

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,  
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING  
HELD MONDAY, SEPTEMBER 8, 2008 AT 5:37 P.M.**

The Police Jury of the Parish of Ouachita, State of Louisiana met in regular and legal session in the Ouachita Parish Police Jury Meeting Room, Courthouse Building, Monroe, Louisiana on Monday, September 8, 2008 at 5:37 p.m., and was duly convened by Mr. Walt M. Caldwell IV, President, who stated that the Police Jury was ready for the transaction of business.

<b><u>Members Present</u></b>	<b>(6)</b>
<b>Charles Jackson</b>	<b>District A</b>
<b>Mack Calhoun</b>	<b>District B</b>
<b>Walt Caldwell</b>	<b>District C</b>
<b>Dorth Blade</b>	<b>District D</b>
<b>Shane Smiley</b>	<b>District E</b>
<b>Pat Moore</b>	<b>District F</b>

<b><u>Members Absent</u></b>	<b>(0)</b>
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Invocation was given by Mr. Cammack. Pledge of Allegiance to the flag was led by Mr. Cammack.

The following service awards were presented for the month of September.

**FIRE DEPT**

**MICHAEL HENDRIX – 20 years**

**NORMAN STEPHENS – 20 years**

**SHERMAN MARTIN, JR.- 20 years**

**PUBLIC WORKS**

**WILLIE MORRIS, JR – 10 years**

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**VISITORS:**

The president recognized Ms. Kindrix of Azalea Garden Mobile Home Park. Ms. Kindrix was not present at this time.

The president recognized Todd Perry and James Moore, NLA Economic Partnership. Mr. Perry spoke regarding the North LA Economic Partnership and its purpose. Mr. Perry talked about the fund raising campaign and the search for a CEO of the agency. Mr. Moore informed the jury that most communities that were successful in securing economic projects had participated in regional economic partnerships. No action was taken on this matter.

The president recognized Steve Hunter, Mayor of Richwood and stated that this was an item listed under Mr. Harrison's agenda. Mayor Hunter introduced the street commissioner of the Town of Richwood, Ms. Leola Keys. Mayor Hunter spoke regarding the 8% parish transportation funding set aside for the town and possibly developing a better working relationship with the jury. Mr. Harrison spoke regarding the use of the transportation fund and also the ongoing Shamblin Street Lift Station project. Mr. Harrison recommended to the jury that a cooperative endeavor agreement be put in place for the use of the transportation funds. Discussion ensued. Mr. Harrison stated that jury was working with the town to alleviate future problems with the Shamblin Street Lift project. Discussion ensued again. Motion offered by Mr. Blade, seconded by Ms. Moore grant authority for the parish attorney and parish engineer to work with the Town of Richwood to develop a cooperative endeavor agreement for any use of the parish transportation funds that the state allocates to the town. Motion passed without opposition.

The president recognized Amanda Greer, Green Springs Subdivision. Ms. Greer spoke regarding the flooding conditions around her home. Mr. Harrison updated the jury on the status of the project on Spring Drive and Clearwater Rd. Discussion ensued. The president expressed his empathy for Ms. Greer and the problem that she is experiencing. No other action was taken on this matter.

The president recognized Mr. Scott Miller, 2704 Sutton Lane, Monroe. Mr. Miller spoke regarding his company that picks up debris and extended his services to the jury. No other action was taken on this matter.

### **PUBLIC HEARINGS:**

The president convened a public hearing on Ordinance No. 8898 regarding the scheduling of meetings for the Fire Department Advisory Committee. No one appeared to speak in favor of or against the ordinance. Motion offered by Mr. Jackson, seconded by Mr. Smiley to close the public hearing. Motion passed without opposition. The president closed the Public Hearing.

The president convened a public hearing on Ordinance No. 8899 establishing a juvenile curfew in Ouachita Parish. Shirley Wilson Davis, Assistant District Attorney, Chief Deputy Jay Russell, Lt. Eugene Ellis, Commander of Monroe Police Department's SNAP Team, Rev. John Sewell and James Poe spoke in support of the ordinance. Attorney Charles Kincaid spoke in opposition of the ordinance. Discussion ensued. Motion offered by Mr. Smiley, seconded by Mr. Blade to close the public hearing. Motion passed without opposition. The president closed the Public Hearing.

The president convened a public hearing on Ordinance No. 8900 regarding decreasing the speed limit on Aycock Rd from 25 mph to 15 mph. Denise Kindrix, Azalea Garden Mobile Home Park, 400 Dolly Dr, Monroe appeared and spoke in favor of the ordinance and about the conditions of the road. Discussion ensued Motion offered by Mr. Jackson, seconded by Mr. Smiley to closed the public hearing. Motion passed without opposition. The president closed the Public Hearing.

The president convened a public hearing on Ordinance No. 8901 regarding governing livestock (tethering of livestock) in the parish. No one appeared to speak in favor of or against this ordinance. Motion offered by Mr. Blade, seconded by Mr. Calhoun to close the public hearing. Motion passed without opposition. The president closed the Public Hearing.

The president recessed the regular meeting of the Police Jury in favor of the Personnel Committee and Public Works Committee Meetings.

**PERSONNEL COMMITTEE MEETING**

The chairman of the Personnel Committee Meeting, Dorth Blade called the meeting to order at 6:40 p.m.

The chairman recognized Chief Hemphill of the fire department. Chief Hemphill presented the following personnel actions.

**Confirmations**

Amin, Ismail	Prob. Fire Captain	Permanent Fire Captain	Effective 9/30/08
Fowler, Dalton	Prob. Firefighter	Permanent Firefighter	Effective 9/15/08
Lawrence, Charles	Prob. Deputy Chief	Permanent Deputy Chief	Effective 9/30/08
McMullen, Whit	Prob. Firefighter	Permanent Firefighter	Effective 9/15/08
Soignier, Bruce	Prob. District Chief	Permanent District Chief	Effective 9/30/08

Motion offered by Mr. Jackson, seconded by Mr. Blade to accept the confirmations as recommended. Motion passed without opposition.

