

BOSSIER PARISH POLICE JURY
BENTON, LOUISIANA
MINUTES
August 1, 2018
www.bossierparishla.gov

The Bossier Parish Police Jury met in regular and legal session on the 1st day of August, 2018, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Mr. Glenn Benton, called the meeting to order. The invocation was given by Mr. Doug Rimmer, and the pledge of allegiance was led by Mr. Jack Skaggs. 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. Mac Plummer, Excused
Mr. Glenn Benton	Mr. Doug Rimmer
Mr. Bob Brotherton	Mr. Tom Salzer
Mr. Jimmy Cochran	Mr. Fred Shewmake
Mr. Norman Craig	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. Jamie Monceaux, 225 Mott Road, Plain Dealing, LA, requested to address the police jury. **Motion was made by Mr. Craig, seconded by Mr. Darby, to amend the agenda to add Ms. Jamie Monceaux as Visitor No. 3.**

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. Craig, Mr. Darby, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs

NAYS: None

ABSTAIN: None

ABSENT: Mr. Plummer, Mr. Salzer

Mr. Travis Morehart, Cook & Morehart, Certified Public Accountants, presented a review of the 2017 Bossier Parish Police Jury audit. He reported that there are no findings, and commended the police jury staff.

Mr. Max Sharp and Mr. Joe Provenza, were present. Mr. Sharp presented a land map for a potential airport in northern Bossier Parish. He stated that Bossier Parish currently does not have an airport and a group has formed to hopefully bring an airport to northern Bossier Parish. He further stated that the proposed airport would be a private investor funded airport and located approximately six miles north of the Town of Benton.

Mr. Sharp stated that the private airport would consist of hanger sites, home sites, a clubhouse, and a large multi-purpose body of water with a boat ramp. He stated that the body of water would also be used for sea planes to land.

Mr. Sharp stated that the police jury would be requested to participate with this project due to the economic impact the private airport would have for Bossier Parish.

Mr. Sharp stated that all Federal Aviation Administration regulations would have to be met. He stated that all home sites would be located to the east of the airstrip with hanger sites located on the west side of the airstrip. He further stated that apartments located in the hangers are planned.

Mr. Sharp stated that a study is being done to determine the feasibility of a private airport at this location.

Mr. Benton asked what type of assistance would be requested from the police jury. Mr. Sharp stated that Bossier Parish owns a water system located off Highway 160 and requested that the police jury assist with the installation of an approximate two mile water line to provide water to the private airport community. He stated that there is a railroad crossing on the north end of the property which would be the primary entrance to the airport, and requested the police jury's assistance with requesting a railroad crossing at that location.

Mr. Sharp stated that Alden Bridge Loop Road accesses Highway 3 on the north and south end of the 203-acre tract of land for the proposed airport. He stated that they have first right of refusal on a 300-acre tract of land located south and contiguous to the 203-acre tract of land. He further stated that some private airports have housing located away from the airport, but still have the ability to taxi an airplane to the airstrip from their home. Mr. Sharp stated that it is possible that the south end of Alden Bridge Loop Road would be gated in order to access the 300-acre tract of land, but it is not a requirement.

Mr. Avery stated that the railroad track crossings in this area are blocked by trains several times a day, and this may present a concern for traffic to and from the proposed airport.

Mr. Benton recommended that this matter be referred to the Road/Subdivision Regulations Committee for further discussion. Mr. Brotherton requested that a Road/Subdivision Regulations Committee meeting be scheduled in the near future to further discuss this matter.

Mr. Sharp stated that the proposed airport would also include a fueling station, community swimming pool, office space, up to 25 lots for homes, and 80 to 100 hanger lots.

Mr. Benton stated that the proposed airport would be a great addition to Bossier Parish.

Ms. Monceaux stated that she and her husband own 10 acres in northern Bossier Parish on Mott Road. She stated that a drainage ditch runs between her property and Mott Road which is designed to drain Mott Road and properties located north and east of her property. She further stated that her property floods when the ditch is not kept cleaned out.

Ms. Monceaux stated that in 1989 she met with Soil and Water Conservation to request assistance with this matter. She stated that the police jury was asked to assist at that time as they felt this was a parish owned ditch. She further stated that the police jury organized the efforts with Soil and Water Conservation to clean the ditch in 1989. Ms. Monceaux stated that she is now being told that the parish does not own the ditch and the ditch is a natural drainage. She stated that it is her understanding that the parish cannot clean the ditch because it is located on private property.

Ms. Monceaux stated that when the ditch was cleaned in 1989, no permanent easements were obtained to allow future access to clean the ditch. She stated that once the ditch was cleaned, the drainage issues on her property subsided for several years. She further stated that the ditch is in need of cleaning again, but the highway department no longer cleans the ditch due to no permanent easements being obtained to access the ditch.

Ms. Monceaux stated that two of the homeowners whose properties take up more than half of the ditch have agreed to allow the parish access to clean the ditch. She stated that four additional landowners adjacent to the ditch have also agreed to allow the parish access to the ditch. She further stated that with these landowners allowing access, the highway department would be able to clean a little over half of the ditch which would decrease the flooding issues on her property.

Ms. Monceaux stated that flooding on her property could affect her home, possessions and livestock. She stated that they have lost two cows in the past two years due to the cows getting stuck in the mud and not being able to get out. She further stated that the flooding issues create a hardship for them when feeding their livestock. Ms. Monceaux stated that her driveway has sustained damage from flooding due to the drainage ditch not being cleaned. She stated that she is willing to work with the police jury in any way possible for the parish to maintain the ditch.

