

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
October 5, 2016
www.bossierparishla.gov

The Bossier Parish Police Jury met in regular and legal session on the 5th day of October, 2016, 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. Glenn Benton, and the pledge of allegiance was led by Mr. Bob Brotherton. The Parish Secretary, Ms. Rachel Hauser, called the roll, with all members present, as follows:

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

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

Ms. Bennett advised that Mr. Rocky Rockett, Greater Bossier Economic Development Foundation, is unable to attend today's meeting and will be present at the October 19, 2016, regular meeting.

Mr. Dean Schellhase and Mr. Jason Poe, Explosive Service International, were present. Mr. Schellhase stated that Explosive Service International, a Louisiana company, was chosen from ten other companies to construct a contained burn chamber as quickly as possible at Camp Minden due to the imminent threat associated with the 16 million pounds of improperly stored M6 propellant and clean burning igniters. He stated that the safety of the public, the employees and the environment had to be taken into consideration when disposing of the M6 propellant and clean burning igniters.

Mr. Schellhase stated that construction of the burn chamber typically takes approximately two years but ESI was able to complete the project in eight months. He stated that in May of 2016, a stack test was conducted by burning propellant for approximately 30 days, and the results determined that the burn chamber is the largest and cleanest thermal explosive disposal facility in the world. He further stated that the burn chamber at Camp Minden is the largest contained burn chamber in the world, and has the most advanced pollution abatement system. He provided further information on the ambient air and stack test results.

Mr. Schellhase stated that ESI committed to hire locally, and local companies constructed the facility. He stated that 35 of 39 full-time employees were hired from the surrounding areas of Camp Minden, including Haughton, Minden, Doyline, Sibley, as well as Bossier City.

Mr. Schellhase stated that the soil, surface and ground water are being closely monitored around the destruction area. He further stated that the air is being monitored continuously in the community.

Mr. Schellhase stated that the public can visit www.esicampminden.com to stay informed in real time as to the status of the project and the air quality in the area.

Mr. Rimmer asked if there is a projected completion date for destroying the unstable M6 propellant and clean burning igniters. Mr. Schellhase stated that it will take approximately six months to complete the burning of the propellant and clean burning igniters. Mr. Rimmer asked what the plans are for the facility once the project is complete. Mr. Schellhase stated that they plan to keep the burn chamber and air monitoring units in place to be used when needed.

Ms. Bennett expressed concern that additional explosive materials will be transported through Bossier Parish to be destroyed at the burn chamber at Camp Minden. Ms. Schellhase stated that the M6 propellant and clean burning igniters that are currently being destroyed have lost its integrity and is unstable, which prevents any transport to an off-site facility. He stated that any explosives that would be transported to the burn chamber at Camp Minden would be stable and safe to transport.

Mr. Jackson asked that Mr. Schellhase provide the police jury with information pertaining to the recent explosion at Camp Minden, and how that explosion is in no way connected to the burn chamber or the work that ESI is doing at Camp Minden. Mr. Schellhase stated that the explosion at Camp Minden last Thursday was in no way connected with ESI and their work at Camp Minden. He stated that the explosion occurred approximately six to seven miles away from the burn chamber in the magazine area. He further stated that one of the magazines that housed clean burning igniters exploded.

Mr. Avery asked what is done with the material left in the burn chamber. Mr. Schellhase stated that the remaining material is ash and is 99 percent potassium sulfate, which is stored in a specially made roll-off container and transported to a landfill in Monroe. He stated that the material is being repurposed to solidify oil field sludge.

Ms. Bennett expressed appreciation to Mr. Schellhase and Mr. Poe for attending the meeting today and providing the police jury with an update on removal of the M6 propellant and clean burning igniters at Camp Minden.

Motion was made by Mr. Skaggs, seconded by Mr. Shewmake, to authorize the advertising of bids for annual supplies, asphaltic concrete paving material, and for the annual supply of tires for the Bossier Parish Highway Department, bids to be received Tuesday, December 6, 2016.

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

Ms. Hauser announced the public hearing to consider the plat of the proposed development of Piney Forest Subdivision, Unit No. 2A, being a resubdivision of Lot 3, Piney Forest Subdivision, Unit No. 2, located in Section 14, Township 18 North, Range 11 West, Bossier Parish, LA.

Mr. Ford stated that the property owner is asking approval to split one lot in Piney Forest Subdivision into two lots. He stated that two homes currently exist on the lot. He further stated that a petition has been signed by all residents

of Piney Forest Subdivision indicating that they have no objection to the resubdivision of Lot 3, Piney Forest Subdivision.

There being no objection, **motion was made by Mr. Cook, seconded by Mr. Darby, to approve the plat of the proposed development of Piney Forest Subdivision, Unit No. 2A, being a resubdivision of Lot 3, Piney Forest Subdivision, Unit No. 2, located in Section 14, Township 18 North, Range 11 West, Bossier Parish, LA.**

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

Ms. Hauser announced the public hearing to consider approval of the plat of the proposed development of Robert L. Burks, Jr., Partition, located in Section 17, Township 21 North, Range 11 West, Bossier Parish, LA.

Ms. Stephanie Agee stated that this is family property and the heirs are requesting approval to subdivide the tract of land into three tracts. She stated that there is an existing driveway located off Highway 160, and it is planned that one additional driveway will be constructed to be used to access the other two tracts.

Mr. Ford stated that a driveway permit will be submitted to the Department of Transportation and Development for approval. He stated that it is anticipated that DOTD will require that the driveway be constructed as far away from Emma Cemetery Road as possible.

There being no objection, **motion was made by Mr. Cook, seconded by Mr. Rimmer, to approve the plat of the proposed development of Robert L. Burks, Jr., Partition, located in Section 17, Township 21 North, Range 11 West, Bossier Parish, LA.**

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

Ms. Hauser announced the public hearing to consider approval of the plat of the proposed development of Waterford Bend Subdivision, located in Section 22, Township 19 North, Range 13 West, Bossier Parish, LA. This matter was tabled on September 21, 2016.

Mr. Donnie Barker, Mohr and Associates, Inc., stated that a revised letter indicating that the developer will commit to constructing the extension of Sawgrass Parkway to Legacy Elementary Drive within the next two years has been submitted, as requested by the police jury on September 21, 2016.

Mr. Ford stated that he has received a letter from the developer, Southern Home Builders, Inc., signed by Mr. Edward Gaiennie, President, LP Development, LLC, stating that they offer a commitment to complete the process of constructing the extension of Sawgrass Parkway to Legacy Elementary Drive within the next two years. Mr. Jackson asked if there are any design plans for the proposed extension of Sawgrass Parkway. Mr. Ford stated that he has not received the design plans, but they are required for the proposed extension as it will be a parish maintained road.