**Sick Leave**

Simmons, Roderick	Termination of Extended Sick Leave	Effective 9/3/08
Hunter, Charles	Extended Sick Leave	Effective 8/12/08

Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to accept the sick leave recommendation by the chief. Motion passed without opposition.

**Resignations**

McMillan, Kaleb	Resigned	Effective 9/04/08
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Motion offered by Mr. Caldwell, seconded by Mr. Jackson to accept the resignation of Kaleb McMillan. Motion passed without opposition.

**Hire**

Rabb, John M.	Re-hire Prob. Fire Driver	Effective 9/22/08
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Motion offered by Mr. Jackson, seconded by Mr. Smiley to rehire John M. Rabb. Motion passed without opposition.

The chairman recognized Craig Lott, 911 Director.

Mr. Lott asked the jury to approve the hiring of Lanesha Jenkins as a 911 Call Taker trainee. Motion offered by Mr. Caldwell, seconded by Mr. Jackson to approve the hiring of LaNesha Jenkins as a call taker trainee. Motion passed without opposition.

The chairman asked if there was any other business for this committee. Mr. Caldwell stated that item number 2 under his agenda regarding the request from the Judiciary being added to the parochial retirement system should be addressed at this time. Mr. Caldwell asked Mr. Cammack to speak regarding the matter. Mr. Cammack stated that the request had come from the court administrator to look into adding the court's employees to the parochial retirement system. Mr. Cammack stated that a cooperative endeavor agreement would have to be in place and details would have to be worked out to facilitate this. Discussion ensued. No action was taken on this matter at this time.

There being no other business to come before this committee, motion offered by Mr. Caldwell, seconded by Mr. Jackson to adjourn. The personnel committee meeting was adjourned at 6:50 p.m.

**PUBLIC WORKS COMMITTEE MEETING:**

The chairman, Mr. Mack Calhoun called the Public Works Committee meeting to order at 6:50 p.m. The chairman recognized Mr. Murray, Public Works Director.

Mr. Murray requested permission to advertise for bids for one multipurpose excavator. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to advertise for bids for one (1) multipurpose excavator. Motion passed without opposition.

Mr. Murray spoke regarding the preliminary subdivision approval of Carriage Way Subdivision. Mr. Jackson asked Mr. Harrison to speak regarding the matter. Discussion ensued. Motion offered by Mr. Jackson, seconded by Mr. Caldwell to grant preliminary subdivision approval to Carriage Way Subdivision subject to the comments of the parish engineer particularly in regards to drainage. Motion passed without opposition.

The chairman recognized Mr. Harrison, Parish Engineer. Mr. Harrison briefed the jury as to the

flooding and drainage conditions throughout the parish. Mr. Harrison stated that any additional rainfall could be a potentially serious situation for the parish.

Mr. Calhoun expressed his gratitude to the Public Works department for their efforts during Hurricane Gustav. Mr. Blade commented on the flooding conditions of the parish located in the area south of Bayou LaFouche, Hwy 15 and Gourd Bayou Rd. Discussion ensued.

The chairman asked whether there was any other business to come before this committee.

Melinda Mayfield, 134 Timberway, Monroe, LA spoke regarding the flooding in the area of Hwy 80 East and Stubbs Vinson Rd. The president asked Ms. Mayfield to stay for the rest of the meeting to address her concerns during the Public Participation period.

Motion was offered by Mr. Caldwell, seconded by Mr. Blade to adjourn the public works committee meeting. The meeting was adjourned at 7:08 p.m.

The president asked for a motion to reconvene the regular meeting of the police jury. Motion offered by Mr. Blade, seconded by Mr. Smiley to continue the regular police jury meeting at 7:09 p.m. Motion passed without opposition.

The following department heads presented monthly status reports:

## **DEPARTMENT HEAD REPORTS**

**GREEN OAKS: Mr. Mike Rhodes, Director**

Mr. Rhodes stated that the operation committee has recommended a roll back in the tax millage to 2.88 mils. Mr. Rhodes stated that the committee has asked that a replacement to the committee be appointed at this time from the Town of Richwood. He stated that the Town of Richwood and Town of Sterlington have rotating members on the operation committee. The president asked whether any juror had an issue with taking up an item on Mr. Blade's agenda in regards to this matter. None had an issue with doing so.

The following resolution was offered by Mr. Blade, seconded by Mr. Calhoun:

### **RESOLUTION 08-36**

**A RESOLUTION APPOINTING SHARI THOMPSON TO THE GREEN OAKS OPERATIONS COMMITTEE AS A REPRESENTATIVE OF RICHWOOD POLICE DEPARTMENT TO REPLACE BARRY BONNER OF THE STERLINGTON POLICE DEPARTMENT, BEGINNING SEPTEMBER 8, 2008 AND FURTHER PROVIDING WITH RESPECT THERETO,**

**WHEREAS**, a representative of the police departments of the Towns of Sterlington and Richwood have customarily held a position on the Green Oaks JDC Operational Committee on a rotating basis;

**WHEREAS**, pursuant to said rotation, it is now appropriate to appoint a representative of the Richwood Police Department to the position presently held by the representative of the Sterlington Police Department.

**NOW, THEREFORE:**

**BE IT RESOLVED** that the Ouachita Parish Police Jury in legal and regular session appoints the following individual:

**Ms. Shari Thompson 260 Weatherford Road, Monroe, LA 71202**

**BE AND HEREBY is** appointed to the Green Oaks Operations Committee, replacing Barry Bonner of the Sterlington Police Department, beginning September 8, 2008.