Mr. Ford stated that he has been made aware of Ms. Monceaux's complaint. He stated that in 1989 Mr. Billy Montgomery, who was then serving as a State Representative, assisted with obtaining funds from Soil and Water Conservation to clean the drainage ditch. He stated that Soil and Water Conservation obtained temporary easements to access the drainage ditch, and the police jury was asked to perform the work to clean the ditch. He further stated that no permanent easements were obtained at that time to allow the parish to go onto private property to access the drainage ditch in the future.

Mr. Ford stated that the state owns property adjacent to the drainage ditch, as well as additional landowners. He stated that the water flows south under LA Highway 2.

Mr. Ford stated that Ms. Monceaux contacted him a couple of years ago regarding the drainage ditch, and he is working on obtaining a cost estimate for the parish to acquire permanent easements to access the drainage ditch. He stated that in 2009, Ms. Monceaux allowed the parish to access the ditch through her property to clean it out due to the flood event in 2009.

Mr. Ford stated that the cost to acquire the needed right-of-way is approximately \$50,000.00 to \$60,000.00. He stated that he plans to present the proposed project in the near future to request funding for the project.

Mr. Benton asked how many property owners are affected by floodwaters in this area. Mr. Ford stated that Ms. Monceaux's property is located at the top of the stream and the water flows across her driveway. He stated that in a flood event, Ms. Monceaux would not be able to access her driveway. He further stated that two of the landowners located south of Ms. Monceaux's property would not allow the police jury access in the past.

Mr. Benton asked if Ms. Monceaux would be able to get all landowners to donate the needed right-of-way for the parish to access the ditch. Ms. Monceaux stated that all landowners have agreed to donate the needed right-of-way. Mr. Ford stated that a survey would need to be done in order to determine where the easement needs to be located. He stated that the cost for surveying work will be approximately \$10,000.00

Mr. Ford stated that there is a need for the parish to maintain the drainage ditch, but permanent easements must be obtained. He stated that Soil and Water Conservation saw a need in 1989 for the ditch to be cleaned, and permanent easements should have been obtained at that time. He stated that the parish would never have worked on the ditch had a request from Soil and Water Conservation not been received in 1989.

After further discussion, Mr. Ford stated that he will meet with Ms. Monceaux and provide a cost estimate in the near future.

Mr. Ford recommended that the low bid of North Louisiana Construction Contractors, LLC, in the amount of \$641,833.05, be accepted for the Commerce Drive Extension – Phase 3, Project No. 2018-524. He stated that the estimated budget for this project is \$1,167,931.00.

Motion was made by Mr. Shewmake, seconded by Mr. Cochran, to award the bid for the Commerce Drive Extension – Phase 3, Project No. 2018-524, in the amount of \$641,833.05, to North Louisiana Construction Contractors, LLC, low bidder meeting bid specifications in accordance with bids received on July 19, 2018.

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.** Bid results are as follows:

Bidder:	Bid Amount:
3 Gen Construction	\$851,535.00
North Louisiana Construction Contractors, LLC	\$641,833.05
2R Construction, LLC	\$1,077,293.70
Best Yet Builders, LLC	\$769,950.35
Fessler & Bowman, Inc.	\$657,695.00
CW&W Contractors, Inc.	\$891,837.00
John Plott Company, Inc.	\$816,743.03
JB James Construction, LLC	\$898,042.00

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 1st day of August, 2018, that William R. Altimus, Parish Administrator, or Glenn Benton, President, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents or contracts with North Louisiana Construction Contractors, LLC, in connection with the Commerce Drive Extension – Phase 3, Project No. 2018-524.

The resolution was offered by Mr. Shewmake, seconded by Mr. Cochran. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

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 August 15, 2018, to consider condemnation of property located at 343 Evangeline Drive, Elm Grove, LA, Tax Assessment No. 147421.

Motion was made by Mr. Brotherton, seconded by Mr. Salzer, to schedule a condemnation hearing on August 15, 2018, to consider condemnation of property located at 343 Evangeline Drive, Elm Grove, LA, Tax Assessment No. 147421.

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 August 15, 2018, to consider condemnation of property located at 6329 Highway 80, Princeton, LA, Tax Assessment No. 114680.

Motion was made by Mr. Craig, seconded by Mr. Rimmer, to schedule a condemnation hearing on August 15, 2018, to consider condemnation of property located at 6329 Highway 80, Princeton, LA, Tax Assessment No. 114680.

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

Mr. Bob Brotherton, Chairman of the Road/Subdivision Regulations Committee, reported on a meeting of that committee. Committee members attending the Road/Subdivision Regulations Committee meeting were Mr. Brotherton, Mr. Shewmake, Mr. Craig, Ms. Bennett, Mr. Avery and Mr. Rimmer. Mr. Altimus, Mr. Sam Marsiglia, Ms. Carlotta Askew-Brown, Mr. Mark Coutee, Ms. Julie Gill, Ms. Jessica Aldridge, Ms. Hauser and Mr. Pat Culverhouse were also present. Other jurors present were Mr. Benton, Mr. Darby, and Mr. Cochran.

Mr. Brotherton stated that the Road/Subdivision Regulations Committee discussed regulations on billboards, pool houses and mother-in-law suites.

