

BOSSIER PARISH POLICE JURY  
BENTON, LOUISIANA  
MINUTES  
April 21, 2010

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The Bossier Parish Police Jury met in regular and legal session on the 21<sup>st</sup> day of April, 2010, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Ms. Wanda Bennett, called the meeting to order. The invocation was given by Mr. Wayne Hammack and the pledge of allegiance was led by Mr. Bill Altimus. The Parish Secretary, Ms. Cindy Dodson, called the roll, with the following members present:

Mr. William Altimus	Mr. Brad Cummings
Mr. Rick Avery	Mr. Jerome Darby
Ms. Wanda Bennett	Mr. Wayne Hammack
Mr. Glenn Benton	Mr. Winfred Johnston
Mr. Barry Butler	Mr. Hank Meachum
Mr. Jimmy Cochran	Mr. Mac Plummer

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

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**Motion was made by Mr. Darby, seconded by Mr. Hammack, to adopt the minutes of the March 3, 2010, and March 17, 2010, regular meetings, the March 17, 2010, Finance Committee meeting, and the March 11, 2010, special meeting, as published. Motion carried unanimously.**

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Mr. Robert McDaniel, Claiborne Parish Police Jury, Haynesville Mayor Sherman Brown and Mrs. Janelle Brown, and Ms. Michelle Bates, Guardian Journal in Homer, were present. Mr. McDaniel requested the jury's support of a proposed constitutional amendment regarding severance tax collections. He stated that the amendment is being placed on the ballot in November and provides for a decrease in the amount of taxes retained by the state on the severance of natural resources other than sulphur, lignite and timber, and will increase the maximum amount of such revenues which are remitted to the parish governing authority from where the severance occurs. Mr. McDaniel requested the jury's support and assistance in promoting the proposal to the public. He reported that there are approximately 30 parishes in Louisiana that are oil and gas producing parishes.

Ms. Bennett stated that she has been contacted regarding this matter and advised that the successful passage of the proposed amendment will be beneficial to all parishes. She requested that jurors consider supporting this amendment and assist in educating the public on the importance of this matter.

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Mr. Billy Montgomery presented an update on the salvinia on Lake Bistineau. He introduced Ms. Olivia Ward, a recent graduate from Louisiana Tech with a biology degree. He stated that Ms. Ward has been hired on a grant to help with the study and research on the current salvinia problems and to help in obtaining grants to treat the salvinia.

Mr. Montgomery reported that there is approximately 1 acre of salvinia on Lake Bistineau at this time. He stated that in the summer of 2009, approximately 7,000 acres of Lake Bistineau were covered with salvinia. Mr. Montgomery stated that due to the high water level and colder temperatures, the salvinia has been reduced. He advised that when the warmer weather returns, the salvinia will increase. Mr. Montgomery stated that Lake Bistineau is being drawn down to seven feet at this time, and there are only four accessible boat launches during the draw down.

Mr. Montgomery presented a report created by Trailblazers that includes input from other entities on this matter and asked that the jurors review the report and submit their recommendations and/or changes. Mr. Montgomery advised that once a final draft is completed, the report will be submitted to the state. He requested that the jury consider adoption of a resolution at the May 5, 2010, regular meeting, supporting the recommendations.

In response to question by Mr. Hammack, Mr. Montgomery stated that in the past, funds were set aside for Bossier, Webster and Bienville Parishes to mark the channels in Lake Bistineau. He advised that Webster and Bienville chose to use the funds for other projects. Mr. Montgomery advised that during recent meetings, it has been requested that the channels of Lake Bistineau be marked, trees thinned and boat launches improved with the cost being split with the state paying 75% of the cost and parishes paying the remaining 25%. He stated that the parish's portion of the cost can be provided with in-kind services. Mr. Altimus reported that the parish could provide in-kind contributions by making the signs for the project. Mr. Montgomery expressed his appreciation to Trailblazers for their assistance on this project.

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Mr. Glenn Mayhall, 8425 Woodhill Lane, Haughton, LA, advised that he and his wife entered into a purchase agreement to purchase property at 141 Houston Street, Elm Grove, on Lake Bistineau. He stated that the agreement included the well and septic tank, as well as a mobile home, but has since found out that the well is not located on the lot he and his wife purchased and the mobile home is located 8 feet on the next lot. Mr. Mayhall advised that he has received a letter from Mr. Tim Smith, previous owner of the property, demanding payment for work that has been done on the septic system and for clearing of the land. He stated that the work was done prior to his purchase of the property. He further advised that a hearing is set today at 4:30 p.m. at the office of the Justice of the Peace, Keith Cullen. Mr. Jackson requested that Mr. Mayhall leave a copy of his documents and he would contact him prior to the hearing today.