The above resolution was adopted this 8<sup>th</sup> day of September 2008.

Motion was offered by Mr. Blade, seconded by Mr. Calhoun to reconvene the Green Oaks Citizen's Committee in connection with the completion of buildings. Motion passed without opposition.

The president recognized Bill Roark. Mr. Roark spoke regarding the strip of land located adjacent to Shaw Process Fabricators, Inc. Mr. Roark stated he had been asked to put a value on the property. Mr. Mitchell spoke regarding the matter and the proposed ordinance. Discussion ensued.

The following ordinance was introduced by Mr. Calhoun:

**ORDINANCE NO. 8902 (INTRODUCTION)**

**AN ORDINANCE AUTHORIZING THE LEASE OF APPROXIMATELY 30,000 SQ. FT. +/- OF VACANT LAND ALONG THE EASTERN BOUNDARY OF THE OUACHITA PARISH FIRE DEPARTMENT TRAINING CENTER TO SHAW PROCESS FABRICATORS, INC.; PROVIDING FOR A PUBLIC HEARING; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, Shaw Process Fabricators, Inc. ("Shaw"), has indicated it has a need to use a portion of vacant land owned by the Ouachita Parish Police Jury and/or Fire Protection District No. 1 of Ouachita Parish adjacent to Shaw's facility on New Natchitoches Road in Ouachita

Parish, Louisiana for the purpose of additional parking and storage areas needed for expansion of the present facility;

**WHEREAS**, the tract of vacant land in question, consisting of approximately 30,000 sq. ft. +/- along the eastern boundary of the Ouachita Parish Fire Department Training Center on New Natchitoches Road, is not presently being used by the Ouachita Parish Fire Department and the OPFD does not believe that the use of this particular tract will be required for its operations in the foreseeable future; and,

**WHEREAS**, the Ouachita Parish Police Jury, as the governing authority of Ouachita Parish, Louisiana and in its capacity as the Board of Commissioners of Fire Protection District No. 1 of Ouachita Parish, finds that a lease of the vacant land in question to Shaw serves the goal of industrial inducement, and is in the public interest;

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in legal and regular session that the Ouachita Parish Police Jury, as the governing authority of Ouachita Parish, Louisiana and in its capacity as the Board of Commissioners of Fire Protection District No. 1 of Ouachita Parish, does hereby authorize the lease of approximately 30,000 sq. ft. +/- of vacant land along the eastern boundary of the Ouachita Parish Fire Department Training Center facility to Shaw Process Fabricators, Inc. for an initial term of ten (10) years and in the consideration of an annual rental payment of three thousand seven hundred twenty-six and no/100 dollars (\$3726.00);

**BE IT FURTHER ORDAINED** that the proceeds of the Lease made subject of this Ordinance be dedicated to the operations of the Ouachita Parish Fire Department;

**BE IT FURTHER ORDAINED** that the President of the Ouachita Parish Police Jury be, and hereby is, authorized to execute such Lease Agreement or other documents as are reasonable and necessary to give effect to the lease of property described hereinabove;

**BE IT FURTHER ORDAINED** that a Public Hearing is scheduled for October 6, 2008 at 5:30 p.m. in the Ouachita Parish Courthouse, Police Jury Meeting Room, to hear comments from all interested parties as to the proposed sale.

**BE IT FURTHER ORDAINED** that a Notice of Intention be published in accordance with La. R.S. 33:4717.2 setting forth the information regarding the proposed transfer of the above-described property required by said statute and specifying a time for the making of objections to the proposed transfer prior to any completion of said transfer.

The above Ordinance introduced on the 8th day of September 2008.

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Chief Hemphill stated that the leasing range would be from \$3312.00 per year to \$4140.00 per year. The president asked for a broker's opinion on the matter. The chief suggested a price of \$3726 per year which is somewhere in the middle. Motion offered by Mr. Calhoun, seconded by Mr. Jackson to approve the rental amount of \$3726.00 per year for the property in question. Motion passed without opposition.

The president recognized Chief Hemphill.

**FIRE DEPARTMENT: Mr. Patrick Hemphill, Chief**

The chief stated that his advisory committee had recommended the purchase of some communication equipment for the fire trucks. The chief stated that he would present these items at the next meeting.

The president recognized Mr. Tull, Animal Control Acting Director.

**ANIMAL CONTROL: Hack Tull, OPSO, Acting Director**

Mr. Tull stated that he had no additional items. The president stated that there was an item on his agenda that has to do with animal control and asked the jury to take up the matter at this time. No one had a problem addressing the issue at this time.

The following ordinance was offered by Mr. Caldwell, seconded by Mr. Jackson:

**ORDINANCE NO. 8901 (FINAL)**

**AN ORDINANCE AMENDING CHAPTER 3, ARTICLE II OF THE COMPILED ORDINANCES OF OUACHITA PARISH GOVERNING "LIVESTOCK" TO REGULATE THE TETHERING OF LIVESTOCK; AND FURTHER PROVIDING WITH RESPECT THERETO:**

**WHEREAS**, Ouachita Parish Animal Control has encountered repeated instances in which livestock, primarily horses, tethered to graze outside of any fence or enclosure have broken free and have roamed onto or near state highways or parish roads;

**WHEREAS**, the presence of such loose livestock on parish roads or state highways presents a risk to the motoring public; and,

**WHEREAS**, the Ouachita Parish Police Jury finds that the regulation of tethered livestock in an effort to reduce the risk of livestock roaming onto roadways is in the public interest;

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in legal and regular session that Chapter 3, Article II of the Compiled Ordinances of Ouachita Parish, Louisiana governing "Livestock" be, and hereby is, supplemented and amended as follows to provide for the regulation of tethered livestock in the unincorporated areas of Ouachita Parish, Louisiana:



**“ARTICLE II. LIVESTOCK  
Division 1. Tethered Livestock**

**Sec. 3-12. Prohibition.**

It shall be unlawful for any person to tether, picket or otherwise tie livestock outside of a fence or enclosure, whether for grazing or other purposes, unless such livestock is closely attended by a responsible person of sufficient age to prevent such livestock from becoming loose and roaming unconfined.