Mr. Ford stated that the Bossier City-Parish MPC has recommended amendments to the Unified Development Code pertaining to billboards. He stated that new billboard companies are locating in Bossier Parish, and the current billboard regulations need to be amended to address new billboard companies. He further stated that the City of Bossier City has approved the amendments to the UDC.

Mr. Ford stated that accessory structures on residential lots were also discussed. He stated that requests have been received to allow permanent accessory structures on residential lots. He further stated that it is recommended that public hearings be held before the police jury for any requests made to the Bossier City-Parish MPC for a permanent accessory structure on residential lots.

Mr. Ford stated that the committee discussed parish regulations pertaining to sidewalks. He stated that current regulations do not require handicap access, and it needs to be determined if the parish will require handicap access in the future on sidewalks in subdivisions.

Mr. Ford stated that the committee discussed a request from the City of Bossier City for assistance with the Wemple Road project.

Mr. Ford stated that the committee discussed a revised plat for the Willow Creek at Benton Subdivision.

Mr. Ford stated that the committee also discussed plans for a Taco Bell to be located on Airline Drive near the existing Johnny's Pizza.

Motion was made by Ms. Bennett, seconded by Mr. Darby, to remove discussion of logging operation traffic traveling through the Town of Benton to Pump Station Road from the table made on July 18, 2018, to allow for discussion today based on parliamentary rules.

The President called for public comment. After further discussion, **votes were cast and the motion carried unanimously.**

Town of Benton Mayor Shelly Horton stated that there is timber harvesting north of the Town of Benton off Pump Station Road. He stated that the property being harvested is not located inside the limits of the Town of Benton. He further stated that the only access to Pump Station Road is through the Town of Benton on town streets.

Mayor Horton stated that work will begin soon on street improvements in the Town of Benton, including North Sibley Street where Pump Station Road intersects and becomes North Sibley Street. He stated that street improvements on North Sibley Street will begin in late September. Mayor Horton stated that ordinances are in place which do not allow vehicles in excess of nine tons to travel on town streets. He stated that the streets in the Town of Benton are not constructed to handle 80,000 pound commercial vehicles.

Mayor Horton expressed concern that funds are being spent by the Town of Benton to improve North Sibley Street, and the weight of the logging trucks will destroy the improved streets. He stated that the Town of Benton receives no revenue from the timber being harvested.

Mayor Horton stated that there are safety concerns pertaining to logging trucks traveling through a subdivision in the Town of Benton. He stated that there has been discussion of a temporary alternate route through the B.A. Kelly Company, LLC, property for logging trucks to travel between Highway 3 and Pump Station Road. He further stated that discussions are ongoing at this time pertaining to the temporary alternate route.

Mr. Ford stated that Mayor Horton has spoken with the owner of the B.A. Kelly Company, LLC, property, Mr. Tom Richardson, and Mr. Richardson has presented a development plan which includes an access at Lincoln Street for logging and commercial vehicles to access Highway 3 from Pump Station Road. He stated that it will need to be determined if the Department of Transportation and Development will allow a new roadway entrance off Highway 3 at this location, which is currently being reviewed.

Mr. Ford stated that a temporary road permit is available from DOTD wherein the road must be paved 50 to 100 feet from the highway with the remainder of the road being gravel. He stated that this may be a solution to this issue and the logging trucks will have an alternate route to Pump Station Road and Highway 3. He further stated that Mr.

Richardson plans to develop his property, and could request that the temporary road become a permanent road in the future.

Mr. Ford stated that the cost to construct the temporary road will be approximately \$300,000.00 to \$400,000.00, and a determination needs to be made as to who will be responsible for the cost to construct the temporary road. He stated that Mr. Richardson has stated that he would be willing to donate the right-of-way for the temporary road through his property.

Mr. Jackson stated that the Town of Benton has the authority to prohibit the logging trucks to travel on town streets, and stated that the company harvesting the timber needs to work with representatives of the B.A. Kelly Company, LLC, property to obtain their own right-of-way and pay for their own ingress and egress. He stated that oil and gas companies are required to obtain their own right-of-way to access well sites.

Mr. Ford stated that due to complaints from the timber company, logging companies and the Town of Benton Mayor, he assisted with facilitating a meeting with all parties for an alternate route for the logging companies. He stated that the Bossier Parish Police Jury has not committed to providing any funds for construction of an alternate route for the logging companies, and he has only assisted with trying to find an amicable solution for all parties.

Mayor Horton stated that there is potential commercial development in this area and a road will eventually need to be constructed to access that development.

Mr. Benton asked if the logging companies are required to obtain a bond that would pay for any damage to streets by the logging company. Mr. Russell Craig, Commercial Vehicle Enforcement Unit, stated that the logging companies are operating under a harvest season permit, and the parish requires a bond if a posted bridge is involved in the route of the logging trucks.

Ms. Bennett stated that the number of logging trucks traveling on Pump Station Road and North Sibley Street presents a danger to the public, as well as potential damage to town streets, and it will be necessary for all parties involved to assist with finding an alternate route for the logging trucks to access Pump Station Road and Highway 3. She recommended that this matter be tabled until an amicable resolution can be reached by all parties.

Mayor Horton stated that he will present all facts to the Benton Town Council pertaining to logging trucks traveling on town streets, and the town council will need to decide what course of action needs to be taken.