Mr. Jackson asked how many lots are planned for Waterford Bend Subdivision. Mr. Ford stated that 37 lots are planned for the proposed development. He stated that Waterford Bend Subdivision will be a part of the Legacy Subdivisions, and residents will be allowed to use the clubhouse. Mr. Ford stated that the developer will be requested to construct a sidewalk from the entrance of the subdivision along Legacy Elementary Drive, and a striped crosswalk for the children to cross Legacy Elementary Drive at the entrance to the school.

Mr. Keith Norwood, Bossier Parish School Board, agreed that a sidewalk from the entrance of the proposed subdivision approximately 500 feet north of Swan Lake Road to a monitored student drop-off location in front of the school is needed. He stated that a crosswalk with signage is needed at that location to warn motorists that children may be crossing the street.

Mr. Barker stated that extension of a sidewalk from the proposed development to Legacy Elementary Drive is planned, and the developer would be willing to commit to the construction of a sidewalk along Legacy Elementary Drive to a crosswalk to the school as requested.

There was additional discussion regarding the possible disruption of school traffic due to the entrance of the proposed development being on Legacy Elementary Drive. Mr. Ford stated that the school board has built an access drive on the north side of the school, which takes school traffic behind the school to Legacy Elementary Drive.

Mr. Benton stated that if the master plan for Waterford Bend Subdivision indicates that approximately 86 total lots are planned, the extension of Sawgrass Parkway should be completed upon completion of the first 37 lots, prior to any further development of Waterford Bend Subdivision.

Mr. Jackson stated that if the police jury has determined that the extension of Sawgrass Parkway needs to be complete prior to any substantial expansion, a commitment to complete the extension of the parkway within two years is not sufficient. He stated that if the police jury wants to ensure the completion of the Sawgrass Parkway extension, a stipulation will need to be made that no lots can be sold in the proposed development until the parkway extension is complete, or stipulate that until the parkway extension is complete, only a certain number of lots can be sold.

Mr. Jackson stated that it has been the police jury's policy that a master plan for a proposed development must be submitted for approval, and that all infrastructure in the development must be completed prior to the issuance of any building permits.

Mr. Benton expressed concern that without the completion of the extension of Sawgrass Parkway, the residents of Waterford Bend Subdivision, including children on bicycles, will be required to use Swan Lake Road to access the clubhouse and pool in the Legacy Subdivisions.

Mr. Skaggs asked if the developer would be willing to complete the extension of Sawgrass Parkway in less than two years. Mr. Barker stated that he obtained a commitment from the developer as requested by the police jury at its regular meeting on September 21, 2016, that Sawgrass Parkway would be completed within two years. Mr. Jackson stated that time is not the concern, but the density of the traffic with continued development in this area.

After further discussion, **motion was made by Mr. Skaggs, seconded by Mr. Rimmer, to approve the plat of the proposed development of Waterford Bend Subdivision, located in Section 22, Township 19 North, Range 13 West, Bossier Parish, LA, with the stipulation that not more than 10 building permits will be issued for Waterford Bend Subdivision until the Sawgrass Parkway extension to Legacy Elementary Drive is complete.**

The President called for public comment. Mr. Avery requested that the developer, engineers for the project, Mr. Ford, Mr. Skaggs and Mr. Norwood meet to further review the proposed design of the extension of Sawgrass Parkway. Mr. Barker stated that the design plan is not complete at this time.

Mr. Norwood stated that it is unclear as to the route of the Sawgrass Parkway extension. He stated that the school board's off-site detention pond was part of the master plan for the development of Legacy Subdivisions for wetland mitigation, which was established many years ago with the Corps of Engineers.

Mr. Barker stated that he can make no additional commitments on behalf of the developer regarding the Sawgrass Parkway extension. Mr. Jackson stated that this matter can be tabled to allow Mr. Barker time to discuss the police jurors' requests, or if the motion stands and the developer is unable to make the requested commitments, the approval process would have to start over, delaying the development further.

After further discussion, Mr. Skaggs withdrew his motion and Mr. Rimmer withdrew his second. **Motion was made by Mr. Skaggs, seconded by Mr. Rimmer, to table the public hearing to consider approval of the plat of the proposed development of Waterford Bend Subdivision, located in Section 22, Township 19 North, Range 13 West, Bossier Parish, LA, to be considered at the October 19, 2016, regular meeting.**

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

Motion was made by Mr. Skaggs, seconded by Mr. Benton, to schedule a public hearing on November 2, 2016, to consider approval of the plat of the proposed development of Jackson Square Subdivision, being a resubdivision of Lots 9, 10, 11, 12 and 13, Jones Cypress Gardens Subdivision, Unit No. 2, located in Section 11, Township 19 North, Range 13 West, Bossier Parish, LA.

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

Mr. David Ghormley, Property Standards Officer, presented current photographs of property located at 3185, 3189, 3191, and 3199, Tract 8-D, Jamerson Road, Haughton, LA, Tax Assessment No. 116130, advising that the property owners have done a substantial amount of cleanup work. He stated that additional work is required in order to bring the property into compliance with property standards regulations.

Mr. Ghormley stated that to the best of his knowledge, the water well is still disconnected at 3185 Jamerson Road.

Mr. Jackson asked that this matter be reviewed at the October 19, 2016, regular meeting. Mr. Brotherton stated that the property owners have advised that they are attempting to address all property standards violations, but some of the property owners are unwilling to cooperate.

Motion was made by Mr. Brotherton, seconded by Mr. Cochran, to allow the owner of property at 3185, 3189, 3191, and 3199, Tract 8-D, Jamerson Road, Haughton, LA, Tax Assessment No. 116130, an additional two weeks 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 October 19, 2016, regular meeting.

Mr. Ghormley reported on a meeting of the Property Standards Board of Review, advising that it is recommended that a condemnation hearing be scheduled on October 19, 2016, to consider condemnation of property at 3206 Jamerson Road, Haughton, LA, Tax Assessment No. 122405. He stated that the property owner has advised that he is disabled with a limited income.

Motion was made by Mr. Brotherton, seconded by Mr. Shewmake, to schedule a condemnation hearing on October 19, 2016, to consider condemnation of property at 3206 Jamerson Road, Haughton, LA, Tax Assessment No. 122405.