**Sec. 3-13. Penalty.**

Persons found to be in violation of the above provision shall be subject to a fine of not more than \$200.00 per offense.

**Sec. 3-14. Separate offense.**

For the purposes of this Division, each animal tethered, picketed or otherwise tied in violation of this Ordinance shall constitute a separate offense.

**Sec. 3-15. Impoundment and fees.**

In the event that the owner of livestock tethered, picketed or otherwise tied in violation of this Ordinance cannot be readily located or fails to immediately secure said livestock, then Ouachita Parish Animal Control may impound the animals. To recover an animal from impoundment pursuant to this Section, the owner shall pay an impoundment fee of \$100.00 together with a boarding fee of \$5.00 for each day, or portion thereof, that the animal is impounded.”

The above ordinance was introduced on the 18<sup>th</sup> day of August 2008.

The Ordinance was submitted to a roll call vote and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above ordinance was adopted on the 8<sup>th</sup> day of September 2008.

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The president recognized Mr. Beckham, Homeland Security Director.

**HOMELAND SECURITY &  
EMERGENCY PREPAREDNESS  
AGENCY:**

**Mr. Butch Beckham, Director**

Mr. Beckham spoke regarding the emergency efforts of the parish during the recent hurricane and expressed his gratitude to the jury for their support. Mr. Beckham stated that his office was planning for the new storm that is slated to hit our area later in the week. Mr. Beckham stated that all shelters had been closed except for the one located at ULM, which was housing special needs victims. Mr. Beckham stated that all damage needs to be reported to his office and then to FEMA. Discussion ensued. No other action was taken on this matter.

The president recognized Deputy Heckford, Code Enforcement.

**CODE ENFORCEMENT: Deputy Wayne Heckford**

Mr. Heckford spoke of the Keep Louisiana Beautiful conference held recently in the parish. Deputy Heckford stated that the parish organization and the code enforcement deputies had received some awards for their efforts.

The president recognized Ms. Steele, Housing Director.

**HOUSING: Ms. Peggy Steele, Director**

Ms. Steele informed the jury that she had been contacted by FEMA regarding flood damage to personal owned property. She stated that a 1-800 number had been set up for the tenants to report any damage to their personal property.

The president recognized Mr. Tims, Director.

**LAJET: Mr. Leonard Tims, Director**

Mr. Tims stated that he had one item on the agenda. Mr. Mitchell spoke regarding Resolution No. 08-37.

The following resolution was offered by Ms. Moore, seconded by Mr. Calhoun:

**RESOLUTION 08-37**

**A RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE LOUISIANA DEPARTMENT OF SOCIAL SERVICES REGARDING THE LAJET PROGRAM; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Louisiana Department of Social Services has requested an updated Resolution authorizing the President of the Ouachita Parish Police Jury to execute contracts and documents for the Ouachita Parish Police Jury in connection with the LaJET Program in Ouachita Parish.

**NOW, THEREFORE:**

**BE IT RESOLVED** that Walter M. Caldwell, IV, President of Ouachita Parish Police

Jury, and his successors in office, be and are hereby empowered to execute on behalf of the Ouachita Parish Police Jury, any and all documents necessary and required in connection with the operation of the LaJET Program in Ouachita Parish.

The above resolution was adopted the 8<sup>th</sup> day of September 2008.

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**LIBRARY:** **Ms. Cheryl Moulriere, Director**

**The president recognized Dr. Church, Director.**

**MOSQUITO CONTROL: Dr. Cole Church, Director**

Dr. Church spoke regarding the efforts of his department in eradicating mosquitoes in the parish. Dr. Church stated that due to the recent rains, efforts have been increased to include aerial spraying of various areas of the parish. Discussion ensued. No action was taken on this matter.

**911 OFFICE: Mr. Craig Lott**

Mr. Lott spoke of the efforts of his office during the recent storm. Mr. Lott asked the jury to considered opening positions immediately in his department when in need instead of waiting until the next jury meeting. No action was taken on this matter.

The president recognized Ms. Bennett, Director.

**WORKFORCE INVESTMENT: Ms. Doretha Bennett, Director**

Ms. Bennett spoke regarding the request by the state to open up a call center in her office. She stated that they would be accepting unemployment claims 7 days a week from 8 am to 5 pm. Ms. Bennett stated that a 20 million dollar national emergency grant had been written and would be amended to include Ouachita Parish.

**MOTIONS \* ORDINANCES \* RESOLUTIONS:**

The president recognized Mr. Jackson, District A.