Ms. Bennett stated that it is her understanding that in order for town streets to withstand the weight of logging trucks, the streets will need to be improved. Mayor Horton stated that it would cost an additional \$200,000.00 in order to improve the 2,500 feet of North Sibley Street to withstand the weight of logging trucks.

There was additional discussion of the cost of a temporary gravel road through the B.A. Kelly Company, LLC, property. Ms. Bennett requested that Mayor Horton provide the police jury with discussions and decisions made by the Benton Town Council in this matter.

Mr. Clint Isles stated that he works for a landowner that owns property on Pump Station Road. He stated that they manage and own timber land in several parishes in Louisiana. He further stated that in most situations, they are able to access a public highway, and they are looking for a long term resolution to be able to access Highway 3 from Pump Station Road.

Motion was made by Ms. Bennett, seconded by Mr. Darby, to table indefinitely the discussion of logging operation traffic traveling through the Town of Benton to Pump Station Road.

Votes were cast and the motion carried unanimously.

Motion was made by Mr. Shewmake, seconded by Mr. Cochran, to ratify and accept the recommendation of the Commercial Vehicle Enforcement Unit Board of Appeals on July 18, 2018, in the matter of Step Energy Services, by upholding the findings for Report No. 2065 issued on May 4, 2018.

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

Motion was made by Mr. Brotherton, seconded by Mr. Salzer, to accept the proposal of Civil Design Group, LLC, in an amount not to exceed \$6,000.00 for design services for the Kingston Road Park, Bossier Parish, LA, and to authorize the execution of documents.

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. Darby, Mr. Rimmer, Mr. Salzer, Mr. Shewmake, Mr. Skaggs
NAYS: None
ABSTAIN: None
ABSENT: Mr. Plummer
NO VOTE RECORDED: Mr. Craig

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 1st day of August, 2018, that William R. Altimus, Parish Administrator, or Glenn Benton, President, 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 Civil Design Group, LLC, in an amount not to exceed \$6,000.00 for design services for the Kingston Road Park, Bossier Parish, LA.

The resolution was offered by Mr. Brotherton, seconded by Mr. Salzer. It was duly adopted on this 1st day of August, 2018, with the following vote recorded:

AYES: Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cochran, Mr. Darby, Mr. Rimmer, Mr. Salzer, Mr. Shewmake, Mr. Skaggs
 NAYS: None
 ABSTAIN: None
 ABSENT: Mr. Plummer
 NO VOTE RECORDED: Mr. Craig
 RACHEL D. HAUSER
 PARISH SECRETARY

GLENN BENTON, PRESIDENT
 BOSSIER PARISH POLICE JURY

Mr. Ford presented Change Order No. 2 for State Project No. H.003854.6-R1 Bossier North-South Corridor Swan Lake Rd (I-220 to Flat River) Bossier Parish, Louisiana, advising that the change order results in an increase in the amount of \$9,000.00. **Motion was made by Mr. Skaggs, seconded by Mr. Rimmer, to approve Change Order No. 2 for State Project No. H.003854.6-R1 Bossier North-South Corridor Swan Lake Rd (I-220 to Flat River) Bossier Parish, Louisiana, and to authorize 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 1st day of August, 2018, that it does hereby approve Change Order No. 2 for State Project No. H.003854.6-R1 Bossier North-South Corridor Swan Lake Rd (I-220 to Flat River) Bossier Parish, Louisiana.

BE IT FURTHER RESOLVED that William R. Altimus, Parish Administrator, or Glenn Benton, President, is hereby authorized to execute said Change Order No. 2.

The resolution was offered by Mr. Skaggs, seconded by Mr. Rimmer. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
 PARISH SECRETARY

GLENN BENTON, PRESIDENT
 BOSSIER PARISH POLICE JURY

Motion was made by Mr. Skaggs, seconded by Ms. Bennett, to adopt a resolution to authorize and/or ratify the Bossier Parish Police Jury to acquire and/or expropriate all parcels, tracts, properties or servitudes required for construction and completion of State Project No. H.003854/H.011726, F.A.P. No. H.003854/H.011726, Bossier North/South Corridor, I-220/Swan Lake Road Interchange to Crouch Road, Bossier Parish, Louisiana, including but not limited to Parcel 17-1-D-2, and to authorize the Parish Administrator to execute any and all documents, instruments, or affidavits that may be necessary or convenient to said expropriation, including a certificate of authorization to expropriate.

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

RESOLUTION

AUTHORIZING THE BOSSIER PARISH POLICE JURY TO ACQUIRE AND/OR EXPROPRIATE ALL PARCELS, TRACTS, PROPERTIES OR SERVITUDES REQUIRED FOR CONSTRUCTION AND COMPLETION OF THE STATE PROJECT NO. H.003854/H.011726, F.A.P. NO. H.003854/H.011726, BOSSIER NORTH/SOUTH CORRIDOR, I-220/SWAN LAKE RD. INTERCHANGE TO CROUCH ROAD, BOSSIER PARISH, LOUISIANA, AND TO AUTHORIZE THE PARISH ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS, INSTRUMENTS, PLEADINGS OR AFFIDAVITS NECESSARY OR CONVENIENT FOR THE ACQUISITION OR EXPROPRIATION OF SAID PROPERTIES OR SERVITUDES.