The President called for public comment. Mr. Robert Ray asked what services are available to property owners who do not have the means, or who are unable to clean up property that is condemned. Mr. Jackson stated that the majority of condemnations are due to the outside appearance of the property such as trash, debris, and high grass. He stated that there are some condemnations that are due to non-potable water and no working sewer. Mr. Jackson stated that when the parish condemns and cleans up the property, a lien is placed on the property. He stated that it is rare that the demolition of a structure is required due to uninhabitable conditions.

Mr. Ray asked if the property owner is required to leave the property if it is condemned. Mr. Jackson stated that if the property has working water and sewer and the structure is safe, the property owner is not required to vacate the property.

Mr. Ray stated that there are organizations that are willing to assist property owners who are unable to clean their property, and asked if a list of properties that are being considered for condemnation is available so that assistance might be offered to the property owners. Mr. Jackson stated that a list of properties can be obtained from Mr. Ghormley.

Votes were cast and the motion carried unanimously.

Mr. Ghormley stated that the Board of Review recommended that a condemnation hearing be scheduled on October 19, 2016, to consider condemnation of property at 100 Longhorn Drive, Bossier City, LA, Tax Assessment No. 111592.

Motion was made by Mr. Brotherton, seconded by Mr. Darby, to schedule a condemnation hearing on October 19, 2016, to consider condemnation of property at 100 Longhorn Drive, Bossier City, LA, Tax Assessment No. 111592.

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

Mr. Ghormley stated that the Board of Review recommended that a condemnation hearing be scheduled on October 19, 2016, to consider condemnation of property at 4191 Sligo Road, Haughton, LA, Tax Assessment No. 117931.

Motion was made by Mr. Brotherton, seconded by Mr. Plummer, to schedule a condemnation hearing on October 19, 2016, to consider condemnation of property at 4191 Sligo Road, Haughton, LA, Tax Assessment No. 117931.

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

Mr. Ghormley stated that it is recommended by the Board of Review that a condemnation hearing be scheduled on October 19, 2016, to consider condemnation of property at 118 Hughes Avenue, Plain Dealing, LA, Tax Assessment No. 106628.

Motion was made by Mr. Plummer, seconded by Mr. Avery, to schedule a condemnation hearing on October 19, 2016, to consider condemnation of property at 118 Hughes Avenue, Plain Dealing, LA, Tax Assessment No. 106628.

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

Mr. Glenn Benton, Chairman of the Road/Subdivision Regulations Committee, reported on a meeting of that committee, advising that he, Ms. Bennett, Mr. Cook, Mr. Plummer, and Mr. Shewmake were present. He stated that Mr. Altimus, Ms. Carlotta Askew-Brown, Mr. Mark Coutee, Mr. Pat Culverhouse, Mr. Ford, Mr. Jackson, and Mr. Sam Marsiglia were also present. Other jurors present were Mr. Avery, Mr. Brotherton, Mr. Darby and Mr. Rimmer.

Mr. Benton stated that the committee was provided with an update on the decrease in sales taxes for 2016 in Bossier Parish, and stated that the budget for parish roads and bridges will be closely monitored.

Mr. Benton stated that the committee discussed parish regulations pertaining to a special exception use that allows a family member or caretaker for a sick or elderly person to move a manufactured home behind or beside the main residence on a tract of land. He stated that caretaker is defined as an individual who is responsible for the maintenance of the property or is responsible for the care of an elderly or disabled person living in the primary dwelling.

Mr. Benton stated that the Bossier City-Parish Metropolitan Planning Commission recommends that the definition of caretaker be amended to remove "is responsible for the maintenance of the property". He stated that this amendment will be forwarded to the police jury for consideration once it has been approved and adopted by the Bossier City-Parish MPC.

Mr. Ford stated that The Crossing at Wemple HOA has withdrawn its request to lower the speed limit on all streets throughout all phases of The Crossing at Wemple Subdivision to 15 miles per hour. **Motion was made by Mr. Skaggs, seconded by Mr. Shewmake to take no action on the request of The Crossing at Wemple HOA that the speed limit on all streets throughout all phases of The Crossing at Wemple Subdivision be lowered to 15 miles per hour.**

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

Ms. Bennett stated that a resume has been received from Mr. E. T. "Scooter" Rushing for appointment as interim Bossier Parish Constable District 1, to fill the vacancy created due to the resignation of Mr. Brandon Oswald. An election to fill this vacancy must be called and the next scheduled primary election date is March 25, 2017. She stated that this is the only resume received.

Mr. E. T. "Scooter" Rushing, 204 Afton Place, Bossier City, LA, introduced himself to jurors and requested that he be appointed as interim Bossier Parish Constable District 1.

Motion was made by Mr. Plummer seconded by Mr. Shewmake, to approve the interim appointment of Mr. E. T. "Scooter" Rushing, to the office of Bossier Parish Constable District 1 to fill the vacancy created by the resignation of Mr. Brandon Oswald, and to call a special primary election on March 25, 2017, to fill said vacancy.

Qualifying for interested candidates is January 11 through January 13, 2017. In the event of a run-off, the general election is scheduled for April 29, 2017.

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

PROCLAMATION

WHEREAS, a vacancy exists in the office of the Bossier Parish Constable District 1, due to the resignation of Brandon Oswalt on September 23, 2016.

NOW, THEREFORE, the Bossier Parish Police Jury, in regular session on this 5th day of October, 2016, does hereby appoint Mr. E. T. "Scooter" Rushing, to serve as interim appointee to the office of Bossier Parish Constable District 1, until such time as an election to fill this vacancy can be duly held.

FURTHER, the Bossier Parish Police Jury does hereby issue notice, call and proclamation for a special primary election and special general election to be held in Bossier Parish Constable District 1, to fill said vacancy.

The Bossier Parish Police Jury does fix the date of the primary election for March 25, 2017, and the date of the general election for April 29, 2017, at the times, places and manner prescribed by law.

Any qualified person desiring to become a candidate for said office shall file the necessary papers required by law, with the appropriate entity in the manner and form and under the procedures and conditions required by law, during the period commencing on January 11, 2017, and ending on January 13, 2017.

The Bossier Parish Police Jury does hereby request the Secretary of State, the Commissioner of Elections, the Board of Supervisors of Elections, the Clerk of Court, the Registrar of Voters and all other persons charged with any power, function, right, duty or responsibility in conducting elections in the Parish of Bossier to exercise every lawful function and do every act necessary to conduct said elections, cause the returns thereof to be made, and in general to perform all related and incidental functions necessary to canvass and promulgate the results thereof.