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**Motion was made by Mr. Avery, seconded by Mr. Butler, to authorize the advertising for bids for the following street improvements projects, bids to be received at 2:00 p.m., on May 12, 2010:**

- 1) **The in-place cement stabilized base course and asphaltic concrete wearing course improvements of approximately 1.847 miles of Koran Doyline Road, Project No. 2010-231.**
  - 2) **Concrete street repairs in Dogwood Subdivision, Project No. 2010-241.**
  - 3) **Concrete ditch improvements in Forest Hills Subdivision, Project No. 2010-243.**
  - 4) **Concrete street repairs in Creekside Subdivision, Project No. 2010-239.**
  - 5) **Concrete street repairs in Bay Hills Subdivision, Project No. 2010-240.**
  - 6) **The removal and replacement of a storm drain pipe in Lakewood Subdivision, Project No. 2010-242.**
- Motion carried unanimously.**

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Ms. Dodson announced the public hearing to consider the application of River Rouge Plantation, LLC, to the Bossier City-Parish MPC for a zoning amendment to change the zoning classification of a 78 acre tract of land located on the south side of Cash Point Road, in a portion of Sections 29 and 30, Township 19 North, Range 13 West, Bossier Parish, LA, from R-A, Residential-Agriculture, to I-1, Light-Industry District, for an industrial complex. The application received a favorable recommendation from the Bossier City-Parish MPC.

Mr. Ford advised that he recommends that this matter be removed from the agenda at this time, to be considered at a later date. He stated that 30-day notice will be given prior to rescheduling the public hearing. **Motion was made by Meachum, seconded by Mr. Benton, to remove this matter from the agenda, to be considered at a later date. Motion carried unanimously.**

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Mr. Richard Gunter, Property Standards Officer, reported on a meeting of the Property Standards Board of Review.

**Motion was made by Mr. Benton, seconded by Mr. Plummer, to schedule a condemnation hearing on May 5, 2010, to consider condemnation of property at 130 Tammy Lane, Benton, LA. Motion carried unanimously.**

**Motion was made by Mr. Benton, seconded by Mr. Avery, to schedule a condemnation hearing on May 5, 2010, to consider condemnation of property at 403 Princeton Road, Princeton, LA. Motion carried unanimously.**

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Mr. Butch Ford, Parish Engineer, reported on a meeting of the Road/Subdivision Regulations Committee, advising that the following changes are recommended:

- 1. Amend subdivision regulations to require that any new subdivision developed inside the MPC area is required to have underground drainage, and any pre-existing subdivisions with open ditch drainage will be grandfathered in.
- 2. Revise current flood regulations to require that all homes built in or outside a special flood hazard area, must be built at least one foot above the base flood elevation or above the road, whichever is greater.

Mr. Ford advised that he will prepare amended ordinances for consideration at the May 5, 2010, regular meeting.

Mr. Ford reported that the matter of building inspections was also discussed, and advised that it is recommended that the City of Bossier City be asked to provide inspection services in areas outside the city's jurisdiction. Mr. Jackson stated that he will discuss this matter with officials from the City of Bossier.

Mr. Ford advised that he has received a number of calls regarding RV parks which are being developed outside the MPC area. Mr. Ford advised that at this time, there are no regulations outside the MPC area to prohibit or regulate RV parks. He stated that since no platting is required, the police jury is not being notified of the development. After further discussion, Mr. Ford is to continue to review this matter for a resolution.

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Mr. Altimus discussed the proposed Intergovernmental Agreement between the City of Shreveport, the Parish of Caddo, and the Parish of Bossier relating to the development of a regional water system, advising that in order to obtain federal funding for the project a study must first be done. He advised that the cost of the study is approximately \$835,000, which will be split equally among the police jury, the City of Shreveport and the Parish of Caddo. Mr. Altimus advised that the police jury's cost of the study is approximately \$270,000, and stated that he will determine the value of the study for possible deduction of this amount from the jury's portion of the cost. Mr. Altimus requested that jurors further review this matter for consideration at a later date. The jury concurred.

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Mr. Ford reported that the Bossier Parish Hazard Mitigation Plan must be updated in order for the parish to be eligible to receive funding from FEMA. He stated that he has received two proposals for updating the Bossier Parish Hazard Mitigation Plan, as follows:

Providence	AMEC
\$65,000	\$48,250 – (no other expenses included)
(includes travel, postage and other related expenses)	

Mr. Ford stated that Providence is a local company and AMEC is located in Canada, and recommended that the bid of Providence be accepted. The matter is to be further reviewed for consideration next month.

