

**PROCEEDINGS OF THE POLICE JURY, PARISH OF OUACHITA,
STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING
HELD MONDAY, SEPTEMBER 22, 2008 AT 5:35 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 22, 2008 at 5:35 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.

Members Present (6)

Charles Jackson	District A
Mack Calhoun	District B
Walt Caldwell	District C
Dorth Blade	District D
Shane Smiley	District E
Pat Moore	District F

Members Absent (0)

Invocation was given by Mr. Calhoun. Pledge of Allegiance to the flag was led by Mr. Calhoun.

Motion to adopt the minutes of the Regular Meeting including the Finance Committee Meetings held on August 18, 2008, with corrections to pages 3-4 was offered by Ms. Moore, seconded by Mr. Smiley. Motion passed without opposition.

Motion to adopt the minutes of the Regular Meeting including the Personnel and Public Works Committee Meeting was offered by Mr. Jackson, seconded by Mr. Blade. Discussion ensued. Motion passed without opposition.

The president recognized visitor Rev. John Sewell. Rev. Sewell was absent.

The president recognized Tana Trichell, Northeast Louisiana Economic Alliance. Ms. Trichell presented a PowerPoint presentation to the jury on the proposed Pecanland Industrial Park. Ms. Trichell requested that the jury provide a resolution indicating positive support of the project. No action was taken on this matter.

The president recognized Rhonda Walker, 238 Old North Springs Rd, Calhoun, Louisiana. Ms. Walker spoke regarding the recent paving of her road and requested information

as to when the rest of the road would be paved. Mr. Calhoun asked Mr. Harrison to address the matter. Mr. Harrison indicated that he would take a look at the list of roads and get back to her with that information.

The president asked for a motion to recess the regular meeting of the police jury in lieu of the Finance Committee Meeting. Motion offered by Mr. Smiley, seconded by Ms. Moore to recess the regular meeting of the Police Jury for the Finance committee meeting. Motion passed without opposition.

The chairman, Mr. Charles Jackson called the Finance Committee Meeting to order at 6:10 pm.

The chairman recognized visitor Kevin Sumlin of Summit Financial Group. Mr. Cammack spoke regarding the open enrollment process and the reason for Mr. Sumlin's appearance. Mr. Sumlin spoke regarding his company and the services that it provides. Mr. Sumlin asked the jury to consider allowing his company to solicit voluntary insurance business during open enrollment. No action was taken on this matter.

The chairman recognized Mr. Cammack. Mr. Cammack spoke regarding the claims statement. Motion offered by Mr. Calhoun, seconded by Mr. Caldwell to approve the claims for the period of August 15, 2008 through September 19, 2008. Motion passed without opposition.

Mr. Cammack spoke regarding the request from the Sheriff's Office to purchase an access control reader for the annex building. Mr. Cammack suggested to the jury that the sheriff's office continue to maintain control devices that are attached to the annex building. The president asked that the matter be deferred to the next meeting.

Mr. Cammack asked Ms. Cupit to speak regarding the monthly exception report and budget variances. No action was taken on this matter.

Mr. Cammack spoke regarding the bid tabulation for food for the fourth quarter. Mr. Cammack recommended the low bid of Conco Food for the fourth quarter. Motion offered by Mr. Caldwell, seconded by Mr. Blade to accept the low bid of Conco Food for the fourth quarter. Motion passed without opposition.

Mr. Cammack spoke regarding insurance for 2009. Mr. Cammack stated that he had received quotes from different agencies and would be summarizing the information. Mr. Cammack stated that he would present the information at the October 6th meeting of the jury. No action was taken on this matter.

Mr. Cammack spoke regarding the audio/visual equipment purchase request from the Judges' office. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Ms. Moore to approve the purchase of the audio/visual equipment of out the current operating budget. Motion passed without opposition.

