Branch            | 25-40                   |
| PO832263932671   | Koran Doyline Road, Clark Bayou          | 15-25                   |
| PO832269932881   | Johnson Store Road, Foxskin Bayou        | 15-25                   |
| PO832333933321   | Daleen Road, Trib Fifi Bayou             | 3-5                     |
| PO832351933431   | Winfield Road, Connell Branch            | 25-40                   |
| PO832339934091   | Swan Lake Road, Willow Chute Bayou       | 25-40                   |
| PO832365934341   | Vanceville Road, Willow Chute Bayou      | 15-25                   |
| PO832457933911   | Seven Pines Road, Caney Creek            | 10-15                   |
| PO832459932961   | Whittington Road, Bodcau Trib            | 15-25                   |
| PO832465933301   | Sheppard Road, Trib Bodcau Bayou         | 10-15                   |
| PO832523934411   | Old Plain Dealing Hwy, Collinsburg Creek | 25-40                   |
| PO832526934161   | Antrim Road, Lil Cypress Creek           | 25-40                   |
| PO832593933821   | Chalybeate Springs Rd, Trib to Mrtnc     | 25-40                   |
| PO832595934471   | Log Ferry Road, Stillhouse Bayou         | 15                      |
| PO832594934491   | Stillhouse Road, Trib Stillhouse Bayou   | 15-25                   |
| PO833010934591   | McCance Road, Posten Bayou               | 15-25                   |
| PO832544934211   | Palmetto Street, Trib Lil Cypress Bayou  | 25-40                   |
| PO832541934191   | S. Perrin Street, Lil Cypress Bayou      | 25-40                   |
| PO832194933091   | Kelly Road, Flat River Ditch             | 25-40                   |
| PO832223933391   | Smith Road, Flat River                   | 5                       |

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

The ordinance was offered by Mr. Shewmake, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Rimmer, seconded by Mr. Brotherton, to adopt the Annual Certification of Compliance with the State of Louisiana Off-System Bridge Replacement Program.**

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

RESOLUTION

ANNUAL CERTIFICATION OF COMPLIANCE WITH THE STATE OF LOUISIANA OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM.

WHEREAS, the code of Federal Regulation, as enacted by the United States Congress, mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, responsibility to inspect, rate and load post those bridges under the authority of Bossier Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Bossier Parish.

NOW THEREFORE, BE IT RESOLVED that the governing authority of Bossier Parish in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as DOTD) that for the period October 1, 2012, through September 30, 2013:

1. The Parish has performed all interim inspections on all parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.

2. All bridges owned or maintained by the Parish have been structurally analyzed and rated by the parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the Louisiana DOTD for all bridges where the maximum legal load under Louisiana state law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.

3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.

4. All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by LA DOTD are noted.

These stipulations are prerequisites to participation by the Parish in the Off-System Bridge Replacement Program.

This resolution was considered section by section and as a whole. Upon motion by Mr. Rimmer, second by Mr. Brotherton and vote, it was duly adopted on this 3<sup>rd</sup> day of October, 2012.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Cook, seconded by Mr. Darby, to accept the resignation of Ms. Valerie Turney from the Bossier Parish Fire District No. 7 Board of Commissioners, and to approve the appointment of Ms. Joy Rhodes Wise to fill the vacancy created due to Ms. Turney's resignation.** Ms. Wise's term will expire July 31, 2014.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Mr. Avery requested that a letter of appreciation be sent to Ms. Turney for her service to the Board of Commissioners.

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Mr. Ford stated that the total cost for fencing and trees as an additional noise barrier at certain areas along the Sligo Road Extension is \$57,160, advising that Mr. Knotts' property requires 470 linear feet of 10-foot fencing and 48 trees, and Mr. Earp's property requires 415 linear feet of 10-foot fencing and 30 trees. He stated that both property owners are in agreement with the proposal and reported that a noise study will be performed at Mr. Earp's property upon completion of the Sligo Road Extension project to determine if additional noise barriers are required.

After further discussion, **motion was made by Mr. Brotherton, seconded by Mr. Benton, to approve an expenditure of \$57,160 for additional noise barriers on the Sligo Road Extension Project.**

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

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Mr. Altimus reported that the annual Police Jury Association Region 4 meeting is being hosted by Caddo Parish on October 25, 2012. He requested that jurors advise the staff if they plan to attend.

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

Mr. Andrews presented photographs of condemned property at 2902 Loriwood Drive, Haughton, LA, advising that parish crews have completed cleanup of the property. He stated that a lien on the property is being filed with the 26<sup>th</sup> Judicial District Clerk of Court's Office.

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Mr. Andrews presented photographs of the South Bossier Park, Kingston Road Project, Parks Road Project, Palmetto Road Project and the Wells Road Project, and advised that the Linton Road Project will begin shortly.

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Mr. Benton reported that Mr. Rutledge on Mill Creek Road extended appreciation to the police jury and to the highway department for their assistance in repairs at his driveway.

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 3<sup>rd</sup> day of October, 2012, the meeting was adjourned by the President at 4:38 p.m.

CINDY A. DODSON  
PARISH SECRETARY

RICK AVERY, PRESIDENT  
BOSSIER PARISH POLICE JURY