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**Motion was made by Mr. Benton, seconded by Mr. Butler, to adopt a resolution authorizing the acquisition of property and/or institution of expropriation proceedings pursuant to a Local Services Agreement executed between the Parish of Bossier and the City of Bossier City necessary for the construction and completion of the Bellevue Road Improvements Project. Motion carried unanimously.**

RESOLUTION

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY AND/OR INSTITUTION OF EXPROPRIATION PROCEEDINGS NECESSARY FOR CONSTRUCTION AND COMPLETION OF THE BELLEVUE ROAD RECONSTRUCTION AND IMPROVEMENTS PROJECT

**WHEREAS**, the Parish of Bossier will commence a project to, among other things, improve, widen and/or expand Bellevue Road (the "**Project**");

**WHEREAS**, the Parish is in the process of acquiring the needed properties necessary to facilitate construction and completion of the Project;

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

PARCEL NO(S).	OWNER(S)	Description
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1-1	McDonald's Corporation	Exhibit A
1-3, 1-4, 1-5 & 2-1	Louis & Maria Stewart Hunter Estate, et al	Exhibit B
3-1, 3-2 & 3-3	Asbury Methodist Episcopal Church of Bossier Parish, Louisiana, et al	Exhibit C
4-5-C-1 & 4-5	Paul F. Johnson, Eugenia P. Johnson, et al	Exhibit D

**WHEREAS**, in the event that the offers of compensation for the purchase of the necessary additional parcels of property adjacent and contiguous to the existing roadway and/or right-of-ways are not accepted by any property owner, 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 of Bossier, acting under the authority of and in a manner authorized by Article 1, Section 4 of the Constitution of the State of Louisiana (1974) and La. R.S. 19:1, et seq. and/or La. R.S. 48:441 et. seq. or any other applicable laws of the State of Louisiana, desires to acquire said property by expropriation pursuant to applicable law;

**WHEREAS**, public necessity dictates that the properties and/or parcels described herein must be owned by and subject to use by the Parish of Bossier;

**WHEREAS**, the acquisition or taking of the property is necessary for highway and/or street purposes, and the location and design of the proposed highway and/or street improvements are in accordance with the best modern practices adopted in the interest of safety and convenience of the traveling public; and

**WHEREAS**, the Parish of Bossier entered into a Local Services Agreement with the City of Bossier City regarding the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Police Jury of the Parish of Bossier in regular session convened, that the Parish is authorized to acquire all property necessary to facilitate construction and completion of the Project, including, if necessary the filing and prosecution of any expropriation or taking actions related to the Project in the proper court of law and the Parish Attorney, is hereby authorized to institute expropriation proceedings against the owner or owners of record as they might be at the time of the filing, of the properties, parcels or tracts described above.

**BE IT FURTHER RESOLVED**, that the Parish Administrator 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 Project, and to execute any and all other documents necessary to complete the Project, and to pursue any necessary expropriation actions related to the Project, whether or not involving the property tracts and/or owners referred to herein, and to execute any documents pursuant to such terms and conditions as he shall in his sole discretion deem advisable, and is authorized to execute any other document 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.

**BE IT FURTHER RESOLVED**, that the law firm of Wiener Weiss & Madison, P.C., be and is hereby authorized to assist the Parish Attorney with the expropriation proceedings.

**BE IT FURTHER RESOLVED**, that if any provision or item of this Resolution or application thereof is invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Resolution are hereby declared severable.

**BE IT FURTHER RESOLVED**, that all Resolutions or parts thereof in conflict herewith are hereby repealed.

The resolution was offered by Mr. Benton, seconded by Mr. Butler. Upon unanimous vote, it was duly adopted on this 21<sup>st</sup> day of April, 2010.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

**Exhibit A**

Legal Description

Of **Parcel 1-1** Owned by McDonald's Corporation

PARCEL 1-1 Bellevue Road Improvements  
McDonald's Corporation  
Sect 9, T-18-N, R-12-W

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From a point on the centerline of Bossier Parish Project No. 2008-127, at Station 100+60.41, proceed N88° 38' 43" W a distance of 30.28 feet to the point of beginning; thence proceed N88° 38' 43" W a distance of 8.07 feet to a point and corner; thence proceed N09° 09' 00" E a distance of 207.71 feet to a point and corner; thence proceed S89° 59' 47" E a distance of 8.10 feet to a point and corner; thence proceed S09° 09' 00" W a distance of 207.90 feet to the point of beginning. All of which comprises Parcel 1-1 as shown on Sheet 1 of the Right of Way Plans Bossier Parish Project No. 2008-127, and contains an area of 1662.4 square feet or 0.038 acres.

**Exhibit B**

Legal Description

Of **Parcel 1-3, 1-4, 1-5 & 2-1** Owned by Louis & Maria Stewart Hunter Estate, et al

PARCEL 1-3 Bellevue Road  
Louis & Maria Stewart Hunter Estate, et al  
Sect 9, T-18-N, R-12-W

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From a point on the centerline of Right of Way Project Bellevue Road, at Station 107+07.42, proceed N68°55'45"W a distance of 30.00 feet to the point of beginning; thence proceed along a curve to the left having a radius of 9.98 feet, whose length is 15.02 feet and whose chord length is 13.64 feet and bears N22°58'47"W to a point and corner; thence proceed S66°12'44"E a distance of 9.52 feet to a point and corner; thence proceed along a curve to the left having a

radius of 1780.00 feet, whose length is 9.35 feet and whose chord length is 9.35 feet and bears S21°13'21"W to the point of beginning. All of which comprises Parcel 1-3 as shown on Sheet 1 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 19.2 square feet or 0.000 acres.