**MR. CHARLES JACKSON, DISTRICT A:**

The following ordinance was offered by Mr. Jackson, seconded by Mr. Calhoun:

**ORDINANCE NO. 8899 (FINAL)**

**AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 15, OF THE COMPILED ORDINANCES OF OUACHITA PARISH GOVERNING "OFFENSES -- MISCELLANEOUS" TO ESTABLISH A JUVENILE CURFEW IN THE UNINCORPORATED AREAS OF**

**OUACHITA PARISH, LOUISIANA; AND, FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, Acts 2008 No. 478 enacted La. R.S. 33:1236(65) authorizing police juries and other parish governing authorities to establish juvenile curfews applicable to the unincorporated areas of the parish;

**WHEREAS**, law enforcement officials in Ouachita Parish have advised the Ouachita Parish Police Jury that there is a need for a juvenile curfew applicable to the unincorporated areas of Ouachita Parish, Louisiana;

**WHEREAS**, juvenile curfews are presently in place within incorporated areas of Ouachita Parish, many of which areas are immediately adjacent to and not readily distinguishable from adjacent unincorporated areas of said parish; and,

**WHEREAS**, the Ouachita Parish Police Jury finds that the adoption of a reasonable juvenile curfew applicable to the unincorporated areas of Ouachita Parish is in the best interests of the citizens of Ouachita Parish;

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in legal and regular session that Chapter 15 of the Compiled Ordinances of Ouachita Parish, Louisiana governing "Offenses -- Miscellaneous" be, and hereby is, supplemented and amended to add Section 15-20 to provide as follows:

**"Sec. 15-20. Curfew for minors established, exceptions, penalty.**

(A) (1) It shall be unlawful for any minor under the age of seventeen (17) years to be or remain in or upon any public property or public place in the unincorporated area of Ouachita Parish, Louisiana, or otherwise be out in public and away from home in a boat, motor vehicle or other vehicle in the parish outside municipalities, Monday through Thursday between the hours of 11:00 p.m. and 5:00 a.m. of the following day, and on Friday, Saturday and Sunday, between the hours of 12:00 p.m. (midnight) and 5:00 a.m. of the following day

(2) It shall be unlawful for the parent, guardian, or other person having the care and custody of a minor under the age of seventeen (17) years to knowingly permit such child to violate any provision of this section.

(3) For purposes of this Section "*public property*" or "*public place*" means any road, street, sidewalk, right-of-way, alley, highway, park, playground or other place to which the general public has access and a right of access for business, entertainment, or other lawful purpose. A public place shall include but not be limited to any store, shop, restaurant, cafe, drug store, shopping center and any other place devoted to retail sales of

any type or nature, amusement or entertainment of the general public, as well as any cemetery, schoolyard, body of water or watercourse, or parking lot. "Public property" or "public place" does not include the sidewalk (or unimproved portion of a road right-of-way extending outside the improved roadway) abutting the minor's residence, as to that minor.

(B) However, the provisions of this section shall not apply to a minor accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor; or where the minor is upon an emergency errand; or where the minor is participating in any civic, religious or school-sponsored activity, or on the way home from such supervised activity, provided said minor is directly returning to his home from said supervised activity by the shortest possible route; or, where the minor is traveling directly to and from legitimate, gainful employment.

(C) Any minor violating the provisions of subsection (A)(1) of this section shall be dealt with in accordance with the juvenile laws of the state including, but not limited to LA Children's Code Art. 726, et seq. Any parent, guardian, or other person who shall be found guilty of violating subsection (A)(2) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days or both.

**BE IT FURTHER ORDAINED** that Notice of the introduction of this Ordinance and of a public hearing to be held on September 8, 2008, at 5:30 p.m. in the Police Jury Meeting Room on the 2<sup>nd</sup> Floor of the Ouachita Parish Courthouse prior to the consideration of this Ordinance for adoption be published in the Official Journal on August 14, 2008, and August 21, 2008.

The above ordinance was introduced on the 4<sup>th</sup> day of August 2008.

The Ordinance was submitted to a roll call vote and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above ordinance was adopted on the 8<sup>th</sup> day of September 2008.

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Mr. Jackson and Mr. Cammack spoke regarding the budget update and the upcoming budget process. No action was taken on this matter.

Mr. Jackson asked Mr. Harrison to speak regarding the capital outlay work in the parish. Mr. Harrison stated that his office was still working on the list for the year.

Mr. Jackson spoke regarding the potential for a dedicated drainage millage. Mr. Mitchell spoke regarding the possible funding options for a tax for drainage. Mr. Mitchell informed the jury of two possible solutions; which included drainage districts and a special tax dedicated to drainage. Discussion ensued. No other action was taken on this matter.

The following resolution was offered by Mr. Jackson, seconded by Mr. Smiley:

**RESOLUTION NO. 08-40**

**A RESOLUTION AUTHORIZING AND SUPPORTING APPLICATIONS FOR ASSISTANCE UNDER THE LOCAL GOVERNMENT ASSISTANCE PROGRAM (LGAP) ADMINISTERED BY THE LOUISIANA DIVISION OF ADMINISTRATION, OFFICE OF COMMUNITY DEVELOPMENT; AND FURTHER PROVIDING WITH RESPECT THERETO:**

**WHEREAS**, the Ouachita Parish Police Jury is desirous of submitting applications to the Louisiana Division of Administration, Office of Community Development, for funding assistance under the FY 2008-2009 Local Government Assistance Program;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session convened on the 8<sup>th</sup> day of September 2008 that the Ouachita Parish Police Jury hereby authorizes and supports applications for assistance by the Louisiana Division of Administration, Office of Community Development, for the following projects located in Ouachita Parish, Louisiana:

- R.O.W. Acquisition & Roadbed Preparation for Thomco Road Extension (Dead End to Parker Road)
- Extension of Barr Lane (Crocker Lane to Laird Street)
- Upgrade Water Main along LA 144 (Indian Village Water System)

The above resolution was adopted this 8<sup>th</sup> day of September 2008.

Motion offered by Mr. Jackson, seconded by Mr. Blade to authorized the President to act and sign on behalf of the Ouachita Parish Police Jury in all matters pertaining to this project. Motion passed with Mr. Caldwell abstaining.

The president recognized Mr. Calhoun, District B.