The above proclamation was presented by Mr. Plummer, seconded by Mr. Shewmake. Upon vote, the proclamation was duly adopted by the Bossier Parish Police Jury in regular session on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Skaggs, seconded by Mr. Brotherton, 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. 4629

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 Coushatta Road, Trib Flat River	3 (temporarily closed)
PO832225933301	Smith Road, Red Chute Bayou	25-40
PO832269932881	Johnson Store Road, Foxskin Bayou	15-25
PO832351933431	Winfield Road, Connell Branch	25-40
PO832339934091	Swan Lake Road, Willow Chute Bayou	10-15
PO832459932961	Whittington Road, Bodcau Trib	15-25
PO832465933301	Sheppard Road, Trib Bodcau Bayou	10-15
PO832523934411	Old Plain Dealing Hwy, Collinsburg Creek	15-25
PO832526934161	Antrim Road, Lil Cypress Creek	25-40
PO832593933821	Chalybeate Springs Rd, Trib to Mrtnc	25-40
PO832595934471	Log Ferry Road, Stillhouse Bayou	15
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 (closed)
PO832542934221	Arkansas Street, Lil Cypress Bayou	3
PO832170932711	Swan Lake Road, Red Chute Bayou	20-35
PO832187933071	Atkins Clark Road, Flat River Ditch	5
PO832590933871	Leila Road, Boggs Creek	15-25

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

The ordinance was offered by Mr. Skaggs, seconded by Mr. Brotherton. Upon unanimous vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Skaggs, 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, 2016, through September 30, 2017:

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. Skaggs, second by Mr. Brotherton, and vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Bennett stated that Ms. Jeanette Edmiston has resigned as police jury representative to the Human Services District Board.

Mr. Darby stated that the Human Services District is responsible for designating funds to different organizations that provide mental health services and other services provided by the state. He stated that board members are required to attend several meetings.

Ms. Bennett asked that any recommendations for this appointment be submitted to Mr. Altimus, and further asked that Mr. Culverhouse prepare a notice to the public providing qualifications required for this appointment and how to apply for the board position.

Mr. Altimus submitted a request from the Pine Country Foundation for assistance with repairs to roads at the LSU Fire Training Center at Camp Minden. He stated that prior to the construction of this facility, all fire personnel were required to travel to south Louisiana for training.

Mr. Altimus stated that the cost for repairs to the roads is approximately \$38,000.00. He stated that the State of Louisiana has committed to paying \$10,000.00, with Pine Country Foundation paying \$20,000.00. He further stated that the Webster Parish Police Jury has approved an expenditure of funds in the amount of \$4,000.00 for the needed repairs.

Mr. Altimus stated that the police jury has been requested to provide labor, fuel and material, as well as \$4,000.00 for the repairs. He stated that the police jury will be reimbursed for labor, fuel, and material costs.

Motion was made by Mr. Shewmake, seconded by Mr. Rimmer, to approve the request of Pine Country Foundation for the police jury's assistance in providing labor, fuel and materials needed for the repair of roads at the LSU Fire Training Center at Camp Minden, and to approve an expenditure of funds in the amount of \$4,000.00 for this road repair project, with the police jury being reimbursed for labor, fuel and material costs.

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

Mr. Jackson stated that Agenda Items 15, 16 and 17 all pertain to amending the Bossier Parish Code of Ordinances to ensure that when a violation occurs, a general penalty is available that applies to violation of all parish ordinances where there is not a specific penalty attached to that violation.

Mr. Jackson stated that by amending Chapter 1, Section 1-13 of the Bossier Parish Code of Ordinances, it allows the police jury to hold building permits when a developer has violated other regulations in the code. He further stated that approval of Items 15, 16 and 17, will also allow the police jury to recoup costs when outside counsel is required.

Motion was made by Mr. Brotherton, seconded by Mr. Plummer, to adopt an ordinance amending Chapter 1, Section 1-13, of the Bossier Parish Code of Ordinances "General Penalty; Continuing Violations", to add/and or amend certain sections or subsections; to adopt an ordinance amending Chapter 122 of the Bossier Parish Code of Ordinances "Utilities", to add and/or amend certain sections or subsections; and to amend Ordinance No. 4170 of July 18, 2007, which adopted a storm water runoff ordinance for Bossier Parish.

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

ORDINANCE NO. 4630

AN ORDINANCE TO AMEND ORDINANCE NO. 4170 OF JULY 18, 2007, AND AMENDING CHAPTER 122 OF THE BOSSIER PARISH CODE OF ORDINANCES "UTILITIES", TO ADD ARTICLE IV "STORM WATER MANAGEMENT PLAN; ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE REGULATING DISCHARGES TO THE MUNICIPAL SEPARATE STORM DRAIN SYSTEM (MS4) TO PREVENT AND/OR MINIMIZE POLLUTION FROM STORM WATER RUNOFF"

WHEREAS, the Clean Water Act, among other things, regulates storm water and urban runoff to protect water quality; and

WHEREAS, the Parish of Bossier adopted a Storm Water Management Plan on March 10, 2003, in order to comply with the Clean Water Act (33 U.S.C. 1251 et seq.) and its implementing regulations for storm water management (40 C.F.R. Part 122), and to comply with the Louisiana Pollutant Discharge Elimination System (LPDES) permit issued by the Louisiana Department of Environmental Quality (LDEQ); and

WHEREAS, the Parish's Storm Water Management Plan provides that the Parish will adopt Ordinance(s) intended to prohibit, prevent and/or minimize pollution resulting from storm water runoff, on or before December 4, 2007.

NOW, THEREFORE, BE IT ORDAINED by the Bossier Parish Police Jury, in regular session convened, that the ordinance regulating discharges to the municipal separate storm drain system shall read as follows:

ARTICLE IV. STORM WATER MANAGEMENT PLAN; ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE REGULATING DISCHARGES TO THE MUNICIPAL SEPARATE STORM DRAIN SYSTEM (MS4) TO PREVENT AND/OR MINIMIZE POLLUTION FROM STORM WATER RUNOFF

SECTION 1. Purpose/intent.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of Bossier Parish through the regulation of non-storm water discharges to the municipal storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm drain system (MS4) in order to comply with requirements of the Louisiana Pollutant Discharge Elimination System (LPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants to the MS4 by storm water discharges by any user.
- (2) To prohibit illicit connections and discharges to the MS4.

(3) To establish legal authority to carry out all inspections, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this ordinance.

SECTION 2. Definitions.

For the purposes of this ordinance, the following words and terms shall be defined as follows:

(1) Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to the municipal storm drain system. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from outdoor storage areas.

(2) Parish shall mean the Bossier Parish Police Jury, Bossier Parish, Louisiana.