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**PARCEL 1-4 Bellevue Road**

Louis & Maria Stewart Hunter Estate, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project Bellevue Road, at Station 107+45.37, proceed N66°12'44"W a distance of 30.01 feet to the point of beginning; thence proceed N66°12'44"W a distance of 10.23 feet to a point and corner; thence proceed along a curve to the left having a radius of 10.00 feet, whose length is 15.91 feet and whose chord length is 14.28 feet and bears N68°13'22"E to a point and corner; thence proceed along a curve to the left having a radius of 1780.00 feet, whose length is 10.20 feet and whose chord length is 10.20 feet and bears S22°29'35"W to the point of beginning. All of which comprises Parcel 1-4 as shown on Sheet 1 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 22.6 square feet or 0.001 acres.

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**PARCEL 1-5 Bellevue Road**

Louis & Maria Stewart Hunter Estate, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project Bellevue Road, at Station 110+62.61, proceed N85°22'48"E a distance of 37.91 feet to the point of beginning; thence proceed along a curve to the right having a radius of 1720.00 feet, whose length is 20.75 feet and whose chord length is 20.75 feet and bears N33°48'06"E to a point and corner; thence proceed along a curve to the left having a radius of 9.99 feet, whose length is 22.46 feet and whose chord length is 18.02 feet and bears S30°13'35"E to a point and corner; thence proceed S85°22'48"W a distance of 20.68 feet to the point of beginning. All of which comprises Parcel 1-5 as shown on Sheet 1 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 95.2 square feet or 0.002 acres.

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**PARCEL 2-1 Bellevue Road**

Louis & Maria Stewart Hunter Estate, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project Bellevue Road, at Station 114+52.00, proceed S63°06'01"E a distance of 30.00 feet to the point of beginning; thence proceed along a curve to the left having a radius of 1374.13 feet, whose length is 37.87 feet and whose chord length is 37.87 feet and bears N26°06'37"E to a point and corner; thence proceed S89°16'29"E a distance of 10.99 feet to a point and corner; thence proceed along a curve to the right having a radius of 1384.13 feet, whose length is 42.72 feet and whose chord length is 42.72 feet and bears S26°00'56"W to a point and corner; thence proceed N63°06'01"W a distance of 10.00 feet to the point of beginning. All of which comprises Parcel 2-1 as shown on Sheet 2 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 403.0 square feet or 0.009 acres.

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**Exhibit C**

Legal Description

Of **Parcel 3-1, 3-2 & 3-3** Owned by Asbury Methodist Episcopal Church of Bossier Parish, Louisiana, et al

**PARCEL 3-1 Bellevue Road**

Asbury Methodist Episcopal Church of Bossier Parish, Louisiana, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project Bellevue Road, at Station 127+70.00, proceed N58°47'01"W a distance of 30.00 feet to the point of beginning; thence proceed N58°47'01"W a distance of 10.00 feet to a point and corner; thence proceed along a curve to the left having a radius of 22675.65 feet, whose length is 75.68 feet and whose chord length is 75.68 feet and bears N31°07'15"E to a point and corner; thence proceed S78°23'54"E a distance of 10.60 feet to a point and corner; thence proceed along a curve to the right having a radius of 22685.65 feet, whose length is 79.24 feet and whose chord length is 79.24 feet and bears S31°06'59"W to the point of beginning. All of which comprises Parcel 3-1 as shown on Sheet 3 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 774.6 square feet or 0.018 acres.

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**PARCEL 3-2 Bellevue Road**

Asbury Methodist Episcopal Church of Bossier Parish, Louisiana, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project Bellevue Road, at Station 127+80.00, proceed S58°48'32"E a distance of 30.00 feet to the point of beginning; thence proceed along a curve to the left having a radius of 22745.65 feet, whose length is 141.19 feet and whose chord length is 141.19 feet and bears N31°00'48"E to a point and corner; thence proceed S59°09'52"E a distance of 10.00 feet to a point and corner; thence proceed along a curve to the right having a radius of 22755.65 feet, whose length is 141.25 feet and whose chord length is 141.25 feet and bears S31°00'48"W to a point and corner; thence proceed N58°48'32"W a distance of 10.00 feet to the point of beginning. All of which comprises Parcel 3-2 as shown on Sheet 3 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 1412.2 square feet or 0.032 acres.