**MR. CALHOUN, DISTRICT B:**

The following ordinance was offered by Mr. Calhoun, seconded by Mr. Jackson:

**ORDINANCE NO. 8898 (FINAL)**

**AN ORDINANCE REGARDING THE SCHEDULING OF MEETINGS OF THE OUACHITA PARISH FIRE DEPARTMENT CITIZENS ADVISORY COMMITTEE; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, by Ordinance No. 8868 adopted on June 18, 2007 the Ouachita Parish Police Jury adopted Sections 20-13, et seq. of the Compiled Ordinances of Ouachita Parish providing for the “Ouachita Parish Fire Department Citizens Advisory Committee”;

**WHEREAS**, Sec. 20-15 as adopted by said Ordinance required the Ouachita Parish Fire Department Citizens Advisory Committee to meet each month;

**WHEREAS**, said Committee has advised the Ouachita Parish Police Jury that experience has shown that meetings of the committee are not required each and every month;

**NOW, THEREFORE:**

**BE IT ORDAINED**, by the Ouachita Parish Police Jury in regular and legal session that Section 20-15 of the Compiled Ordinances of Ouachita Parish be, and hereby is amended and re-enacted to provide as follows:

**“Sec. 20-15. Meetings.**

The Committee shall meet bi-monthly and otherwise upon the call of the Chairman. Meetings shall be held at the Ouachita Parish Fire Department Training Center or at such other location as selected by the Chairman.”

**BE IT FURTHER ORDAINED** that except as provided herein the provisions of Ordinance No. 8868 pertaining to the Ouachita Parish Fire Department Citizens Advisory Committee are continued in full force and effect.

The above ordinance was introduced on the 4<sup>th</sup> day of August 2008.

The Ordinance was submitted to a roll call vote and the vote thereon was as follows:

YEAS	(5) Mr's. Jackson, Calhoun, Smiley, Blade and Ms. Moore
NAYS	(1) Mr. Caldwell
ABSTAIN	(0)

ABSENT (0)

The above ordinance was adopted on the 8<sup>th</sup> day of September 2008.

\* \* \*

Mr. Calhoun spoke regarding the participation with LA DOTD in drainage improvement work along Washington Street. Mr. Calhoun stated that the LA DOTD would install the culverts if the parish would purchase them. The cost of the culverts would be \$5,256.00 and would be installed by the LA Department of Transportation. Motion offered by Mr. Calhoun, seconded by Mr. Blade to buy the culverts with installation provided by the LA Department of Transportation and that the money come from the General Fund Reserve funds. Mr. Mitchell spoke regarding the matter. Mr. Mitchell suggested to the jury that this action be taken in the form of a cooperative endeavor. Motion offered by Mr. Calhoun, seconded by Mr. Blade to enter into a cooperative endeavor agreement for this project. Motion passed with Mr. Caldwell opposing.

Mr. Calhoun asked Mr. Harrison to speak regarding the Cheniere Lake Area 3 Bathrooms. Mr. Harrison stated that he was ready to submit this project to the state for approval. No other action was taken on this matter.

Mr. Calhoun asked Mr. Harrison to speak regarding the repairs to the roads due to the pipeline damage. Mr. Harrison stated that he was still trying to work out the funding issues for this project.

The following ordinance was introduced by Mr. Calhoun:

**ORDINANCE NO. 8903 (INTRODUCTION)**

**AN ORDINANCE REVOKING THAT PORTION OF ARTHUR GRIFFIN ROAD THAT EXTENDS SOUTH OF A POINT BEING 804 FEET NORTH OF THE SOUTH LINE OF THE NE/4 OF THE SE/4 OF SEC. 11 T16N R1E OF OUACHITA PARISH; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS** “Arthur Griffin Road” is an unimproved public road located in Ward 7 of Ouachita Parish, Louisiana that makes a “loop” running from its intersection with Okaloosa School Road north of the old Okaloosa School facility to its intersection with Okaloosa School Road south of the old school facility;

**WHEREAS**, the owners of all of the property along both sides of the southern portion of Arthur Griffin Road have requested that the Ouachita Parish Police Jury revoke the portion of Arthur Griffin Road running through their properties; and,



**WHEREAS**, considering the landowners' request and the fact the requested revocation will not deprive any other landowners of access to the remaining public portion of Arthur Griffin Road (and thereby to Okaloosa School Road north of the old school facility), the Ouachita Parish Police Jury finds that the public interest does not require that the portion of Arthur Griffin Road that extends South of a point being 804' North of the South line of the NE/4 of the SE/4 of Sec. 11 T16N R1E of Ouachita Parish be maintained as or for a public road;

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury, in legal and regular session, that the portion of the right-of-way of Arthur Griffin Road that extends South of a point being 804' North of the South line of the NE/4 of the SE/4 of Sec. 11 T16N R1E of Ouachita Parish be, and hereby is, revoked.

**BE IT FURTHER ORDAINED** that there be no further public maintenance of any road or roadway in the portion of the Arthur Griffin Road right-of-way hereinabove revoked.

The above Ordinance was introduced on this 8<sup>th</sup> day of September, 2008.

\* \* \*

**MR. CALDWELL, DISTRICT C:**

The following resolution was offered by Mr. Caldwell, seconded by Mr. Smiley:

**RESOLUTION NO. 08-35**

**A RESOLUTION APPROVING THE SCHEDULE OF CHARGES AND COLLECTIONS OF THE 2007 PARISH AND SPECIAL TAXES; AND GRANTING PROPER QUIETUS IN ACCORDANCE WITH LAW.**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session that the schedule of charges and collections of the 2007 Special and Parish Taxes showing the amount of taxes collected in accordance with the schedule on file in the Office of the Secretary is hereby approved and the proper quietus granted therefore in accordance with law.

The above resolution was adopted the 8<sup>th</sup> day of September 2008.