WHEREAS, the Bossier Parish Police Jury (The "**Parish**"), has declared that construction of State Project No. H.003854/H.011726, F.A.P. NO. H.003854/H.011726, BOSSIER NORTH/SOUTH CORRIDOR, I-220/SWAN LAKE RD. INTERCHANGE TO CROUCH ROAD, Bossier Parish, Louisiana (The "**Project**"), to be a significant public purpose and benefit to the citizens of the Parish, including, but not limited to, the increase safety of its citizens, and for highway purposes and that assisting in and expropriating property is within the purpose of which the Parish is organized; and,

WHEREAS, the City of Bossier City and the Parish of Bossier have joined together to initiate and/or complete the Project pursuant to a Local Services Agreement recorded on April 25, 2017, in the records of Bossier Parish, Louisiana, as Instrument No. 1166316;

WHEREAS, the Project will require the acquisition of additional parcels of properties adjacent to and contiguous to the existing roadway and/or right-of-ways, specifically including, but not limited to, parcels or tracts of land from the following property tracts:

Parcel No.	Section(s)/Township/Range
17-1-D-2	24,T19N,R13W

and,

WHEREAS, in the event that the offers of compensation for the purchase of the necessary additional parcels of property adjacent to and contiguous to the existing roadway and/or right-of-way are not accepted by any property owner listed above, and a voluntary agreement and/or settlement for the purchase of said property cannot be reached on any of said property parcels listed above, then in that event the Parish desires to acquire said property by expropriation pursuant to applicable law, including expropriation under the authority of and in a manner authorized by Article 1, Section 4 of the Constitution of the State of Louisiana (1974) and LSA-R.S. 48:411, et seq., or the provisions of the Louisiana Local Services Law, La. R.S. 33:1321-1339, which authorizes the Parish to expropriate property for construction purposes prior to judgment in the trial court, in the same manner by which the Louisiana Department of Transportation and Development may expropriate property pursuant to La. R.S. 48:441-460, and specifically, La. R.S. 33:1329 which grants every parish that is a party to a local services agreement, “[w]here condemnation is necessary, ... the right to invoke and follow the procedure outlined and provided for in R.S. 48:1259” or any other applicable laws of the State of Louisiana;

NOW, THEREFORE, BE IT RESOLVED BY THE BOSSIER PARISH POLICE JURY:

Section 1. The Parish is authorized to acquire all property necessary to facilitate construction and completion of the Project.

Section 2. The Parish is authorized to institute and file any necessary expropriation actions related to the Project in the proper court of law by attorneys representing the Parish in conformance with LSA-R.S. 48:411, et seq. or any other applicable laws of the State of Louisiana.

Section 3. The Parish Administrator, William R. Altimus, is authorized and empowered to execute all conveyance instruments, including purchase agreements, acts of sale, acts of donation, rights of way or servitude agreements, related to the State Project, and to execute any and all other documents necessary to complete said Project, and to pursue any necessary expropriation actions related to the Project, whether or not involving the property tract and/or owners referred to herein, and to execute any documents pursuant to such terms and conditions as he shall deem advisable, and he is authorized to execute any other documents related to the Project and do any and all things necessary and proper to carry out this Resolution and to fulfill its objects and purposes.

Section 4. The Parish Administrator is authorized and empowered to execute any and all certificates or other documents necessary to facilitate the expropriation proceedings related to Parcel 17-1-D-2, including, but not limited to a certificate of authorization to expropriate Parcel 17-1-D-2 declaring that the taking is necessary or useful for highway purposes.

Section 5. If any one or more of the provisions of this Resolution shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein. Any constitutional or statutory provision enacted after the date of this Resolution which validates or makes legal any provision of this Resolution which would not otherwise be valid or legal, shall be deemed to apply to this Resolution.

Section 6. This Resolution shall become effective upon final adoption and publication in the manner required by law.

The resolution was offered by Mr. Skaggs, seconded by Ms. Bennett. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford presented Plan Change No. 4 on the Acceleration Lane on US 71, Planning and Construction (Bossier), FP&C Project No. 50-J08-14-02 (Parish Project No. 2016-469) advising that the plan change results in an increase of \$17,401.54. **Motion was made by Mr. Salzer, seconded by Mr. Shewmake, to approve Plan Change No. 4 for the Acceleration Lane on US 71, Planning and Construction (Bossier), FP&C Project No. 50-J08-14-02, subject to approval by Office of Facility Planning and Control, and to authorize the President to execute documents.**

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

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 1st day of August, 2018, that it does hereby approve Plan Change No. 4 for the Acceleration Lane on US 71, Planning and Construction (Bossier), FP&C Project No. 50-J08-14-02 (Parish Project No. 2016-469), subject to approval by Office of Facility Planning and Control.

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

The resolution was offered by Mr. Salzer, seconded by Mr. Shewmake. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Jurors were provided a copy of district highway reports.

Mr. Altimus reported that the National Association of Counties is offering a High Performance Leadership Academy program, which is a 12-week online program. He stated that NACo is offering a scholarship to pay all but \$495.00 of the cost of the program for a participant from each member parish.

Mr. Altimus recommended that the police jury participate in this program. **Motion was made by Mr. Rimmer, seconded by Mr. Brotherton, to nominate Mr. Jack Skaggs to participate in the 12-week online NACo High Performance Leadership Academy program, and to authorize the execution of documents.**

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

RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 1st day of August, 2018, that William R. Altimus, Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents in connection with the nomination of Mr. Jack Skaggs to participate in the 12-week online NACo High Performance Leadership Academy program.