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**PARCEL 3-3 Bellevue Road**

Asbury Methodist Episcopal Church of Bossier Parish, Louisiana, et al

Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project Bellevue Road, at Station 129+23.49, proceed N78°23'37"W a distance of 31.77 feet to the point of beginning; thence proceed N78°23'37"W a distance of 10.59 feet to a point and corner; thence proceed along a curve to the left having a radius of 22675.65 feet, whose length is 32.15 feet and whose chord length is 32.15 feet and bears N30°49'26"E to a point and corner; thence proceed S89°36'53"E a distance of 11.59 feet to a point and corner; thence proceed along a curve to the right having a radius of 22685.65 feet, whose length is 34.54 feet and whose chord length is 34.54 feet and bears S30°48'43"W to the point of beginning. All of which comprises Parcel 3-3 as shown on Sheet 3 of the Right of Way Plans of Right of Way Project Bellevue Road, and contains an area of 333.5 square feet or 0.008 acres.  
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**Exhibit D**  
 Legal Description

Of **Parcel 4-5-C-1 & 4-5** Owned by Paul F. Johnson, Eugenia P. Johnson, et al  
 Parcel 4-5-C-1 Bellevue Road  
 Paul F. Johnson, Eugenia P. Johnson, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Right of Way Project West Fire Station Road, at Station 48+94.69, proceed N56°37'49"W a distance of 20.00 feet to the point of beginning; thence proceed along a curve to the right having a radius of 80.00 feet, whose length is 29.74 feet and whose chord length is 29.57 feet and bears S44°01'07"W to a point and corner; thence proceed N00°40'25"E a distance of 97.38 feet to a point and corner; thence proceed S89°16'10"E a distance of 44.26 feet to a point and corner; thence proceed S00°40'25"W a distance of 41.85 feet to a point and corner; thence proceed along a curve to the left having a radius of 120.00 feet, whose length is 20.86 feet and whose chord length is 20.83 feet and bears S38°20'57"W to a point and corner; thence proceed S33°22'11"W a distance of 20.79 feet to the point of beginning. All of which comprises Parcel 4-5-C-1 as shown on Sheet 4 of the Right of Way Maps for Bellevue Road Improvements, Bossier Parish Project No. 2008-127, and contains an area of 3168.8 square feet or 0.073 acres.  
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Parcel 4-5 Bellevue Road  
 Paul F. Johnson, Eugenia P. Johnson, et al  
 Sect 9, T-18-N, R-12-W

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 From a point on the centerline of Bossier Parish Project No. 2008-127, at Station 143+65.97, proceed S81°31'04"W a distance of 30.00 feet to the point of beginning; thence proceed along a curve to the left having a radius of 20.00 feet, whose length is 48.22 feet and whose chord length is 37.36 feet and bears N77°33'22"W to a point and corner; thence proceed S33°22'11"W a distance of 12.65 feet to a point and corner; thence proceed along a curve to the right having a radius of 120.00 feet, whose length is 17.23 feet and whose chord length is 17.22 feet and bears S37°29'03"W to a point and corner; thence proceed N89°55'41"W a distance of 81.42 feet to a point and corner; thence proceed along a curve to the left having a radius of 80.00 feet, whose length is 70.74 feet and whose chord length is 68.46 feet and bears N58°42'04"E to a point and corner; thence proceed N33°22'11"E a distance of 20.79 feet to a point and corner; thence proceed along a curve to the right having a radius of 120.00 feet, whose length is 59.95 feet and whose chord length is 59.32 feet and bears N47°40'50"E to a point and corner; thence proceed along a curve to the left having a radius of 15.00 feet, whose length is 18.45 feet and whose chord length is 17.31 feet and bears N26°45'17"E to a point and corner; thence proceed S08°28'56"E a distance of 93.27 feet to the point of beginning. All of which comprises Parcel 4-5 as shown on Sheet 4 of the Right of Way Maps for Bellevue Road Improvements, Bossier Parish Project No. 2008-127, and contains an area of 4867.5 square feet or 0.112 acres.  
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Mr. Russell Craig, Commercial Vehicle Enforcement Unit Officer, was present for review of the recommendations of the CVEU Board of Appeals in the matter of Report No. 30 issued to McMillian Timber Contractors, Inc., on February 17, 2010. An appeals hearing was held on April 7, 2010, and Ms. Bennett stated that it is the recommendation of the CVEU Board of Appeals to uphold the findings of the Commercial Vehicle Enforcement Unit Officer, and deny the request of McMillian Timber Contractors, Inc., for dismissal of fines and charges filed on Report No. 30. **Motion was made by Mr. Hammack, seconded by Mr. Meachum, to ratify and accept the recommendation of the Commercial Vehicle Enforcement Unit Board of Appeals to uphold the findings of the Commercial Vehicle Enforcement Unit Officer, and deny the request of McMillian Timber Contractors, Inc., for dismissal of fines and charges filed on Report No. 30, issued by the Commercial Vehicle Enforcement Unit Officer on February 17, 2010. Motion carried unanimously.**

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Ms. Bennett advised that it is recommended by the Commercial Vehicle Enforcement Unit Board of Appeals that the findings of the Commercial Vehicle Enforcement Unit Officer be upheld, and the request of Pioneer Well Service for dismissal of fines and charges filed on Report No. 25 be denied.