Mr. Cammack asked that the jury waive the agenda to take up a matter regarding supplemental grant awarded to the Family Justice Center Grant by the US Justice Department. The notice of the award had been received after the agenda was prepared. Mr. Cammack stated that the award would extend the grant to the year of 2010. Motion offered by Mr. Caldwell, seconded by Mr. Blade to amend the agenda to take up matter of the grant from the Justice Department. The chairman stated that the purpose was to discuss the disposition of the grant and funds associated with it to avoid delay in responding to the US Justice Department. Motion passed without any opposition.

Discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Smiley to accept the grant and authorize the president to sign documents relating to the grant. Motion passed without opposition.

The chairman recognized Chief Hemphill. Chief Hemphill recommended to the jury to retrofit the fire trucks with addition communication equipment. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to approve the communication equipment. Motion passed without opposition.

The chairman recognized Dr. Church. Dr. Church spoke regarding the cooperative endeavor agreement with Acadia Parish Police Jury to purchase a truck. Motion offered by Mr. Caldwell, seconded by Ms. Moore to approve the purchase of the truck from the Acadia Parish Police jury in the amount of \$12,623.00.

The finance committee meeting was adjourned at 6:40 p.m.

Motion to reconvene the Regular Meeting of the police jury was offered by Mr. Blade, seconded by Mr. Smiley. Motion passed without opposition.

Motion was offered by Mr. Jackson, seconded by Ms. Moore to **CONVENE** as the Board of Review to hear any and all protests from taxpayers on their 2008 assessments. Motion passed without opposition.

The President stated that Mr. Rich Bailey, Assessor of Ouachita Parish was present. The president asked whether or not anyone was present to speak on behalf of the following protests:

Protests Received:

- 1) Comfort Suites
- 2) Hampton Inn
- 3) LaQuinta Inn & Suites
- 4) Iasis Glenwood Regional Medical Center
- 5) DVA Renal Healthcare Inc. #3549, #3532, #3542
- 6) West Monroe Dialysis, LLC

- 7) Bio-Medical Applications of LA, LLC #1071, #1918, #3866
- 8) Shiloh Creek Resources
- 9) Keystone Productions
- 10) Gas Masters, Inc.
- 11) River Energy Company
- 12) Kensington Apartments
- 13) Hillcrest Apartments
- 14) Rowan Court Apartments
- 15) Bouef River Subdivision Apartments
- 16) Southern Pines Subdivision Apartments
- 17) Village North Apartments

The president stated that in an effort to address as many of the protests as possible, citing protests numbered 1, 2, 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, and 17, the president asked the assessor to address these protests at this time.

Mr. Rich Bailey, Assessor of Ouachita Parish read an opening statement to the jury.

Mr. Bailey spoke regarding protests Comfort Suites- Assessment No. 1111742 and Hampton Inn- Assessment No. 83568. Mr. Bailey stated that these protests were not received in a timely manner. Motion was offered by Mr. Jackson, seconded by Ms. Moore to dismiss the appeal. Motion passed without opposition.

Mr. Mitchell stated that the original appeals for the Comfort Suites and Hampton Inn would be forwarded to the Louisiana Tax Commission.

Mr. Bailey spoke regarding the assessment for LaQuinta Inns-Assessment No 45966 and No. 51128. No one appeared to speak on behalf of or against the appeal of LaQuinta Inns. Motion was offered by Mr. Caldwell, seconded by Mr. Jackson to uphold the assessment of LaQuinta Inns by the assessor. Motion passed without opposition.

Mr. Bailey spoke regarding the assessments of properties represented by Property Valuation Services, which were listed as items numbered 4, 5, 6, and 7 on the agenda. No one appeared to speak on behalf of or against these properties. Motion was offered by Mr. Caldwell, seconded by Mr. Jackson to uphold the assessment of these properties. Motion passed without opposition.

The president stated that the jury will address items 12, 13, 14, 15, 16, and 17.