\* \* \*

The president spoke regarding the millage adjustments. The president asked Mr. Jackson had he heard anything from the Chamber of Commerce or the state Tax Commission regarding the millage adjustments. Mr. Jackson stated that he had not heard from either agency.

The following resolution was offered by Mr. Caldwell, seconded by Mr. Calhoun:

**RESOLUTION NO. 08-39**

**A RESOLUTION GIVING NOTICE OF THE INTENT OF THE OUACHITA PARISH POLICE JURY TO ESTABLISH ROAD LIGHTING DISTRICT NO 34 (FRENCHMAN'S BEND SUBDIVISION UNITS 1-8); AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the residents of Frenchman's Bend Subdivision Units 1-8 have requested that the Ouachita Parish Police Jury create a Road Lighting District for the purpose of providing street lights within said area;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session convened on the 8th day of September, 2008, that notice of the proposed creation of "Road Lighting District No. 35 of Ouachita Parish, Louisiana" be, and hereby is, given. The boundaries of said District shall be coterminous with the boundaries of Units 1-8 of Frenchman's Bend Subdivision as reflected in the records of the Clerk of Court of Ouachita Parish. The District will levy upon each parcel within the District, for a period not to exceed ten (10) years, a service fee in an amount determined in consultation with Entergy, Inc. to be sufficient to construct and operate sufficient street lights within the District. Such service fee is not expected to exceed \$75.00 per year and can only be levied if approved by the electorate of the District at a regularly scheduled election.

**BE IT FURTHER RESOLVED** that a Public Hearing will be held on October 20, 2008, at 5:30 p.m. in the Ouachita Parish Police Jury Meeting Room (Courtroom No. 3 of the Ouachita Parish Courthouse) to hear comments from all interested parties as to the adoption of an Ordinance creating this proposed Road Lighting District

The above Resolution was adopted on the 8<sup>th</sup> day of September 2008.

\* \* \*

The president stated that he would pass on the item concerning the Hurricane Gas Fund and that it had been resolved through private donations.

The president recognized Mr. Blade, District D.

**MR. BLADE, DISTRICT D:**

Mr. Blade asked Mr. Murray to speak regarding the ditch located behind Garden Park. Mr. Murray stated that the cost regarding the ditch located behind Garden Park would be \$10,000. Mr. Blade asked that this item be placed back on his agenda for the next meeting.

Mr. Blade asked Mr. Murray to speak concerning the drainage problems on Greenfield Drive, Weaver Circle, and Richwood Road #2. Mr. Murray stated that the cost of the project located on Richwood Road #2 would be about \$7,200. Motion offered by Mr. Blade to address the project of Richwood Road #2 at a cost of \$7,200.00. Mr. Blade asked Mr. Cammack about funding for the project. Discussion ensued. Motion offered by Mr. Blade, seconded by Mr. Calhoun to fund the project located behind Garden Park in lieu of the Richwood Road #2 drainage project with funding to come from the General Fund Reserve Funds. Motion passed without opposition.

The following resolution was offered by Mr. Blade, seconded by Mr. Calhoun:

**RESOLUTION NO. 08-38**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT WITH THE STATE OF LOUISIANA FOR THE EXTENSION OF THE I-20 SERVICE ROAD EAST; DESIGNATING BRAD CAMMACK, TREASURER, TO ACT ON BEHALF OF THE OUACHITA PARISH POLICE JURY IN ALL MATTERS PERTAINING TO THIS PROJECT; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Ouachita Parish Police Jury has entered into an Agreement with the City of Monroe and the I-20 Economic Development District for the purpose of obtaining the matching funds necessary to use a Capital Outlay Grant from the State of Louisiana for the purpose of constructing an extension of the I-20 Service Road East in Ouachita parish, Louisiana; and,

**WHEREAS**, the use of such Capital outlay funds for this project require that the Ouachita Parish Police Jury enter into an additional Cooperative Endeavor Agreement with the State of Louisiana establishing the terms for the administration of said project by the Office of Facility Planning and Control of the Division of Administration of the State of Louisiana;

**NOW THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session convened on the 8th day of September, 2008, that its President, Walter M. Caldwell, IV, be, and hereby is, authorized to execute the "Cooperative Endeavor Agreement Between the State of Louisiana and the Ouachita Parish Police Jury" for the "Extension of Interstate 20 Frontage Road East" (FR&C Project no. 50-J37-06B-02);

**BE IT FURTHER RESOLVED** that Brad Cammack, the duly appointed Treasurer of the Ouachita Parish Police Jury, be, and hereby is, designated and authorized to act on behalf of the Ouachita Parish Police Jury in all matters pertaining to the project described above, including the certification of requests for State Disbursements.

The above Resolution was adopted on the 8th day of September 2008.

\* \* \*

The president recognized Mr. Smiley, District E.

**MR. SHANE SMILEY, DISTRICT E:**

The following ordinance was offered by Mr. Smiley, seconded by Mr. Blade:

**ORDINANCE NO. 8900 (FINAL)**

**AN ORDINANCE AMENDING SECTION 14.1, DECREASING THE SPEED LIMIT ON AYCOCK ROAD FROM TWENTY-FIVE (25) MILES PER HOUR TO FIFTEEN (15) MILES PER HOUR; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Ouachita Parish Police Jury has heretofore established a specific speed limit of twenty-five (25) mph on Aycock Road, a parish road located in District E of Ouachita Parish;

**WHEREAS**, residents have requested that the speed limit be decreased to fifteen miles-per-hour (15 mph) on said Road:

**WHEREAS**, decreasing the speed limit to fifteen miles-per-hour (15 mph) on Aycock Road is in the public interest,

**NOW, THEREFORE:**

**BE IT ORDAINED** by the Ouachita Parish Police Jury in legal and regular session that Section 14-1 of the Compiled Ordinances of the Ouachita Parish Police Jury, be and hereby amended as follows, to-wit:

**Section 14.1 Speed Limits**

**Aycock Road – 15 miles per hour**

**BE IT FURTHER ORDAINED** that Notice of this proposed speed limit be published in the Official Journal of the Ouachita Parish Police Jury and a Public Hearing be held to hear comments from all interested parties.