(3) Clean Water Act means the federal Water Pollution Control Act, (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

(4) Director means the Public Works Director.

(5) Illegal Discharge means any direct or indirect non-storm water discharge to the municipal storm drain system except as exempted in Section 5 of this ordinance.

(6) Illicit Connection An illicit connection is defined as either of the following: Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the municipal storm drain system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the municipal storm drain system and any connections to the municipal storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the Parish of Bossier or, any drain or conveyance connected from a commercial or industrial land use to the municipal storm drain system that has not been documented in plans, maps, or equivalent records and approved by the Parish of Bossier.

(7) Municipal Storm Drain System (MS4) means all or part of the publicly owned and maintained roads, streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, and dry wells located within public easements, right-of-way, parks, common areas, retention areas, or other publicly owned or maintained real property designed or used for collecting, holding, or conveying storm water.

(8) National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit means a permit issued by the EPA (or by a state under the authority delegated pursuant to 33 USC § 1342 (b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group or general area-wide basis.

(9) Person means any individual, municipality, public or private corporation, partnership, firm, the United States Government and any agent or subdivision thereof, or any other juridical person which shall include, but is not limited to, trust, joint stock companies, associations, the State of Louisiana, political subdivisions of the state, commissions, and interstate bodies.

(10) Pollutant shall have the same meaning as defined in 40 C.F.R. § 122.2, and includes but is not limited to any solid, liquid, gas, or other substance that can alter the physical or chemical properties of water including, but not limited to fertilizers, solvents, sludge, petroleum byproducts, solid waste, garbage, biological materials, radioactive materials, sand, dirt, animal waste, acids, and bases.

(11) Premises means any building, lot, parcel, real estate, or land or portion of land whether improved or unimproved including adjacent sidewalks and parking lots.

(12) State shall mean the State of Louisiana Department of Environmental Quality.

(13) Stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(14) Wastewater means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

SECTION 3. Applicability.

This ordinance shall apply to all water entering the municipal storm drain system generated on any developed and undeveloped lands unless explicitly exempted by the Parish of Bossier.

SECTION 4. Responsibility For Administration.

The Director of Public Works is delegated the authority to exercise the powers and performance of such duties set forth in this ordinance and to administer and enforce provisions of this ordinance. The Director may designate other employees to exercise such powers and perform such duties, as he/she deems appropriate.

SECTION 5. Discharge Prohibitions.

A. Prohibition of Illegal Discharges.

Unless expressly authorized or exempted by this ordinance, no person shall throw, drain, or otherwise discharge, cause, or allow others under their control to throw, drain, or otherwise discharge into the municipal storm drain system (MS4) any pollutants or waters containing any pollutants, other than storm water.

(1) Exemptions.

The following non-storm water sources may be discharged to the municipal storm drain system provided that they have not been determined by the Director of Public Works to be a substantial source of pollutants to the MS4 system:

- (a) Water line flushing,
- (b) Landscaping irrigation,
- (c) Diverted stream flows,
- (d) Rising groundwater,
- (e) Uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(20)),
- (f) Uncontaminated pumped groundwater,
- (g) Incidental discharges of potable water (e.g. drinking fountain overflows)
- (h) Foundation drains,
- (i) Air conditioning condensate,
- (j) Irrigation water,
- (k) Springs,
- (l) Water from crawl space pumps,
- (m) Footing drains,
- (n) Lawn watering runoff,
- (o) Water from individual residential car washing,
- (p) Flows from riparian habitats and wetlands,
- (q) De-chlorinated swimming pool discharges,
- (r) Residual street wash water,
- (s) Discharges or flows from fire fighting activities (excludes predictable and controllable discharges from fire fighting training facility); and
- (t) Other similar occasional incidental discharges (e.g. non-commercial or charity car washes) where such discharges will not cause a problem either due to the nature of the discharge or controls the Parish places on the discharge.

(2) Discharges authorized by a separate LPDES General Storm Water Permit

(3) No person shall discharge to the public storm drain system any exempted discharge under this subsection if the Director or assigned designee identifies and provides written notice to the person that the discharge has the potential to be a source of pollutants to receiving waters, waterways, or groundwater.

(4) Dye testing is an allowable discharge, but requires a verbal notification to the Director prior to the time of the test.

(5) Discharges specified in writing by the Director as being necessary to protect public health and safety.

B. Prohibition of Illicit Connections

(1) The construction, connection, use, maintenance or continued existence of any illegal connection to the municipal storm drain system (MS4) is prohibited.

(2) This prohibition is retroactive and shall apply to any connection that was made in the past, regardless of whether it was made under permit or other authorization or whether it was permissible under the law or practices applicable or prevailing at the time of the connection.

(3) A person is considered to be in violation of this ordinance if the person connects a line conveying sanitary sewage, domestic or industrial, to the MS4, or allows such a connection to continue unless the discharge is authorized by a LPDES discharge permit issued by the state.

SECTION 6. Suspension Of Ms4 Access

A. Suspension due to Illicit Discharges in Emergency Situations.

The Director of Public Works may, without prior notice, suspend MS4 access to a person when such suspension is necessary to stop an actual or threatened discharge, which represents or may represent imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Director may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of United States, or to minimize danger to persons.

B. Suspension due to the Detection of Illicit Discharge.

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Director of Public Works will notify a violator of the proposed termination of its MS4 access. The violator may petition the Parish for reconsideration.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section, without the prior approval of the Director of Public Works.

SECTION 7. Specific Prohibitions

A. The specific prohibitions and requirements in this section are not inclusive of all discharges prohibited by the general prohibitions in Section 5.

B. No person shall release or allow to be released any of the following substances directly into the MS4 or in or upon any street, alley, parking lot, sidewalk, curb, gutter, storm drains, catch basin, conduit, or other drainage structure:

- (1) Any refuse, pet waste, rubbish, garbage, yard waste, or other discarded or abandoned objects;
- (2) Any used motor oil, antifreeze or any other petroleum product or waste;
- (3) Any industrial waste;
- (4) Any hazardous waste, including household hazardous waste;
- (5) Any wastewater that contains soap, degreaser, solvent, or surfactant based cleaner from commercial vehicle wash facility; from any vehicle washing, cleaning, or maintenance at any new or used vehicle dealership, rental agency, body shop, repair shop, or maintenance facility; or from any washing, cleaning, or maintenance of any business or commercial or public service vehicle, including a truck, bus or heavy equipment;
- (6) Any wastewater from the washing, cleaning, de-icing, or other maintenance of aircraft;
- (7) Any wastewater from commercial mobile power washer or from the washing or other cleaning of a building exterior that contains harmful soap, detergent, degreaser, solvent, or any surfactant based cleaner;
- (8) Any wastewater from commercial floor, rug, or carpet cleaning;
- (9) Any wastewater from the wash down or other cleaning of pavement that contains any soap, detergent, solvent, degreaser, emulsifier, dispersant, or other cleaning substance; or any wastewater from the wash down or other cleaning of any pavement where any spill, leak, or other release of oil, motor fuel, or other petroleum or hazardous substance has occurred, unless all such materials have been previously removed.
- (10) Any effluent from cooling tower, condenser, compressor, emissions scrubber, emission filter or the blow down from a boiler;
- (11) Any ready mix concrete, mortar, ceramic, or asphalt base material or discharge resulting from the cleaning of vehicles or equipment containing or used in transporting or applying such material;
- (12) Any runoff, wash down water or waste from any animal pen, kennel, fowl or livestock containment area or any pet wastes generally;
- (13) Any discharge from water line disinfection by super chlorination if it contains a harmful level of chlorine at the point of entry into the MS4 or surface waters;
- (14) Any contaminated runoff from a vehicle wrecking yard;
- (15) Any substance or material that will damage, block, or clog the MS4;
- (16) Any release from petroleum storage tank (PST), or any leachate or runoff from soil contaminated by leaking PST; or any discharged or pumped, confined, or treated wastewater from the remediation of any such PST release, unless the discharge has received an LPDES permit from the state;
- (17) Any domestic sewage or septic tank waste, grease trap waste, or grit trap waste;
- (18) Any water from a water curtain in a spray room used for painting vehicles or equipment;
- (19) Any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation or other construction activities in excess of what could be retained on site or captured by employing sediment and erosion control measures to the maximum extent practicable under prevailing circumstances;
- (20) Any waste cooking oil or food waste;
- (21) Any other discharge that causes or contributes to causing the Parish to violate a state water quality standard, the Parish's LPDES Water Discharge Permit or any state issued discharge permit for discharges from its MS4.

C. Regulation of Pesticides and Fertilizers.

(1) No person shall use or cause to be used any pesticide or fertilizer, in any manner that the person knows, or reasonably should know, is likely to cause, does cause, a harmful quantity of the pesticide or fertilizer to enter the MS4 or waters of the United States.

(2) No person shall dispose of, discard, store, or transport a pesticide or fertilizer, or its container, in a manner that the person knows, or reasonably should know, is likely to cause, or does cause, a harmful quantity of the pesticide or fertilizer to enter the MS4 or waters of the United States.

SECTION 8. Requirements To Prevent, Control And Reduce Storm Water Pollutants By The Use Of Best Management Practices.

A. All persons engaged in activities, which will or may reasonably be expected to result in pollutants entering the municipal storm drain system shall undertake best management practices (BMPs) to minimize such pollutants, shall provide protection from accidental discharge of pollutants to the MS4 and comply with cleanup and notification requirements of this ordinance. Such measures shall include the requirements imposed by federal, state and local authorities. BMPs are activity specific and are described in the document "Stormwater Management Practices" (EPA 832-R-92-006) or other guidance documents available from EPA and/or LDEQ.

B. If a specific best management practice is required by the Director to prevent a pollutant from entering the municipal storm drain system, the person receiving the notice of such requirement may petition the Director to reconsider the application of the BMP to the premises or activity. The written petition must be received within ten (10) working days setting forth any reasons and proposed alternatives. The Director will act within thirty (30) days of the petition.

SECTION 9. Compliance Monitoring

A. Applicability

The section applies to all facilities that have storm water discharges associated with commercial and industrial activities, including construction activity.

B. Access to Facilities.

(1) The Parish of Bossier shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security

measures in force which require proper identification and clearance before entry to its premises, the discharger shall make the necessary arrangements to allow access to representatives of the Parish of Bossier Parish.

(2) Facility operators shall allow the Parish of Bossier ready access to all parts of the premises for the purpose of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES or LPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

(3) The Parish of Bossier shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the Parish to conduct monitoring and/or sampling of the facility's storm water discharge.

(4) The Parish of Bossier has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at his own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Director and shall not be replaced. The cost of clearing such access shall be borne by the operator.

(6) Unreasonable delays in allowing representatives of the Parish of Bossier access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with a LPDES or NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies representatives of the Parish of Bossier reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

(7) If a representative of the Parish of Bossier has been refused access to any part of the premises from which storm water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Director of Public Works may seek issuance of a search warrant from any court of competent jurisdiction.

SECTION 10. Industrial Or Construction Site Storm Water Runoff Control.

A. Any person subject to an industrial or construction activity LPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Director of Public Works or Parish Engineer prior to the allowing of discharges to the MS4.

B. As soon as any owner or operator has actual constructive knowledge of any discharge, which may result in pollutants entering the municipal storm drain system, such person shall promptly take all necessary steps to ensure the discovery of the source and the extent and proceed with containment and cleanup of such discharge. The owner or operator shall notify the Director of Public Works of the discharge in both of the following manners:

(1) By telephone as soon as practical or by calling the Louisiana Department of Environmental Quality and/or the local Fire Department if Hazardous materials are involved, and;

(2) By written report identifying the discharge source, extent, pollutant, measures taken to mitigate the discharge, and preventive measures put in place to prevent a subsequent discharge.

SECTION 11. Enforcement.

A. Notice of Violation.

The Director may issue a written Notice of Violation to any person who has violated or is in violation of this ordinance. Failure to comply with any act required in the Notice of Violation shall be a separate violation for each day beyond the thirtieth (30th) day following the Notice of Violation. Nothing in this Section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation. In appropriate situations the Director may notify the person orally either in person or by telephone prior to, and in some cases in lieu of, written notification.

B. Cease and Desist.

When the Director finds that a person has violated, or continues to violate any provision of this ordinance or any related laws or regulations, or that the person's past violations are likely to recur, the Director may issue an order to the person directing them to cease and desist all such violations and direct the person to immediately comply with all requirements; and take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the person. A person's failure to comply with an order of the Director issued pursuant to this ordinance constitutes a violation of this ordinance.

C. Penalties.

A person who willfully or negligently violates any provision of this ordinance, or any related laws or regulations shall be punished by a fine imposed by the Director of Public Works of up to \$500 per day per offense.

D. Liability for Cost.

The Director of Public Works may assess liability for cost to any person in violation of this ordinance for all actual cost incurred by the Parish in surveillance, sampling and testing, abatement, and remediation associated with a discharge. Additionally, the Director may assess liability for cost to any person whose discharge resulted in a violation of the Parish's LPDES MS4 permit. Such cost shall include all reasonable attorney's fees and costs incurred by the Parish.