Mr. Bailey spoke regarding the assessments of Kensington Apartments, Hillcrest Apartments, Rowan Court Apartments, Bouef River Apartments, Southern Pines Apartments, and Village North Apartments. Mr. Bailey stated that these properties were still under advisement from the Louisiana Tax Commission. Mr. Bailey stated that a decision had not been granted from a 2007 appeal. Mr. Bailey requested that the jury uphold these assessments and that the information

from the 2007 appeals be forwarded to the tax commission. Motion was offered by Mr. Caldwell, seconded by Mr. Jackson to uphold the assessments for Kensington Apartments, Hillcrest Apartments, Rowan Court Apartments, Bouef River Apartments, Southern Pines Apartments, and Village North Apartments. Motion passed without opposition.

The president stated that the jury would now address items 8, 9, 10, and 11 at this time.

Mr. Joe Jacobs, President of Shiloh Creek Resources and Gas Masters of America spoke against the assessments of Shiloh Creek and Gas Masters, Inc.

Mr. Kenneth Carigher, Affiliated Tax Consultants spoke against the assessments of Keystone Productions and River Energy Company.

Mr. Mitchell spoke regarding the three additional appeals that were received timely but not listed on the agenda, namely EnerVest Production Partners Ltd, EnerVest Primos Acquisition, and EnerVest Operating Company. Motion offered by Mr. Jackson, seconded by Mr. Calhoun to amend the agenda to take up appeal items number 18, 19, and 20 which had not appeared on the agenda due to an administrative oversight in order that the Board of Review process could be completed. Motion passed without opposition.

Mr. Bailey spoke regarding the assessments of these properties. Discussion ensued. Motion offered by Mr. Jackson, seconded by Mr. Calhoun to uphold the assessments of items numbered 8, 9, 10, 11, 18, 19, and 20; generate a letter to the tax commission asking that the commission give consideration to the issues raised by these tax payers concerning wells and equipment in the Monroe Gas Field. Motion passed with Mr. Caldwell abstaining.

MOTIONS * ORDINANCES * RESOLUTIONS:

The president recognized Mr. Jackson, District A.

MR. CHARLES JACKSON, DISTRICT A:

Mr. Jackson spoke regarding the potential for a dedicated drainage millage. Discussion ensued. Mr. Mitchell stated that he would study the statute language concerning districts and report back to the jury on the matter. The jury asked that Mr. Harrison provide the jury with copies of the last report concerning the matter. Mr. Jackson asked that the matter be placed back on the agenda at the next regular police jury meeting.

The following Ordinance was offered for Introduction Only by Mr. Jackson:

ORDINANCE NO. 8905

AN ORDINANCE REVOKING DAIGLE DRIVE AND JAMES MURRAY DRIVE; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, Daigle Drive and James Murray Drive are dead-end, public roads leading from Biedenharn Road into the recreational complex of baseball and softball owned and operated by Dixie Youth Baseball of West Monroe, Inc. (“Dixie Youth”) in West Ouachita Parish;

WHEREAS, the need for security requires Dixie Youth to limit access to its facilities during the off-seasons and other times its ballfields are not in use;

WHEREAS, such security measures would include placing gates on Daigle Drive and James Murray Drive at their intersections with Biedenharn Drive and/or Eagle Avenue;

WHEREAS, the placement of such gates is not compatible with Daigle Drive and James Murray Drive remaining public roads; and,

WHEREAS, Daigle Drive and James Murray Drive do not provide access to any properties other than the Dixie Youth complex;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and Regular Session that James Murray Drive be, and hereby is, revoked from its intersection with Biedenharn Drive to its dead-end;

BE IT FURTHER ORDAINED that Daigle Drive be, and hereby is, revoked from its intersection with Eagle Avenue to its dead-end; and,

BE IT FURTHER ORDAINED that the remaining portion of Daigle Drive from its intersection with Eagle Avenue to its intersection with Biedenharn Drive be, and hereby is, made a part of Eagle Avenue, increasing the length of Eagle Avenue from 2,354’ to 2,672’ with Eagle Avenue running from Claiborne Elementary School to Biedenharn Drive.