**Motion was made by Mr. Benton, seconded by Mr. Meachum, to ratify and accept the recommendation of the Commercial Vehicle Enforcement Unit Board of Appeals to uphold the findings of the Commercial Vehicle Enforcement Unit Officer, and deny the request of Pioneer Well Service for dismissal of fines and charges filed on Report No. 25, issued by the Commercial Vehicle Enforcement Unit Officer on January 27, 2010. Motion carried unanimously.**

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Mr. Ford advised that he has received a request from an oil company asking that the parish consider leasing its property in Township 16 North, Range 10 West, for the exploration of oil/gas minerals. He advised that there is a total of 106 acres in this area, but a portion of the property is currently leased. Mr. Ford stated that there are approximately 95

acres that are released at this time. Mr. Cummings requested that the successful bidder be required to pay all advertising fees in connection with the bidding process. The jury concurred. After further discussion, **motion was made by Mr. Benton, seconded by Mr. Butler, to adopt a resolution authorizing the advertising and taking of bids for leasing of parish property located in Township 16 North, Range 10 West, for the exploration and production of minerals, with no minimum bid and with the stipulation that the successful bidder is required to pay all advertising costs associated with the bidding process. Motion carried, with Mr. Hammack opposing.**

RESOLUTION

A RESOLUTION AUTHORIZING THE ADVERTISING AND TAKING OF BIDS FOR LEASING OF PARISH PROPERTY FOR THE EXPLORATION AND PRODUCTION OF MINERALS

WHEREAS, the Parish of Bossier may own mineral rights underlying certain parish owned properties in Township 16 North, Range 10 West, Bossier Parish, LA (collectively "the property"); and

WHEREAS, the Parish desires to lease its interest in the property for oil, gas and other minerals subject to conditions contained herein; and

WHEREAS, La.R.S. 30:152 and 30:154 authorizes political subdivisions to grant mineral leases on their own lands;

WHEREAS, La.R.S. 30:125-127 establish the procedures for such mineral leases and provide for the advertising of the opening of bids for those leases not more than sixty days prior to the opening of bids;

WHEREAS, significant mineral leasing activity is occurring in the Parish of Bossier; and

WHEREAS, the Parish of Bossier does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Bossier will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Bossier and accepted by lessee is without any warranty of title and without any recourse against the Parish of Bossier whatsoever, either express or implied, and it is expressly agreed that the Parish of Bossier shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

NOW, THEREFORE, BE IT RESOLVED, by the Bossier Parish Police Jury in due, regular and legal session convened, that it hereby authorizes advertising as required by law for bids for mineral leases on certain Police Jury property and receipt of bids for mineral leases on certain Police Jury property located in Township 16 North, Range 10 West, Bossier Parish, Louisiana.

BE IT FURTHER RESOLVED, that the Police Jury shall open bids for mineral leases on Bossier Parish property at 2:00 p.m. on June 7, 2010, at the Police Jury office in the Police Jury Meeting Room at 204 Burt Boulevard, Benton, Louisiana.

BE IT FURTHER RESOLVED, that any such lease shall contain a No Surface Operations provision to read the same or substantially the same as the following language, except when the property description attached hereto shall indicate that such operations are allowed by the Parish of Bossier.

"Except as otherwise expressly authorized in writing by Lessor, Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands. Notwithstanding any other provision of this lease to the contrary, Lessee, its successors or assigns shall not use the surface of the Lessor's property for drilling or any other operation(s) without prior written consent of Lessor, which consent may be withheld at Lessor's discretion."

BE IT FURTHER RESOLVED, that any such lease shall contain a horizontal Pugh clause to read the same or substantially the same as the following:

"Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commissioner of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in such pooled unit, and this lease shall expire as to that part of the land herein leased not included in such unit, and Lessee, its successors and assigns agree to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commissioner of Conservation while this lease is in effect."

BE IT FURTHER RESOLVED, that any such lease shall contain a vertical Pugh clause to read the same or substantially the same as the following:

"Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis."

BE IT FURTHER RESOLVED, that any such lease contain a minimum royalty provision as follows: Royalty of not less than ¼ or 25%.

BE IT FURTHER RESOLVED, that there shall be no minimum bid amount required and the successful bidder shall be responsible for payment of all advertising costs associated with the advertising and taking of bids for leasing of parish property for the exploration and production of minerals.

BE IT FURTHER RESOLVED, that any such lease contain a minimum rental consideration for years two and three of the lease of not less than a price per acre equal to one half (1/2) of the cash payment described above (the "Rental"). Such Rental clause shall substantially provide that, if drilling operations are not commenced on the leased premises in good faith on or before one year from the date of the lease, the lease shall expire and terminate unless Lessee on or before the expiration of that period shall pay or tender to the Lessor the Rental, which shall extend for twelve (12) months the time within which drilling operations may be commenced. Thereafter, in like manner and upon like payments

or tenders, all of Lessee's rigs under the lease may be maintained without actual drilling operations a successive period of twelve (12) months during the primary term. Payment or tender of rental may be made by check of Lessee made payable to the order of Lessor and delivered or mailed by registered mail to the Lessor on or before the rental paying date.