The resolution was offered by Mr. Rimmer, seconded by Mr. Brotherton. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Ms. Hauser stated that the Region IV meeting is being hosted by Desoto Parish and is scheduled for Tuesday, August 21, 2018. She requested that jurors advise her if they plan to attend.

Mr. Ford reported that a meeting is scheduled tomorrow with Forte & Tablada, Inc., to discuss the Linton Road Bridge project. He stated that right-of-way plans have been submitted for review.

Mr. Ford provided a report on the North Bossier Shared Use Trail project. He stated that right-of-way plans have been submitted for review.

Mr. Ford stated that speed limit signs increasing the speed limit on the Sligo Road Extension to 45 miles per hour have been installed.

Mr. Ford requested that the agenda be amended to:

1. consider adoption of a resolution urging and requesting assistance from our Congressional Delegation for arbitration language to be included in a bill that would allow applicants to request the use of binding arbitration by a panel to resolve disputes arising under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and that said language be retroactive to the 2016 flood events, and action be taken to assist Bossier Parish in resolving this issue, and otherwise providing with respect thereto; and

2. discuss a request from Best Yet Builders, LLC, for a phasing change on the Bossier North/South Corridor, I-220/Swan Lake Road, Interchange to Crouch Road Improvement, State Project H.003854, F.A.P. H.003854, Bossier Parish, Louisiana, project.

Mr. Benton requested that the resolution requesting our Congressional Delegations' assistance also be submitted for consideration at the Region IV meeting on August 21, 2018.

Motion was made by Mr. Skaggs, seconded by Mr. Rimmer, to amend the agenda to:

1. consider adoption of a resolution urging and requesting assistance from our Congressional Delegation for arbitration language to be included in a bill that would allow applicants to request the use of binding arbitration by a panel to resolve disputes arising under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and that said language be retroactive to the 2016 flood events, and action be taken to assist Bossier Parish in resolving this issue, and otherwise providing with respect thereto; and

2. discuss a request from Best Yet Builders, LLC, for a phasing change on the Bossier North/South Corridor, I-220/Swan Lake Road, Interchange to Crouch Road Improvement, State Project H.003854, F.A.P. H.003854, Bossier Parish, Louisiana, project.

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

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

Mr. Ford presented a proposed resolution requesting assistance from our Congressional Delegation for arbitration language to be included in a bill that would allow applicants to request the use of binding arbitration by a panel to resolve disputes arising under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and that said language be retroactive to the 2016 flood events, and action be taken to assist Bossier Parish in resolving this issue.

Motion was made by Mr. Skaggs, seconded by Mr. Darby, to adopt a resolution urging and requesting assistance from our Congressional Delegation for arbitration language to be included in a bill that would allow applicants to request the use of binding arbitration by a panel to resolve disputes arising under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and that said language be retroactive to the 2016 flood events, and action be taken to assist Bossier Parish in resolving this issue, and otherwise providing with respect thereto.

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

RESOLUTION

A RESOLUTION URGING AND REQUESTING ASSISTANCE FROM OUR CONGRESSIONAL DELEGATION FOR ARBITRATION LANGUAGE TO BE INCLUDED IN A BILL THAT WOULD ALLOW APPLICANTS TO REQUEST THE USE OF BINDING ARBITRATION BY A PANEL TO RESOLVE DISPUTES ARISING UNDER THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT, AND THAT SAID LANGUAGE BE RETROACTIVE TO THE 2016 FLOOD EVENTS, AND ACTION BE TAKEN TO ASSIST BOSSIER PARISH IN RESOLVING THIS ISSUE, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, Bossier Parish experienced a 1,000 year flood event in March of 2016; and

WHEREAS, the Bossier Parish Police Jury contracted CB&I Environmental & Infrastructure, Inc., (now APTIM Environmental & Infrastructure, Inc.) in June of 2016, to perform damage assessment on all paved roads inundated as a result of the 2016 flood event; and

WHEREAS, on June 27, 2018, the Bossier Parish Police Jury submitted CB&I Environmental & Infrastructure, Inc.'s, (now APTIM Environmental & Infrastructure, Inc.) request to the Federal Emergency Management Agency for \$25,072,336.00, Project Worksheet (PW) BPA001C, for permanent repairs to 52 inundated roadways in Bossier Parish; and

WHEREAS, Bossier Parish roadways are typically constructed with flexible asphalt pavement over rigid soil cement bases or gravel bases; and

WHEREAS, the flexible asphalt pavement typically experience pavement cracking due to temperature differentials, but the cracks are not alligator cracking; and

WHEREAS, on July 2, 2018, FEMA denied Bossier Parish's request for Public Assistance stating that Bossier Parish did not provide documentation which proved that the damage to the 52 inundated roadways in Bossier Parish were a result of the declared flood event; and

WHEREAS, Bossier Parish provided core samples to FEMA of four roads which were inundated and a core sample of a road that has never flooded for comparison; and

WHEREAS, the Bossier Parish Police Jury experienced a flood event in October of 2009 (Flood Event No. 1863) where roads were inundated during the flood event; and

WHEREAS, FEMA participated in 2009 for repairs to the inundated roads paying seventy-five percent (75%); and

WHEREAS, FEMA has approved and participated in similar events after Hurricane Katrina and funded \$1.2 billion in repairs to eight parishes around New Orleans, Louisiana; and