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The president recognized Mr. Calhoun, District B.

MR. CALHOUN, DISTRICT B:

Mr. Calhoun asked Mr. Harrison to speak regarding the bathrooms at Cheniere Lake Area 3. Mr. Harrison stated that he was ready to advertise for bids for the project and waiting to get the necessary approvals from state agencies.

Mr. Calhoun asked Mr. Harrison to speak regarding the road repairs in District B. Mr. Harrison stated that bids had been open for the project over a month ago and more than budgeted. Mr. Harrison recommended to the jury to reject all bids and repackage the bid packet. Discussion ensued. Motion was offered by Mr. Calhoun, seconded by Mr. Blade to reject all bids for this project, and revised and rebid the project. Motion passed without opposition.

Mr. Calhoun spoke regarding the flooding in District B and the T-1A Canal. Discussion ensued. Motion offered by Mr. Calhoun, seconded by Ms. Moore request that Mr. Harrison look into state grant funding for drainage in Ouachita Parish. Motion passed without opposition.

MR. CALDWELL, DISTRICT C:

The president spoke regarding the millage adjustments. Discussion ensued. No action was taken on this matter.

The president spoke regarding the matter of the drainage project with the City of West Monroe that includes a portion of Downing Pines Rd continuing East of Thomas Road. The president asked Mr. Harrison to speak regarding the matter. Mr. Harrison stated that he had not had the opportunity to assess the situation. Discussion ensued. Motion offered by Mr. Caldwell, seconded by Mr. Calhoun to authorized Mr. Harrison, Parish Engineer to look at the drainage project with the City of West Monroe. Motion passed without opposition.

The following Ordinance was offered for Introduction Only by Mr. Caldwell:

ORDINANCE NO. 8907

AN ORDINANCE REVOKING THE DEDICATION OF A PUBLIC ROAD RIGHT-OF-WAY ADJACENT TO BITTER PECAN ROAD IN THE SW/4 OF THE NW/4 OF SECTION 32, T19N, R4E, OUACHITA PARISH; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, by an Act recorded at Conveyance Book 923, Page 176 of the Records of the Clerk of Court of Ouachita Parish, the owner of the SW/4 of the NW/4 of Section 32, T19N, R4E of Ouachita Parish, Louisiana dedicated to the public a servitude for the construction of a public road on the southern portion of such property;

WHEREAS, the property described above is located in the unincorporated area of Ouachita Parish;

WHEREAS, it is unclear whether the Ouachita Parish Police Jury ever formally accepted the dedication of said right-of-way and no public road or other roadway has been constructed therein; and,

WHEREAS, there appears no public purpose for the continued existence of the above-described right-of-way;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and Regular Session that the public road right-of-way dedicated within the SW/4 of the NW/4 of Section 32, T19N, R4E, by an Act recorded at Conveyance Book 923, Page 176 of the Records of the Clerk of Court of Ouachita Parish be, and hereby is, revoked.

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The president recognized Mr. Blade, District D.

MR. BLADE, DISTRICT D:

Mr. Blade asked Mr. Harrison to speak regarding Woolsey Road. Mr. Mitchell spoke regarding the matter.

The following Ordinance was offered for Introduction Only by Mr. Blade:

ORDINANCE NO. 8906

AN ORDINANCE REVOKING A PORTION OF WOOLSEY ROAD; AND FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, Woolsey Road is a dead-end, public road running south from the Interstate 20 Service Road east of Garret Road;

WHEREAS, that portion of Woolsey Road south of the south line of Lot 13 of H. R. Hayes' Garrett Road Subdivision, and an easterly extension of such line, has become a problematic site for illegal dumping;

WHEREAS, the owner of all of the land along Woolsey Road south of the point described above has indicated he will construct a gate across the roadway at this point in an effort to stop such illegal dumping; and,

WHEREAS, the placement of such a gate is not compatible with said portion of Woolsey Road remaining a public road;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and Regular Session that the portion of Woolsey Road in East Ouachita parish extending south and east of the South line

of Lot 13 of H. R. Hayes' Garrett Road Subdivision and an easterly extension thereof be, and hereby is, revoked

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Mr. Blade spoke regarding the drainage issues and concerns on Greenfield Drive and Richwood Road #2. Mr. Blade asked that this matter be carried over to the October 6th meeting.