SECTION 12. Providing For Repeal Of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the Code adopted herein by reference are hereby repealed.

SECTION 13. Providing For Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions thereof.

SECTION 14. Right To Appeal

Any person receiving a Notice of Violation may appeal the determination of the Director. The notice of appeal must be received within 10 days from the date of the Notice of Violation. Hearing on the appeal before the Director or

his/her designee shall take place within 15 days from the date of the receipt of the notice of appeal. The decision of the Director of Public Works shall be final.

The ordinance was offered by Mr. Brotherton, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

ORDINANCE NO. 4631

AN ORDINANCE AMENDING CHAPTER 1, SECTION 1-13, OF THE BOSSIER PARISH CODE OF ORDINANCES "GENERAL PENALTY; CONTINUING VIOLATIONS", TO ADD AND/OR AMEND CERTAIN SECTIONS OR SUBSECTIONS

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 5th day of October, 2016, that Chapter 1, Section 1-13 (a) and (b), be and are hereby amended to read as follows:

Section 1-13. Maximum penalty; continuing violations.

Section 1-13 (a) is hereby amended to read as follows:

- (a) It shall be unlawful for any person to violate or fail to comply with any provision of this Code or to commit any act which is declared to be a crime, a misdemeanor or unlawful, and where no specific penalty is provided therefor, any person who is found to be in violation of any provision of this Code shall be punished by a fine not exceeding \$500.00, or imprisonment for a term not exceeding 30 days, or by both such fine and imprisonment, within the discretion of the court. Each day any violation of this Code shall continue constitutes a separate offense.

Section 1-13 (b) is hereby amended to read as follows:

- (b) *Violations of Parish Permits or Regulatory Provisions.* It shall be a violation of this Code for any person to violate the terms of any permit granted under this Code, any condition imposed under such permit, or any regulatory provision of this Code (including but not limited to those under Parish Ordinance 4630). In addition to any other legal remedies provided in this Code or otherwise under law, the parish is authorized to take any one or more of the following actions to remedy such violation:
 - (1) Withhold any approvals or permits required by this Code.
 - (2) Issue stop orders against any work undertaken by an entity not having a proper approval or permit required by this Code, or operating in violation of any parish regulatory provision, including the immediate cessation of parish utility services.
 - (3) Issue stop orders against any previously approved actions in violation of this Code including the immediate cessation of parish utility services.
 - (4) Bring an action for temporary restraining order, temporary or permanent injunction, or any other judicial remedy (including, in appropriate cases, for mandamus) to prevent the violation and/or to prevent the occupancy or use of any site or structure involved in the violation, or otherwise to abate a violation. Any person subject to parish regulatory provision, and every permittee for the issuance of any parish permit, is placed on notice and agrees that a violation may be remedied, without limitation, by any such judicial remedy, without the necessity of the parish proving irreparable harm or furnishing bond or other security and with the parish, should it prevail in whole or in part, being entitled to recover reasonable attorney's fees and costs. Additionally, any forbearance by the parish of enforcement in any instance shall not constitute a waiver of parish authority to seek enforcement in any other instance.
 - (5) Prosecute the violation as a misdemeanor under subsection (a) hereof.

The ordinance was offered by Mr. Brotherton, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

ORDINANCE NO. 4632

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 122 OF THE BOSSIER PARISH CODE OF ORDINANCES PROVIDING FOR REGULATIONS RELATIVE TO COMMUNITY-TYPE SEWER SYSTEMS.

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 5th day of October, 2016, that certain sections of Chapter 122, "Utilities", of the Bossier Parish Code of Ordinances, be and is hereby amended to read as follows:

ARTICLE II. SEWAGE

Section 122-64(b), be and is hereby amended to read as follows:

- (b) Any penalties assessed by the State, local or federal regulatory agencies resulting from the owners' operations due to lack of compliance with State, local or federal sewer treatment requirements, will be the responsibility of the owner/developer of the community-type sewer treatment plant. Such penalties assessed by the Bossier Parish Police Jury shall include all reasonable attorney's fees and costs incurred by the Police Jury incurred in seeking compliance with sewer treatment requirements."

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon adoption.

BE IT FURTHER ORDAINED that any ordinance or parts of any ordinance in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that anyone violating the provisions of this ordinance, upon conviction, shall be fined for each offense as provided in Chapter 1, Section 1-13 of the Bossier Parish Code of Ordinances.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall be included and incorporated in the Bossier Parish Code of Ordinances as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

The ordinance was offered by Mr. Brotherton, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Cook, seconded by Mr. Brotherton, to authorize the Parish Attorney to pursue legal proceedings in the matter of the improper discharge of sewer effluent on property owned by Kenneth Joe Wells and Karen Darlene Wells at 7513 Booker Road, Haughton, LA.

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

Motion was made by Mr. Shewmake, seconded by Mr. Darby, to table the adoption of a resolution authorizing the issuance of Sales Tax Refunding Bonds, Series 2016, of the Parish of Bossier, State of Louisiana; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal and interest on such bonds and the application of the proceeds thereof to the refunding of certain bonds of said Parish; authorizing an agreement with the Paying Agent; and providing for other matters in connection therewith, to be considered at the November 16, 2016, regular meeting.

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

Motion was made by Mr. Benton, seconded by Mr. Rimmer, to approve the Certificate of Substantial Completion of the Wastewater Collection System (Contract No. 3) for Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, and to authorize the execution of 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 5th day of October, 2016, that it does hereby approve the Certificate of Substantial Completion of the Wastewater Collection System (Contract No. 3) for Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier.

BE IT FURTHER RESOLVED that Wanda Bennett, 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. Benton, seconded by Mr. Rimmer. Upon unanimous vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

Motion was made by Mr. Skaggs, seconded by Mr. Plummer, to approve an Entity/State Agreement between the Louisiana Department of Transportation and Development for State Project No. H.012366, RWD Signing Bossier Parish (Phase 2)(Airline Highway, Linton Road, Old Plain Dealing Road, and Palmetto Road), and to authorize the execution of 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 5th day of October, 2016, that William R. Altimus, Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, an Entity/State Agreement between the Louisiana Department of Transportation and Development for State Project No. H.012366, RWD Signing Bossier Parish (Phase 2)(Airline Highway, Linton Road, Old Plain Dealing Road, and Palmetto Road).

The resolution was offered by Mr. Skaggs, seconded by Mr. Plummer. Upon unanimous vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Altimus reported on his attendance at a Change of Command ceremony at Barksdale Air Force Base, stating that it was well attended.