WHEREAS, FEMA has approved and participated in infrastructure repairs after Hurricane Sandy; and

WHEREAS, an appeal must be submitted to the Governor's Office of Homeland Security and Emergency Preparedness within 60 days of receipt of the FEMA determination letter; and

NOW THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury in due, regular and legal session convened, that it does hereby requests that arbitration language be included in a bill that would allow applicants to request the use of binding arbitration by a panel to resolve disputes arising under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and that said language be retroactive to the 2016 flood events, and action be taken to assist Bossier Parish in resolving this issue; and

BE IT FURTHER RESOLVED, that the Bossier Parish Police Jury requests support of the Congressional Delegation of Bossier Parish's claim to FEMA for \$25,072,336.00 to repair flood damaged roads in Bossier Parish, Louisiana, due to the 1,000 year flood event in 2016 in Bossier Parish; and

The resolution was offered by Mr. Skaggs, seconded by Mr. Darby. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Ford stated that Best Yet Builders, LLC, has submitted a request for a phasing change on the Bossier North/South Corridor, I-220/Swan Lake Road, Interchange to Crouch Road Improvement, State Project H.003854, F.A.P. H.003854, Bossier Parish, Louisiana. He stated that the cost of the phasing change is approximately \$200,000.00 to \$250,000.00, with a savings of only \$49,000.00 to the parish for traffic control. He stated that he cannot recommend approval of the request from Best Yet Builders, LLC, for a phasing change on this project.

Mr. Ford stated that a letter was sent to Best Yet Builders, LLC, last week regarding the project and agreement that any cost in savings would be submitted back to the project and to the Department of Transportation and Development.

Motion was made by Mr. Skaggs, seconded by Mr. Cochran, to deny the request of Best Yet Builders, LLC, for a phasing change on the Bossier North/South Corridor, I-220/Swan Lake Road, Interchange to Crouch Road Improvement, State Project H.003854, F.A.P. H.003854, Bossier Parish, Louisiana.

The President called for public comment. Mr. Justin Earnest, contractor for Best Yet Builders, LLC, stated that the request for a phasing change for a return of \$49,000.00 is due to the amount Best Yet Builders, LLC, bid on the project. He stated that the estimate of \$150,000.00 or \$200,000.00 that was made by the state or the police jury is null and void because Best Yet Builders, LLC, submitted a low bid in order to get the project.

Mr. Earnest stated that he spoke with a state auditor in Baton Rouge, and the auditor agrees that Best Yet Builders, LLC's, bid of \$13,906,955.30, compared to the second lowest bid in the amount of \$13,994,093.21, resulted in a savings to the police jury of approximately \$87,000.00. Mr. Earnest stated that savings on the front end of the \$200,000.00 was initially made at bidding, and this phasing change request results in an additional savings of \$49,000.00 for traffic control.

Mr. Earnest stated that the request for a phasing change also presents a savings of approximately \$25,000.00, as well as the potential for savings in the future. He stated that the phasing change also creates additional safety for Bossier Parish citizens, traveling public, and emergency vehicles, and allows two-way traffic throughout the entire project. He stated that the one-lane road as proposed in the project plans is not in the best interest of the public.

Votes were cast and motion carried unanimously.

Mr. Jackson provided an update on the lawsuit against Bridon Builders, LLC, Woodhaven Homeowners Association, Inc., and Kenneth Brian Camp. Mr. Ford stated that he visited the site of the detention pond in Woodhaven Subdivision, and has spoken with Mr. Camp regarding the continued concerns in Woodhaven Subdivision pertaining to the detention pond and the levees not being built as approved in the plans for the subdivision.

Mr. Ford stated that Mr. Camp has been unable to reach Mr. Joey French, French Engineering Co., Inc., regarding additional improvements needed in Woodhaven Subdivision. Mr. Ford stated that new plans will likely need to be submitted and it was recommended that Mr. Camp obtain the service of a different engineering firm to make the corrections.

Mr. Jackson stated that after complaints were received by the public of drainage issues at Woodhaven Subdivision, the parish filed a lawsuit against Bridon Builders, LLC, Woodhaven Homeowners Association, Inc., and Kenneth Brian Camp. He stated that Mr. Camp and Mr. French immediately began working to repair the detention pond and levees at Woodhaven Subdivision. He further stated that due to Mr. Camp and Mr. French's immediate response on making the needed repairs, the hearing in this matter was postponed.

Mr. Jackson stated that all needed repairs were not completed by Mr. Camp and Mr. French, and the citizens being affected by the drainage issues of Woodhaven Subdivision provided the police jury with a detailed list of work that has not been completed. He further stated that hearings in this matter will be postponed to allow Mr. Camp additional time to make the needed repairs.

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

Mr. Jackson requested that the agenda be amended to authorize pursuit of legal proceedings on behalf of the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, for unpaid sewer fees owed by the following:

- 1) Mr. Oscar Player, 3014 Butler Hill Road, Benton, LA;
- 2) Mr. Phillip White, 2694 Old Plain Dealing Road, Benton, LA;
- 3) Mr. Mark Velchoff, 117 Cedar Brook Lane, Haughton, LA;
- 4) Ms. Deleasa Dyess, 215 Deerwood Lane, Haughton, LA;
- 5) Mr. Charles Silmon, 212 Dogwood South, Haughton, LA; and
- 6) Ms. Myra Cunningham, (D) Mr. Jim Turley, 312 Oak Ridge Lane, Haughton, LA.

