

BOSSIER PARISH POLICE JURY  
RURAL DEVELOPMENT COMMITTEE MEETING  
MINUTES

Mr. John Ed Jorden, Chairman  
Mr. Chris Marsiglia, Co-Chairman  
August 21, 2024

The Rural Development Committee of the Bossier Parish Police Jury met on this 21<sup>st</sup> day of August, 2024, immediately following the Road/Subdivision Regulations Committee, in the Police Jury Conference Room, Bossier Parish Courthouse, Benton, Louisiana. Mr. John Ed Jorden, Chairman, called the meeting to order at 11:40 a.m., with the following members present:

Mr. John Ed Jorden, Chairman, Mr. Chris Marsiglia, Co-Chairman, Mr. Bob Brotherton, Mr. Doug Rimmer, Mr. Philip Rodgers, Mr. Keith Sutton.

Others present for the meeting:

Ms. Carlotta Askew-Brown  
Ms. Carolina Blunck  
Mr. Jimmy Cochran  
Mr. Julian Darby  
Ms. Ashley Ezell  
Ms. Stacie Fernandez  
Mr. Jim Firth  
Mr. Butch Ford  
Ms. Julie Gill  
Ms. Pam Glorioso

Ms. Monica Grappe  
Mr. Eric Hudson  
Mr. Patrick Jackson  
Mr. Sam Marsiglia  
Ms. Megan Ramos  
Mr. Matt Redmon  
Mr. Tom Salzer  
Dr. Ken Ward  
Mr. Rod White

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Mr. Eric Hudson, Parish Engineer, stated that the committee met approximately one month ago to discuss rural development requirements for family partitions and family subdivisions. He stated that he and Mr. Sam Marsiglia, Haughton MPC Commissioner, receive requests involving family property divisions often. He further stated that when the committee met previously there were several ideas regarding how these family partitions may be handled and advised that he called this meeting to continue the discussion with the committee.

Mr. Hudson stated that these family partitions are akin to fitting a square peg in a round hole when it comes to the parish subdivision ordinances and provided the committee with a rough draft of rural development requirements. He asked if any committee members have any suggestions after reviewing this draft at the last committee meeting. Mr. John Ed Jorden stated that he suggests a language change from 'family subdivision' to allowing the 'subdividing' of family property, as most families do not desire to create a subdivision, but simply want to divide the land between their heirs.

Mr. Sam Marsiglia stated that before the committee is a rough draft of his research which has not yet been reviewed by the Haughton MPC Board. He stated this is a starting point and

advised that this draft has not yet been reviewed by counsel regarding deed enforcement and restrictions, among other matters. He further stated that if the committee agrees with the rough draft, he is considering setting this matter for a preliminary hearing with the MPC next month, with a public hearing later this year.

Mr. Philip Rodgers stated that he agrees with Mr. Marsiglia's plan, as this issue will continue to arise in the rural areas of the parish. He stated that he feels the biggest hurdles are access to the property and easements to ensure the same. He further stated that if someone wishes to subdivide their property among their heirs but have no desire to create a subdivision for development, the next issue is to determine if a change in the current requirement of building a road to parish standards may be necessary for these situations. Mr. Rodgers stated that while these proposed regulations are reviewed by legal counsel, we can continue to work together on the remaining matters.

Mr. Sam Marsiglia asked if there is a suggestion from the committee as to defining the term subdivision, as the legal definition is currently being used. Mr. Hudson stated that the parish uses the legal definition in its ordinances. Mr. Marsiglia stated that there is currently no language to require access easements, and asked if that is what triggers the necessity of a road, either a public or private road built to parish standards. Mr. Jorden stated that he does not feel a road built to parish standards should be required in family partitions. Mr. Rodgers stated that an 18-wheeler cannot travel down a road not built to parish standards. Mr. Jorden stated that if a family divides property, it is not a public road.

Mr. Patrick Jackson, Parish Attorney, asked the committee if the new property owners can be allowed to sell their property to non-family members. Mr. Jorden stated he believes there must be an access easement to each property divided to give the property owners the ability to sell. Mr. Jackson asked if there is a deed restriction preventing the sale of property for a period of five years, and one day past five years an heir wishes to sell their 50 acres to a developer who wishes to place 100 homes on the property, must he build a road. He stated a similar situation can arise if a farmer wishes to subdivide his property for his five sons to build houses, and asked if a road is necessary for that purpose. Mr. Jorden stated if an access easement is included on the plat and it is not a public road, the landowner can divide the land to his heirs with only an access easement.

Mr. Rodgers asked if he wishes to divide his property between his two sons and sells each son a tract of land, is a road is required in that situation. Mr. Jorden stated that if the property is

sold for the purpose of developing a subdivision, a public road built to parish standards is required. He stated that if it is a family division of property, an access easement can be the only requirement.

Mr. Rodgers stated that another concern he has is that a property owner will come to the parish to divide his land to his children and a mobile home will be placed on a tract of land and six months later, they will claim they are going to sell it to purchase a new one. He stated that he has no issue with mobile homes at all but advised that this type of activity will continue until there are multiple mobile homes on the property creating a subdivision without parish approval. He further stated that he is concerned that these types of situations will occur and advised that we need to anticipate this with a plan in place to prevent such situations. Mr. Jorden stated that there will always be those who do not comply with the rules. Mr. Benton stated that another issue with this type of family partition activity is if a house fire occurs, there is no way a fire truck can access the burning property. He stated that the public will demand to know why the parish allowed such actions knowing fire protection cannot be guaranteed. The jurors discussed the possibility of situations involving multiple mobile homes being rented for profit and the ramifications of the same.