Mr. Altimus stated that a job fair was recently held at the Bossier Civic Center for Barksdale Air Force Base for IT positions. He stated that BAFB had planned to hire approximately 30 to 40 employees at the time of the job fair, but due to the overwhelming turnout, there were too many qualified applicants to be able to make a determination at that time.

Mr. Altimus reported that CSRA currently held a job fair, which was well attended.

Mr. Altimus reported that the first two blocks of the Development and Re-Envisioning of Downtown Bossier City project are complete.

Mr. Altimus provided a report on the Extension of Arthur R. Teague Multi-Use Trail project.

Mr. Altimus provided an update on the Sligo Road Bridge.

Mr. Ford provided an update on the sewer projects. He stated that the relocation of the outfall structure on the Red River has begun. He further stated that 75 percent of the cost to relocate the outfall structure will be paid by FEMA.

Mr. Ford stated that he will be attending the Louisiana Parish Engineers and Supervisors Association Fall Conference this week in south Louisiana. He stated that FEMA will be present at the conference, and he has been requested to speak about the recent flood event in Bossier Parish.

Mr. Ford stated that he will be meeting with GOHSEP and FEMA Friday morning to discuss funding for flood damaged gravel roads. He stated that discussion regarding funding for flood damaged culverts and bridges will be in the near future, as well as flood damaged paved roads.

Mr. Ford stated that a property owner off Vantage Point Road in Vantage Point Subdivision in southern Bossier Parish has requested that the road be improved. He stated that the Vantage Point Subdivision plat states that all roads in the subdivision are private. He further stated that when the parish allowed gravel roads to be accepted into the parish road system, funds were requested from LCDBG to improve Joyner Lane in Vantage Point Subdivision, but no clear title could be obtained to improve the remainder of the roads and they remain private.

Mr. Ford presented a letter that was submitted to the property owner in 2004 advising her that the roads are private. He stated that a bank will not provide mortgage financing since the property is located on a private road. Mr. Brotherton stated that the road is impassable, and that there are two homes located on the road. He stated that the parish is unable to assist with improvements to roads in the subdivision.

Motion was made by Mr. Avery, seconded by Mr. Darby, to amend the agenda to consider the acceptance of streets and drainage in The Crossing at Wemple, Unit No. 3, into the parish road system for permanent maintenance.

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. Cochran, Mr. Cook, Mr. Darby, Mr. Plummer, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs
NAYS: None
ABSTAIN: None
ABSENT: Mr. Hammack

Motion was made by Mr. Avery, seconded by Mr. Skaggs, to accept the streets and drainage in The Crossing at Wemple, Unit No. 3, 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. 4633

WHEREAS, the Bossier Parish Police Jury in regular and legal session convened on the 5th day of October, 2016, has received a request from H&H Contracting Co., Inc., that the parish accept into its system for permanent maintenance, the streets and drainage in The Crossing at Wemple Subdivision, Unit No. 3, 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 H&H Contracting Co., 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 The Crossing at Wemple Subdivision, Unit No. 3, Bossier Parish, Louisiana:

Andrew Place – 0.031 mile
 Stacey Lane – 0.225 mile

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. Avery, seconded by Mr. Skaggs. Upon vote, it was duly adopted on this 5th day of October, 2016.

RACHEL D. HAUSER
 PARISH SECRETARY

WANDA BENNETT, PRESIDENT
 BOSSIER PARISH POLICE JURY

Mr. Ford stated that GOHSEP has advised that the Bossier Parish application for funding through the FMA Grant Program for repetitive loss flood victims, which provides 90 percent of the appraised value of a home, was not forwarded to Washington, D.C., for further review. He stated that a meeting with GOHSEP is scheduled for Tuesday afternoon to further discuss this matter.

Mr. Ford stated that he recently spoke with a teacher from an elementary school in Denham Springs, LA, who reported on the devastation to the schools caused by the recent flood event in southern Louisiana. He stated that one of the elementary schools that flooded in the area is holding classes in the elementary school gymnasium where she teaches.

Ms. Sonja Bailes, Bossier Parish School Board, stated that Bossier Parish Schools have adopted Livingston Parish Schools, as well as other parishes, that were devastated by the recent flood event. She stated that Bossier Parish Schools have been hosting fundraisers, collecting school supplies, and teacher resources to assist the schools affected by

the flood event in southern Louisiana. She further stated that Bossier Parish Librarians have also donated funds to help purchase new books to help replenish books lost during the flood. Ms. Bailes stated that book drives have also been held to help replenish books.

Ms. Bailes stated that school administrators have traveled to south Louisiana to deliver funds collected and supplies. She stated that cleaning supplies and school supplies collected by Bossier Parish Schools have been delivered by way of the National Guard, Salvation Army and Senator Ryan Gatti.

Ms. Bailes stated that one of the overwhelming concerns by school administrators is that there is no place to store school supplies, uniforms and other tangible goods in south Louisiana. She stated that monetary donations would better benefit the schools in southern Louisiana. She further stated that the Livingston Parish School Board has a 501c3 program called Assess the Need which has been in place for more than 17 years to assist with school supplies for various schools in the parish and this account has been activated due to the flood event. Ms. Bailes stated that it was requested that funds be sent to Assess the Need, advising that the funds can be designated to a particular school.

Ms. Bailes stated that next Wednesday, the media will be invited to attend the presentation of a check to Assess the Need. She stated that approximately \$30,000.00 has been raised. She further stated that this will not be a one-time donation and that Bossier Parish Schools will continue to collect goods and funds for the schools affected by the flood event in southern Louisiana.

Mr. Mark Coutee, Public Works Director, presented an update on activities of the highway department and on several road projects in the parish. He stated that the 2016 Road Overlay Program is almost complete.

Mr. Benton expressed appreciation to the highway department for their work. He stated that the 2016 Road Overlay Program was delayed approximately two months due to the flood event, but in spite of the delay, the highway department has almost completed the 2016 Road Overlay Program.

Mr. Benton stated that Trailblazers will be holding a Strike Force meeting on October 13th at Galilee Baptist Church, Haughton, LA. He stated that one of the topics being discussed is Estate Planning, and encouraged the public to attend.

Mr. Jackson stated that a meeting is scheduled Monday with Federal leaders to discuss the issues regarding FEMA and the recent flood events.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 5th day of October, 2016, the meeting was adjourned by the President at 3:30 p.m.

RACHEL D. HAUSER
PARISH SECRETARY

WANDA BENNETT, PRESIDENT
BOSSIER PARISH POLICE JURY