The president recognized Mr. Smiley, District E.

MR. SHANE SMILEY, DISTRICT E:

Mr. Smiley asked Mr. Harrison to speak regarding the sewerage effluent discharge into Bayou Desiard. Mr. Harrison stated that several developers had submitted plans for sewer treatment plans to discharge into Bayou Desiard. Discussion ensued. Motion offered by Mr. Smiley, seconded by Mr. Jackson to offered the following resolution.

RESOLUTION NO. 08-41

The following Resolution was offered by Ms. Smiley, seconded by _____:

A RESOLUTION ESTABLISHING A POLICY TO LIMIT THE DISCHARGE OF SEWERAGE EFFLUENT INTO BAYOU DESIARD; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, Bayou DeSiard serves as a source of potable water for the City of Monroe and other water systems in East Ouachita Parish; and,

WHEREAS, Black Bayou Lake serves as a back-up water supply for Bayou DeSiard;

NOW, THEREFORE:

BE IT RESOLVED that in an effort to maintain water quality in Bayou DeSiard and Black Bayou Lake, and, to prevent the contamination or degradation of the potable water supply, the following policy is hereby adopted to regulate the discharge of sewer effluent into Bayou DeSiard and tributaries:

1. No individual sewage treatment and disposal system shall be allowed to discharge effluent directly into Bayou DeSiard or Black Bayou Lake.
2. No community sewage treatment facility shall be allowed to discharge effluent either directly or indirectly into Bayou DeSiard, Black Bayou Lake or any tributary thereof.

The above Resolution was adopted on the 22nd day of September 2008. No opposition.

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The president recognized Ms. Moore, District F.

MS. PAT MOORE, DISTRICT F:

Ms. Moore stated that she had three items regarding the Tanglewood Area on her agenda due to recent events. Ms. Moore asked Mr. Harrison to speak regarding the Tanglewood Street Improvements. Mr. Harrison spoke regarding the LCDBG grant for this project. Mr. Harrison stated that the project was on schedule and that the plans would be submitted to the state by the December 27th due date.

Ms. Moore asked Mr. Harrison to speak regarding the status of the flood improvement project for the Tanglewood area. Mr. Harrison stated that a letter had been sent to the consultant for the title work and that a contract would be signed possibly this week. No other action was taken on this matter.

Ms. Moore spoke regarding the conditions of the Tanglewood Area. Mr. Harrison spoke regarding the flooding conditions within the subdivision. Mr. Harrison suggested that a temporary solution to help the situation would be to address the flash flooding in the area. Discussion ensued. Ms. Moore requested that Mr. Harrison and Mr. Murray prepare a cost estimate on the cleaning out of the drainage canal in the Tanglewood area.

The following ordinance was introduced by Ms. Moore:

ORDINANCE NO. 8904 (INTRODUCTION)

AN ORDINANCE REVOKING RIGHT OF WAY ON BURG STREET FROM MARION STREET TO THE BOUNDARY OF ROOSEVELT HEIGHTS SUBDIVISION AND FURTHER PROVIDING WITH RESPECT THERETO:

WHEREAS, by a plat recorded at Plat Book _____, Page _____ of the Records of the was dedicated a public street identified as "Berg Street";

WHEREAS, the property described above is located in the unincorporated area of Ouachita Parish;

WHEREAS, no public road or other roadway has been constructed in the portion of the Berg Street right-of-way from its intersection with Marion Street to the boundary or Roosevelt Heights Subdivision; and,

WHEREAS, there appears no public purpose for the continued existence of the above-described portion of the right-of-way of Berg Street;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and Regular Session that Berg Street as dedicated by a plat filed at Plat Book _____, Page _____ of the Records of the Clerk of Court of Ouachita Parish be, and hereby is, revoked from its intersection with Marion Street to the boundary of Roosevelt Heights Subdivision.