The above ordinance was introduced on the 4<sup>th</sup> day of August 2008.

The Ordinance was submitted to a roll call vote and the vote thereon was as follows:

YEAS	(6)
NAYS	(0)
ABSTAIN	(0)
ABSENT	(0)

The above ordinance was adopted on the 8<sup>th</sup> day of September 2008.

\* \* \*

The following resolution was offered by Mr. Smiley, seconded by Mr. Jackson:

**RESOLUTION NO. 08-34**

**A RESOLUTION APPOINTING DR. JOE PANKEY, TO THE MOSQUITO ABATEMENT BOARD OF COMMISSIONERS, DISTRICT E, BEGINNING SEPTEMBER 8, 2008 AND FURTHER PROVIDING WITH RESPECT THERETO,**

**WHEREAS,** Dr. Joe Pankey has expressed a desire to serve on the board of commissioners,

**NOW, THEREFORE:**

**BE IT RESOLVED** that the Ouachita Parish Police Jury in legal and regular session appoints the following individual:

**Dr. Joe Pankey, PhD, 25 South Lake Rd, Monroe, LA 71203**

**BE AND HEREBY is** appointed to the Board of Commissioners for the Mosquito Abatement Board of Commissioners, beginning September 8, 2008.

The above resolution was adopted the 8<sup>th</sup> day of September 2008.

The president recognized Ms. Moore, District F.

**MS. PAT MOORE, DISTRICT F:**

Ms. Moore asked Mr. Harrison to speak regarding the request for qualification for the Tanglewood Project. Mr. Harrison stated that he had requested and received three (3) proposals

from firms/individuals willing to provide title and abstracting services for the project. Mr. Harrison recommended the firm of ABMB Engineers, Inc. for the Tanglewood Project and authorize a contract to be negotiated for that service. Motion offered by Ms. Moore, seconded by Mr. Smiley to accept the recommendation of the parish engineer for abstracting services. Motion passed without opposition.

Ms. Moore asked Mr. Harrison to address the residents regarding the Tanglewood Project. Mr. Harrison spoke regarding the status of the project. No other action was taken on this matter.

The president recognized Mr. Cammack, Treasurer.

#### **ADMINISTRATIVE REPORTS:**

##### **FISCAL: Mr. Brad Cammack, Treasurer**

Mr. Cammack spoke regarding the request from the Assessor's office for the purchase of computer equipment. Mr. Cammack stated that the cost of the new computer would be \$36,000 instead of \$30,000. No action was taken on this matter.

The president recognized Chief Hemphill, Fire Department.

##### **FIRE: Chief Pat Hemphill, Fire Department**

The chief stated that he had no other items.

The president recognized Mr. Mitchell, Attorney.

##### **LEGAL: Mr. Jay B. Mitchell, Assist. Dist. Attorney**

Mr. Mitchell spoke regarding the contracts for asphaltic concrete or hot mix. Mr. Mitchell stated that D & J Construction has offered a compromise price of \$75 per ton for hot mix to avoid litigation of the current dispute concerning the 2008 contract. Discussion ensued. Mr. Murray spoke regarding the matter. Additional discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun/Blade to accept the compromise price of \$75 per ton for hot mix for the rest of the year. Motion passed without opposition.

The president recognized Mr. Murray, Public Works Director

##### **PUBLIC WORKS: Mr. John Tom Murray, Director**

Mr. Murray spoke regarding the daily operations of his department and indicated that due to the present conditions some requests for services were being delayed. No action was taken on this matter.

The president recognized Mr. Harrison, Parish Engineer.

##### **ROADS & DRAINAGE: Mr. Don Harrison, Engineer**

Mr. Harrison spoke regarding the request for qualification for the Finks Hideaway Road-Phase 1 project. Mr. Harrison recommended hiring Monica L. Gapp for abstracting services and authorize a contract be developed for those services for the Finks Hideaway

Road project. Motion offered by Mr. Smiley, seconded by Mr. Calhoun to accept the recommendation of the parish engineer to hire Monica L. Gapp for abstracting services. Motion passed without opposition.

**BEER AND WHISKEY APPLICATIONS:**

There were no applications for beer and whiskey.

**INVITATION FOR PUBLIC PARTICIPATION:**

Shelton Edwards of 133 Timberway, Monroe spoke regarding the flooding and drainage in his neighborhood. Mr. Calhoun left the meeting at this time. Mr. Edwards stated that he was willing to support a tax to correct his problem. Discussion ensued. No action was taken on this matter. Mr. Calhoun returned to the meeting at this time.

LaGlenda Jacobs of 126 Cedarcrest-Tanglewood Subdivision spoke regarding debris removal in her neighborhood. Mr. Murray spoke regarding the matter and stated that his employees only picked up debris that blocked the ditches. Discussion ensued. No action was taken on this matter.

Rev. John Sewell, 603 Greenwood Drive, Monroe spoke regarding the flooding in the Tanglewood area. Rev. Sewell requested that information be disseminated in a timely manner so that residents would be more prepared. A lively discussion ensued. No action was taken on this matter.

James Poe, 122 Camp Drive, Monroe spoke regarding the recent Keep Louisiana Beautiful Conference. Mr. Poe presented the jury with awards presented to the parish during the conference.

A motion to adjourn was offered by Mr. Blade, seconded by Mr. Calhoun. The meeting was adjourned at 9:43 p.m.

**A D J O U R N !**