Mr. Rodgers stated that he is for deed restrictions being in place in perpetuity instead of a period of five years. He stated that if at some point someone wants to develop that land for profit, or even another family wishes to purchase the property, then the police jury must approve the sale or development. Mr. Jimmy Cochran asked why the parish is considering allowing this family partitioning in rural areas when we know the outcomes that will occur. Mr. Jorden stated that citizens in rural areas ought to be allowed to use their land as they wish. Mr. Rodgers stated that perhaps requiring a 60-foot easement is the best option to ensure that access is preserved in case of future development of family partitions. He stated this will allow for utilities to provide services to the property.

Mr. Rodgers asked how often these types of requests are made to the parish. Mr. Jackson stated that there are approximately ten weekly requests such as this, with each one having a small difference in situation and request. He stated that if this is allowed, the next request will be to give property to a family member who is not an immediate heir, but instead is 'like a son to me.' Mr. Jorden stated he believes a property owner should have the ability to divide the property however he chooses. Mr. Rodgers stated he agrees, but the parish will have to ensure access is provided for all parties to their property.

Mr. Hudson asked Mr. Sam Marsiglia what the biggest challenge is for these types of requests received by his office. Mr. Marsiglia stated that the requirement of construction of a road is the biggest challenge. Mr. Hudson stated the biggest challenges in his office are the requirement of road construction, as well as the requirement of road frontage. Mr. Rodgers suggested changing the requirement for outside of the MPC area to allow for a private, gravel road to be maintained by the property owner, instead of a road built to parish standards. Mr. Jorden stated he is concerned that owners do not have the ability to build and maintain even a private gravel road.

Mr. Jackson stated that there are certain building codes which are mandated for fire protection and referenced a separate situation in the parish of a hunting camp not built to code which presents a dangerous fire hazard. He stated that there are several small things required by governments to ensure safety, such as compliance with sewer codes, electrical codes, fire and safety codes, and building codes. He further stated he understands that the requirement of a road is a heavy burden, but not requiring a road can end with absurd consequences. Mr. Jackson stated that this is something the staff deals with every day, and there are times when the parish must call winners and losers, and the rules in place govern those decisions. He stated that if the parish relies solely on its staff to use their discretion, they are human, and advised that a wrong decision will be made without the benefit of these rules in place to know what is allowed and what is not.

Mr. Doug Rimmer asked Mr. Jackson his opinion on allowing this to go to the planning commission for further review. Mr. Jackson stated that a common issue with appointed boards, much like the jury, is that all too often members do not want to make the hard decision to say no to anyone. He stated that even if the MPC considers these proposed ordinances, there will always be requests to make exceptions to every rule. He further stated that engaging Mr. Neil Erwin to review the proposed changes is necessary but advised that he does not feel we have worked out the guidelines at this point. Mr. Jackson stated that he understands all the concerns brought forth today and advised it is his opinion that there is no good solution to this problem. Mr. Sam Marsiglia stated that it is difficult to forecast and plan for every scenario that can possibly occur. He stated that he would like to meet with Mr. Erwin to review and discuss this issue further.

Mr. Hudson stated that Mr. Marsiglia will schedule a meeting with Mr. Erwin to discuss these proposed revisions, along with road and driveway types and accessibility. Mr. Cochran asked if deed restrictions will be included to prevent someone from selling their piece of property at some point in the future. He stated that if this is allowed and four to five houses are built on a piece of

family property, in some number of years, someone will wish to sell their tract of land. Mr. Jorden stated that is why he suggests requiring an access easement and advised that the future buyer will have to build his road at that point. He stated that he is against making a family construct a road simply to divide the land among the family. Mr. Hudson stated that we do not currently have anything in our ordinances to allow the construction of a private road for a family partition, as it is not the original family who will have the problem, but the future buyers.

Mr. Chris Marsiglia asked if there are specifications on the type of road required to be constructed. Mr. Hudson stated that the requirement is that the road is built to parish standards for a public, residential road. He stated that if a property is divided into more than our small subdivision ordinance allows, the construction of a road to parish standards is required.

Mr. Sam Marsiglia stated that many years ago, the MPC's began requiring that private roads be constructed to public standards. He stated that he has only seen one private road built to those standards in fifteen years. Mr. Rodgers stated that anyone selling a subdivision for commercial purposes will not build a private road because the developers do not want to assume responsibility for the road. He stated that he believes the deed restrictions should be in place to state once the property is divided a certain number of times, construction of the road is required.

Mr. Hudson stated that once Mr. Sam Marsiglia and Mr. Erwin work through the proposed revisions, he will bring this matter back to the Rural Development Committee.

There being no further business, the meeting was adjourned at 12:00 p.m. by the Chairman.

MEGAN C. RAMOS  
INTERIM PARISH SECRETARY

JOHN ED JORDEN, CHAIRMAN  
BOSSIER PARISH POLICE JURY