Motion was made by Ms. Bennett, seconded by Mr. Rimmer, to amend the agenda to authorize the Parish Attorney to pursue legal proceedings on behalf of the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, for unpaid sewer fees owed by the following:

- 1) **Mr. Oscar Player, 3014 Butler Hill Road, Benton, LA;**
- 2) **Mr. Phillip White, 2694 Old Plain Dealing Road, Benton, LA;**
- 3) **Mr. Mark Velchoff, 117 Cedar Brook Lane, Haughton, LA;**
- 4) **Ms. Deleasa Dyess, 215 Deerwood Lane, Haughton, LA;**
- 5) **Mr. Charles Silmon, 212 Dogwood South, Haughton, LA; and**
- 6) **Ms. Myra Cunningham, (D) Mr. Jim Turley, 312 Oak Ridge Lane, Haughton, LA.**

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. Darby, Mr. Rimmer, Mr. Salzer, Mr. Shewmake, Mr. Skaggs

NAYS: None

ABSTAIN: None

ABSENT: Mr. Craig, Mr. Plummer

Motion was made by Ms. Bennett, seconded by Mr. Brotherton, to authorize the Parish Attorney to pursue legal proceedings on behalf of the Consolidated Waterworks/Sewerage District No. 1 of the Parish of Bossier, for unpaid sewer fees owed by the following:

- 1) **Mr. Oscar Player, 3014 Butler Hill Road, Benton, LA;**
- 2) **Mr. Phillip White, 2694 Old Plain Dealing Road, Benton, LA;**
- 3) **Mr. Mark Velchoff, 117 Cedar Brook Lane, Haughton, LA;**
- 4) **Ms. Deleasa Dyess, 215 Deerwood Lane, Haughton, LA;**
- 5) **Mr. Charles Silmon, 212 Dogwood South, Haughton, LA; and**
- 6) **Ms. Myra Cunningham, (D) Mr. Jim Turley, 312 Oak Ridge Lane, Haughton, LA.**

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

Mr. Jackson requested that the agenda be amended to consider adoption of a resolution of appreciation to Mr. Ken Mascagni, Cook, Yancey, King & Galloway, for his years of service as legal counsel for Bossier Parish, and extending congratulations and well wishes to Mr. Mascagni in his retirement.

Motion was made by Mr. Cochran, seconded by Mr. Avery, to amend the agenda to adopt a resolution of appreciation to Mr. Ken Mascagni, Cook, Yancey, King & Galloway, for his years of service as legal counsel for Bossier Parish, and extending congratulations and well wishes to Mr. Mascagni in his retirement.

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. Craig, Mr. Darby, Mr. Rimmer, Mr. Salzer, Mr. Shewmake, Mr. Skaggs

NAYS: None

ABSTAIN: None

ABSENT: Mr. Plummer

Motion was made by Mr. Cochran, seconded by Mr. Avery, to adopt a resolution of appreciation to Mr. Ken Mascagni, Cook, Yancey, King & Galloway, for his years of service as legal counsel for Bossier Parish, and extending congratulations and well wishes to Mr. Mascagni in his retirement.

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

RESOLUTION

WHEREAS, the Bossier Parish Police Jury has benefited for seventeen years from the expert legal advice of Mr. Ken Mascagni; and

WHEREAS, during those seventeen years, Mr. Mascagni has provided the Bossier Parish Police Jury with solid advice and representation for legal matters; and

WHEREAS, Mr. Mascagni successfully pursued litigation on behalf of the Bossier Parish Police Jury, resulting in significant recoveries for the parish and community; and

WHEREAS, Mr. Mascagni has not only served as an able Legal Counsel, but as a friend to individuals passing the threshold of the Bossier Parish Police Jury, giving unselfishly of his time and energies to further the standards and goals of the Bossier Parish Police Jury; and

WHEREAS, Mr. Mascagni's skill and keen legal sense have kept intact the Bossier Parish Police Jury's major tenet, the preservation of the authority of the Bossier Parish Police Jury.

NOW, THEREFORE, BE IT RESOLVED by the Bossier Parish Police Jury on this 1st day of August, 2018, that we do hereby express our sincere thanks and appreciation to Mr. Ken Mascagni and do wish him the best of luck, and joy in his retirement.

The resolution was offered by Mr. Cochran, seconded by Mr. Avery. Upon unanimous vote, it was duly adopted on this 1st day of August, 2018.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY

Mr. Jackson reported that the lawsuit, George Eric Hatfield, Hatfield Enterprises, LLC, and Hatfield Development Company, LLC vs. Bossier Parish Police Jury, Docket No. 144,262, 26th Judicial District Court, Bossier Parish, LA, filed by Mr. Hatfield challenging the methodology of the police jury's process of handling the sale of an adjudicated property, an airport hanger located at the Downtown Shreveport Airport, was denied by the court and dismissed with prejudice at the sole cost of Mr. Hatfield. He stated that the court ruled that the process in which the parish has sold adjudicated property is an approved methodology.

There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 1st day of August, 2018, the meeting was adjourned by the President at 3:21 p.m.

RACHEL D. HAUSER
PARISH SECRETARY

GLENN BENTON, PRESIDENT
BOSSIER PARISH POLICE JURY