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ADMINISTRATIVE REPORTS:

The president recognized Mr. Cammack, Treasurer.

FISCAL: Mr. Brad Cammack, Treasurer

Mr. Cammack reported that he had no items.

The president recognized Chief Hemphill, Fire Department.

FIRE: Chief Pat Hemphill, Fire Department

The chief reported that he had one personnel action. Chief Hemphill recommended the termination of Matthew K. Fields, effective 9/22/08 for failure to complete the requirements for a probationary firefighter. Motion offered by Mr. Jackson, seconded by Mr. Smiley to accept the recommendation of Chief Hemphill to terminate Matthew K. Fields. Motion passed without opposition.

The president recognized Mr. Mitchell, Legal Counsel.

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

Mr. Mitchell spoke regarding the Certificate of Substantial Completion for the Green Oaks Detention Center additions. Motion offered by Mr. Blade, seconded by Ms. Moore to authorize the president to sign the certificate of substantial completion for the additions at Green Oaks Detention Center. Motion passed without opposition.

Mr. Mitchell spoke regarding a matter not on the agenda concerning the contract between the jury and Diamond B Construction for asphaltic concrete. Mr. Mitchell informed the jury that after the preparation of the agenda a tentative settlement agreement had been reached with Diamond B settling the ongoing dispute over the 2008 Asphaltic Concrete Contract and establishing a compromise price of \$73.80 per ton. Mr. Mitchell felt that time was of the essence and the issues needed to be addressed at this time. Mr. Mitchell asked the jury to amend the agenda to take up this matter. Motion offered by Mr. Blade, seconded by Mr. Calhoun to amend the agenda to take up the matter, so that materials can be purchased at the new compromised price. Motion passed without opposition.

Motion offered by Mr. Jackson, seconded by Mr. Smiley to accept the compromised price of \$73.80 per ton for asphaltic concrete from Diamond B Construction. Motion passed without opposition.

The president recognized Mr. Murray, Public Works.

PUBLIC WORKS: Mr. John Tom Murray, Director

Mr. Murray reported that he had no items.

The president recognized Mr. Harrison, Engineer.

ROADS & DRAINAGE: Mr. Don Harrison, Engineer

Mr. Harrison spoke regarding the 2008 Pavement Striping Contract. Mr. Harrison recommended that the jury accept the project as complete as of September 10, 2008. Mr. Harrison also recommended assessing the contractor a penalty in the amount of \$3290.36 for non-conforming work, which is reflected in change order number 2. Motion offered by Mr. Blade, seconded by Mr. Calhoun to accept the recommendations of Mr. Harrison regarding the 2008 Pavement Striping Contract. Motion passed without opposition.

BEER AND WHISKEY APPLICATIONS:

There were no beer and whiskey applications.

Chief Hemphill advised that the Fire Advisory Committee Meeting would be meeting on Tuesday, September 23, 2008 at 2 p.m.

The president extended the invitation for public participation.

INVITATION FOR PUBLIC PARTICIPATION:

Rev. John Sewell, 603 Greenwood Drive, spoke regarding the flooding in his subdivision and 211 during the recent hurricane. Rev. Sewell suggested that a coordinated effort be put in place to assist those that are less fortunate. Mr. Caldwell commented on the efforts of the local office of homeland security. Discussion ensued. No other action was taken on the matter.

A motion to adjourn was offered by Mr. Jackson, seconded by Mr. Calhoun. The meeting was adjourned at 8:45 p.m.

A D J O U R N !