BE IT FURTHER RESOLVED, that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

BE IT FURTHER RESOLVED, that such lease shall contain a provision expressly stating that any lease granted by the Parish of Bossier and accepted by Lessee shall be without warranty of title and without recourse against the Parish, whether expressed or implied, and further, that Parish shall not be required to return any payments received or be otherwise responsible to Lessee therefore.

BE IT FURTHER RESOLVED, that the Parish authorizes the grouping of Parish property into such tracts as is determined best for the purpose of taking bids for mineral leases on the Parish of Bossier property.

BE IT FURTHER RESOLVED, that the Parish directs that no partial bids shall be permitted and all bids submitted shall be for the entire nomination including all tracts or parcels included therein.

BE IT FURTHER RESOLVED, that if any provisions or items of this resolution or the application thereof are held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict hereby are hereby repealed.

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately.

The resolution was offered by Mr. Benton, seconded by Mr. Butler. Upon unanimous vote, it was duly adopted on this 21st day of April, 2010.

AYES: Mr. Altimus, Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Butler, Mr. Cochran, Mr. Cummings, Mr. Darby, Mr. Johnston, Mr. Meachum, Mr. Plummer

NAYS: Mr. Hammack

ABSENT: None

ABSTAIN: None

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Meachum, seconded by Mr. Darby, to approve a request from the Town of Haughton to use the parish grapple truck for an annual clean-up day event in Haughton on May 1, 2010. Motion carried unanimously.**

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Mr. Ford discussed the overlay of Liberty Drive which is being funded through the Louisiana Community Development Block Grant Program, advising that the contractor has advised that approximately 900 feet of the roadway has no substantial base and it is not possible to overlay this section. He stated that there also appears to be a drainage problem at this location.

Mr. David Kunz, Balar Engineers, advised that the southern 1/3 of Liberty Drive is extremely wet and there is no apparent bottom on this section of the road. He advised that they have obtained a geotech study which recommends that the contractor undercut three feet of the roadway for approximately 900 feet and fill with adequate material needed to provide a firm base. Mr. Kunz advised that the proposal from Best Yet Builders to perform this additional work is approximately \$46,000. Mr. Ford recommended that the police jury authorize an expenditure of up to \$50,000 from the highway fund to complete the overlay of Liberty Drive. **Motion was made by Mr. Altimus, seconded by Mr. Meachum, to authorize an expenditure of up to \$50,000 from the highway fund to complete the overlay of Liberty Drive, and to review the drainage at this location. Motion carried unanimously.**

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Mr. Altimus reported that the parish has received a grant in the amount of \$129,000 through the Louisiana Department of Natural Resources Energy Efficiency and Conservation Block Grant Program, advising that the funds will be used for air conditioning improvements at the penal farm.

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Mr. Altimus advised that Shreveport Mayor Cedric Glover is currently in the process of establishing the Northwest Louisiana Air Service Task Force in response to citizens, business leaders and visitors who have demanded better and more affordable air services from Shreveport Regional Airport. He stated that the task force will be asked to assess the effectiveness and efficiency of current airport operations and to evaluate the viability of attracting a low cost carrier to the Shreveport Regional Airport. Mr. Altimus stated that Mayor Glover has requested the appointment of a representative from the police jury to serve on the task force and recommended that Mr. Billy Montgomery be appointed to represent Bossier Parish. **Motion was made by Mr. Benton, seconded by Mr. Johnston, to support the task force initiative and to approve the appointment of Mr. Billy Montgomery to serve as Bossier Parish representative on the Northwest Louisiana Air Service Task Force. Motion carried unanimously.**

\*\*\*

Mr. Altimus reported that the new clubhouse at the North Bossier Park will open soon. He stated that six additional tennis courts are complete and the facility is now adequate to host tennis tournaments. Mr. Altimus stated parking has become a problem at the park and extending the road with additional parking on one side is being considered. He stated that the parish has been asked to provide in-kind services to assist in the project.

Mr. Altimus stated that he visited the Princeton Sports Complex on Saturday and there was a very large crowd at the park. He advised that parking is an issue here also and will need to be addressed in the future.

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Mr. Altimus advised of a request to close Arkansas Street in Plain Dealing for approximately four hours for a birthday party and recommended that the request be denied. The jury concurred. It was suggested that the Sheriff's Department be asked to increase patrol during the party.

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Mr. Altimus advised that police jury employees will receive an Annual Statement of Benefits in their next paycheck which provides a breakdown of the costs paid by the police jury on behalf of each employee for benefits.

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Mr. Altimus advised that the Wilbur Smith zoning study is posted on the parish website for public review, and as of today, no comments have been received. He stated that the matter will be placed on the May 5, 2010, regular meeting agenda for review.

Mr. Altimus discussed a recent newspaper article regarding the proposed parishwide zoning and expressed concern regarding a comment made by Mr. Butler in the article. Mr. Butler stated that he has expressed his opposition of parishwide zoning to the jury. Ms. Bennett suggested that in the future, members of the jury should discuss their opposition to a parish project during an open meeting.

\*\*\*

Mr. Ford reported on a meeting with representatives of the Louisiana Department of Environmental Quality, Representative Jane Smith and Representative Henry Burns regarding the Consolidated Waterworks/Sewerage District No. 1, and stated that the meeting went well. Mr. Ford advised that he and Mr. Landry will meet with representatives of the USDA regarding the District and will provide a report on the meeting at a later date.

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

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Mr. Hammack advised that a privacy fence located next to the Aulds Library is in need of repair, and stated that he is uncertain who owns the fence. Mr. Altimus stated that he will determine who owns the fence, and see that the needed repairs are made.

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Ms. Bennett requested that each juror review the packet provided to them earlier in the meeting by Mr. Robert McDaniel regarding the oil and gas severance tax, and consider adopting a resolution at the May 5, 2010, regular meeting in support of the proposed constitutional amendment.

\*\*\*

Mr. Patrick Jackson, Parish Attorney, reported on a meeting with the Louisiana Department of Environmental Quality in Baton Rouge last week regarding funding for the Consolidated Waterworks/Sewerage District No. 1. He expressed appreciation to Governor Bobby Jindal, Representative Jane Smith and to Representative Henry Burns for their support and updated jurors on the status of financing for the project. He urged members of the jury to participate in weekly conference calls regarding this matter.

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#### Finance Committee Report – April 21, 2010, 1:30p.m.

The Finance Committee of the Bossier Parish Police Jury met on this 21<sup>st</sup> day of April, 2010, at 1:30 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana, with all members present.

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**Motion was made by Mr. Hammack, seconded by Mr. Benton, to approve payment of accounts payable invoices in the amount of \$2,310.02 for the Johnny Gray Jones Youth Shelter for the month of March, 2010, as follows:**

Bossier-Caddo Glass, LLC	\$ 125.00
Emergency Power System	\$ 281.70
Swan Lake Hardware, LLC	\$ 11.47
Swan Lake Hardware, LLC	\$ 20.98
Tubbs Hardware & Rental	\$ 19.99
Elliott Electric Supply	\$ 60.00
Louisiana Key & Lock Service	\$ 10.00
Snyder Floor Covering	\$1,760.00
R E Michel Company, Inc.	\$ 5.60
R E Michel Company, Inc.	\$ 15.28

**Motion carried unanimously.**

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**Motion was made by Mr. Meachum, seconded by Mr. Avery, to approve payment of all other accounts payable invoices for the month of March, 2010. Motion carried unanimously.**

\*\*\*

**Motion was made by Mr. Cochran, seconded by Mr. Hammack, that Mr. Hammack and Mr. Plummer will each contribute discretionary funds in the amount \$2,000, Mr. Altimus will contribute discretionary funds in the amount of \$1,000, and Mr. Cochran will contribute discretionary funds in the amount of \$1,200, for a total of \$6,200 to Parkway Highway School for the purchase of iPods and iPod charging stations for the science lab. Motion carried unanimously.**

\*\*\*

**Motion was made by Ms. Bennett, seconded by Mr. Cochran, that Ms. Bennett, Mr. Altimus, Mr. Cochran and Mr. Johnston will contribute \$300 each from discretionary funds for a total of \$1,200 to Benton Elementary School for an interactive science lab. Motion carried unanimously.**

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**Motion was made by Ms. Bennett, seconded by Mr. Cummings, that Ms. Bennett will contribute discretionary funds to pay the cost of hiring a security officer for the Benton High School Project Graduation event to be held on May 22, 2010. Motion carried unanimously.**

\*\*\*

**Motion was made by Mr. Darby, seconded by Mr. Johnston, to authorize Mr. Cummings and Mr. Meachum to attend the 2010 NACo Annual Conference in Reno, Nevada, on July 16-20, 2010. Motion carried unanimously.**

\*\*\*

Mr. Vince DeFatta and Ms. Deannie Galloway, Coyle Engineering Co., Inc., presented preliminary plans for construction of a new juvenile detention center facility. He stated that the proposed facility will accommodate 32 juveniles, with the potential for easy expansion to house up to 64 juveniles without interruption of daily operations. Mr. DeFatta stated that in addition to the inmate housing pods, an administration building, kitchen facility and multi-purpose area are proposed. He stated that the estimated total cost of the facility is \$4.8 million.

In response to question by Mr. Hammack, Mr. Kenny Loftin, Ware Youth Services, stated that additional employees will be needed for operation of the proposed new facility.

Mr. Altimus recommended that the matter be referred to the Juvenile Committee for review. The jury concurred.

Mr. Kenny Loftin reported that operation of the Johnny Gray Jones Youth Shelter is going well. He stated that they are currently working on the billing process and advised that he has been able to reduce the number of employees at the facility.

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The Finance Committee was adjourned by the Chairman.

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 21<sup>st</sup> day of April, 2010, the meeting was adjourned by the President at 4:10 p.m.

CINDY A. DODSON  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY