

May 17, 2004

**PROCEEDINGS OF THE POLICE JURY, PARISH OF  
OUACHITA, STATE OF LOUISIANA, TAKEN AT A  
REGULAR MEETING HELD ON MONDAY, MAY 17, 2004 AT  
SIX FIFTY-FIVE O'CLOCK (6:55) 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, May 17, 2004 at 6:55 P.M. and was duly convened by Kim Golden, President, who stated that the Police Jury was ready for the transaction of business.

Ms. Golden recognized Ben Shockley with Sonrise Communications, TV 17, who will be taping the Police Jury meetings in their entirety.

Invocation was given by Mr. King Dawson, District F Police Juror. Pledge of Allegiance to the Flag was led by Mr. King Dawson, District F Police Juror.

**Members present: (6)**

Ms. Paul Hargrove	District A
Mr. Mack Calhoun	District B
Mr. Walt Caldwell	District C
Mr. Dorth Blade	District D
Ms. Kim Golden	District E
Mr. King Dawson	District F

**Members absent: (0)**

Ms. Golden referred the motion to adopt the Minutes of the Regular Police Jury meeting held on May 3, 2004 to the June 7, 2004 Regular Police Jury meeting.

Motion was offered by Mr. Hargrove, seconded by Mr. Blade to adopt the Minutes of the Regular Police Jury meeting held on April 19, 2004.

Motion adopted, no opposition.

Motion was offered by Mr. Hargrove, seconded by Mr. Dawson to adopt the Minutes of the Special Police Jury meeting held on January 29, 2004.

Motion adopted, no opposition.

The President recognized the Service Awards for the month of April, 2004:

**Public Works**

Roosevelt Ethridge, 5 years

**Corrections**

Julia Kirby, 15 years

**Green Oaks**

Dejuana B. Fontana, 5 years

The President recognized Mr. Cliff Thomas, President and CEO of Empowering Communities of America, 1200 North 18<sup>th</sup> Street, Monroe, Louisiana, who gave a brief outline of responsibilities of the company.

The President recognized Ms. Beth Johnston, Member, Friends of the Library, who spoke on behalf of the Ouachita Parish Public Library concerning the proposed separation of the financial control of the Library from the Police Jury.

The President recognized Mr. John Sewell, 603 Greenwood Drive, Monroe, Louisiana, who appealed to the Jury not to close the park in Tanglewood Subdivision and to look at some alternatives.

Mr. Sewell also spoke to the Jury regarding responsibility and accountability to the taxpayers of Ouachita Parish.

Motion was offered by Mr. Hargrove, seconded by Mr. Caldwell to adopt the Minutes of the Public Works Committee meeting held on May 3, 2004.

Motion adopted. No opposition.

Mr. Hargrove referred the motion to adopt the Minutes of the Finance Committee meeting held on April 19, 2004 to the June 7, 2004 Regular Police Jury meeting.

Mr. Hargrove referred the issue of a cooperative endeavor agreement between the Ouachita Parish Police Jury and the Lincoln Parish Police Jury for rental of equipment to the June 7, 2004 Regular Police Jury meeting.

Mr. Hargrove referred the issue regarding sale by sealed bids on the Conner property to the June 7, 2004 Regular Police Jury meeting.

Mr. Hargrove reported on bids received for Aerial Spraying for Mosquito Control.

**PURSUANT TO PUBLIC NOTICE** bids were received at 10:00 a.m. on Thursday, May 13, 2004 in the Office of the Secretary-Treasurer of the Ouachita Parish Police Jury for Aerial Spraying for Mosquito Control. Those present at the bid opening were Brad Cammack, Treasurer, Frances Hunter, Purchasing Officer, and all interested parties. The bids were as follows, to-wit:

**ITEM: AERIAL SPRAYING FOR MOSQUITO CONTROL**

<b>VENDOR</b>	<b>BID</b>
Dynamic Aviation Group, Inc.	\$1.15 per acre

**RECOMMENDATION:** Reject bid.

After discussion, motion was offered by Mr. Hargrove, seconded by Mr. Caldwell to reject the bid of Dynamic Aviation Group, Inc. as recommended by the Mosquito Abatement District.

Motion adopted. No opposition.

Mr. Calhoun spoke regarding the request of the Ouachita Parish Police Jury for the transfer of administration and accounting functions for funds of the Library from the Ouachita Parish Police Jury to the Ouachita Parish Library Board of Control.

Ms. Golden offered a public apology to her fellow Jurors and to the voters of Ouachita Parish concerning prior actions taken by her regarding the separation issue of the Library.

Discussion then ensued.

The following persons spoke regarding the separation issue:

Ms. Cheryl Mouliere, Library Director  
Ms. Nell Seegers, Vice President, Library Board  
Ms. Beth Johnston, Member, Friends of the Library  
Mr. Byrd Minter  
Ms. Gloria Reeves, Assistant Director  
Ms. Eileen Kontrovitz, Library Personnel  
Mr. Stan Wall  
Ms. Carolyn Chatham, Library Personnel

After discussion, motion was offered by Ms. Golden, seconded by Mr. Dawson to refer Resolution No. 03-47 adopted by the Ouachita Parish Police Jury on August 18, 2003 to Senator Robert Barham ratified by the current Police Jury members.

The motion was submitted to a rollcall vote and the vote thereon was as follows:

YEAS: (2) Mr. Mack Calhoun, District B and Mr. Walt Caldwell, District C  
NAYS: (4) Mr. Paul Hargrove, District A; Mr. Dorth Blade, District D; Ms. Kim Golden, District E; and Mr. King Dawson, District F.  
ABSENT: (0)  
ABSTAIN: (0)

Motion failed.

Mr. Calhoun referred discussion on the amendment to the Ouachita Parish Library Budget that was carried over from the Finance Committee meeting to the June 7, 2004 Regular Police Jury meeting.

Mr. Calhoun spoke regarding the right to appoint a member to the Library Board from his district, and referred the matter to the June 7, 2004 Regular Police Jury meeting.

The following Resolution was offered by Mr. Calhoun, seconded unanimously:

#### **RESOLUTION NO. 04-21**

**A RESOLUTION REQUESTING THAT THE STATE OF LOUISIANA PROVIDE PROPERTY FOR AND OTHERWISE TAKE SUCH ACTION AS IS REASONABLE AND NESCESSARY TO SUPPORT THE ESTABLISHMENT OF A VETERANS CEMETERY IN OUACHITA PARISH.**

**WHEREAS**, the United States Department of Veterans Affairs has indicated a desire to establish a National Veterans Cemetery on publicly-owned property in Northeast Louisiana;

**WHEREAS**, the population base, airport facility, interstate highway access, hotel/motel accommodations, and other amenities indicate Ouachita Parish is the best location for such Veterans Cemetery;

**WHEREAS**, the Ouachita Parish Police Jury does not own any property amenable to the establishment of such Veterans Cemetery; and,

**WHEREAS**, public property owned by the State of Louisiana in Ouachita Parish including, but not limited to, a portion of the agriculture Experiment Station at Calhoun, Louisiana, would be suited for the establishment of such Veterans Cemetery;

**NOW, THEREFORE:**

**BE IT RESOLVED** that the Ouachita Parish Police Jury in legal and regular session hereby requests that the State of Louisiana provide property for and otherwise take such action as is reasonable and necessary to support the establishment of a National Veterans Cemetery in Ouachita Parish, Louisiana.

The above Resolution was adopted on the 17<sup>th</sup> day of May, 2004. No opposition.

\* \* \*

The following Resolution was offered by Mr. Calhoun, seconded unanimously:

**RESOLUTION NO. 04-20**

**A RESOLUTION APPOINTING JAMES POE TO THE KEEP OUACHITA PARISH BEAUTIFUL BOARD OF COMMISSIONERS FOR A TERM OF THREE (3) YEARS, BEGINNING MAY 17, 2004 AND ENDING MAY 17, 2007; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, there exists a vacancy on the Keep Ouachita Parish Beautiful Board of Commissioners; and

**WHEREAS**, James Poe, 121 Camp Drive, West Monroe, Louisiana 71292 has expressed a desire to serve on said Keep Ouachita Parish Beautiful Board of Commissioners;

**NOW, THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session that James Poe, 121 Camp Drive, West Monroe, Louisiana 71292 be and hereby is appointed to the Keep Ouachita Parish Beautiful Board of Commissioners for a term of three (3) years, beginning May 17, 2004 and ending May 17, 2007.

The above Resolution was adopted on the 17<sup>th</sup> day of May, 2004. No opposition.

\* \* \*

Mr. Caldwell asked Mr. Mitchell to report on Lake Park Drainage District. Mr. Mitchell stated that the new Lake Park Drainage District Board now in place has made a decision not to maintain the pumps but will continue to maintain the levees. The Lake Park Drainage District Board will convey the pumps to the Parish of Ouachita and a compromise and settlement agreement will be prepared and signed by both parties.

Motion was offered by Mr. Caldwell, seconded by Mr. Calhoun to enter into an agreement with Lake Park Drainage District Board whereby the District will convey the pumps to the Parish of Ouachita in consideration of the satisfaction of expenses the Parish has incurred during the last few years.

Motion adopted. No opposition.

Mr. Caldwell referred the matter regarding qualifications and job description for Parish Executive Officer and the creation of a position for 2005 to the June 7, 2004 Regular Police Jury meeting.

Motion was offered by Mr. Blade, seconded by Mr. Dawson to adopt the Minutes of the Personnel Committee Meeting held on Monday, May 3, 2004.

Motion adopted. No opposition.

Motion was offered by Mr. Blade, seconded by Mr. Caldwell to adopt the Workplace Violence Policy amended as follows:

. . . .

“ III. Procedures

(4) All suspicious individuals or activities shall also be reported as soon as possible to a supervisor or security. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede.”

. . . .

Motion adopted. No opposition.

Mr. Blade spoke regarding the drainage ditch at Shady Grove Elementary School.

Mr. David Cobb, Public Works Department, advised Mr. Blade that the drainage ditch was entirely on the Ouachita Parish School Board property, but is outside their fence and the Public Works Department would require temporary servitude from the property owners on the west side of the ditch to be able to access and clean out.

Motion was offered by Mr. Blade, seconded by Mr. Dawson to table the matter until members of the Ouachita Parish School Board could be contacted.

Motion adopted. No opposition.

Ms. Golden stated that Sonrise Communication TV-17 is now taping the Police Jury meetings and that she would continue discussions with Mr. Ron Phillips who is presently handling the city cable television channel.

Ms. Golden spoke regarding Police Jury rental property at 102 Holland Drive and 423 Raymond Drive.

After discussion, motion was offered by Ms. Golden, seconded by Mr. Hargrove that the Police Jury not delete the termination clause in the rental contract, but to allow Mr. Mitchell to word a revision to the clause.

Motion adopted. No opposition.

Ms. Golden suggested the rent at 102 Holland Drive shall remain at \$1,000.00 per month and the rent at 423 Raymond Drive shall remain at \$1,200.00 per month.

Ms. Golden spoke regarding the heating and air conditioning improvements to the courthouse and the annex buildings.

Motion was offered by Ms. Golden, seconded by Mr. Blade to request that Mr. Fred Newton present to the Police Jury a comprehensive proposal for his recommendations on the annex and his recommendations on the courthouse with dollar estimate amounts by Friday, May 21, 2004, and this motion is to supersede all other actions taken by the Police Jury.

Motion adopted. Mr. Caldwell opposed.

Motion was offered by Ms. Golden, seconded by Mr. Dawson to approve the TANF/STEP Program Grant Agreement from the Workforce Investment Board.

Motion adopted. No opposition.

Ms. Golden stated that there was no pending legislation for Ouachita Parish at this time.

The following Resolution was offered by Ms. Golden, seconded by Mr. Calhoun:

#### **RESOLUTION NO. 04-22**

**A RESOLUTION REQUESTING THE LOUISIANA STATE MINERAL BOARD TO ADVERTISE FOR AN OIL, GAS AND MINERAL LEASE ON PROPERTY OWNED BY THE OUACHITA PARISH POLICE JURY; AND FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Ouachita Parish Police Jury is the owner of certain property located in Section 10, Township 16 North, Range 3 East, Ouachita Parish, Louisiana being 3.23 acres, more or less; and

**WHEREAS**, EnSight Energy Partners, LP has requested that a mineral lease covering said property be advertised for bid; and

**WHEREAS**, EnSight Energy Partners, LP has submitted a money order in the amount of Four Hundred and No/100 (\$400.00) Dollars in evidence of good faith as required by LSA-R.S.30:125; and,

**WHEREAS**, the Ouachita Parish Police Jury deems it advisable to advertise the streets and tracts for mineral lease by the Louisiana State Mineral Board;

**NOW, THEREFORE:**

**BE IT RESOLVED** by the Ouachita Parish Police Jury in legal and regular session that the Louisiana State Mineral Board be hereby requested and authorized to advertise for bids for an oil, gas and mineral lease on the tract of land owned by the Ouachita Parish Police Jury in Section 10, Township 16 North, Range 3 East, Ouachita Parish, Louisiana being described as follows, to-wit:

A certain tract of land belonging to and not under mineral lease from the Ouachita Parish Police Jury, on September 8, 2004, being more fully described as follows: All the right, title and interest in and to certain roads located in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 10, Township 16 North, Range 3 East, Ouachita Parish, Louisiana, and being further described in that certain plat of the J. T. Vinson Subdivision, recorded in Plat Book 8, Page 32 of the Records of Ouachita Parish, Louisiana, containing approximately **3.23 acres**, more or less.

The above Resolution was adopted on the 17<sup>th</sup> day of May, 2004. No opposition.

\* \* \*

Motion was offered by Ms. Golden, seconded by Mr. Hargrove that the Police Jury send out a Request For Proposals to identify an outside consultant who is familiar with facilities such as G. B. Cooley Hospital, and have a consultant perform a comprehensive review of G. B. Cooley and make recommendations to the Police Jury concerning a long-range plan.

Motion adopted. No opposition.

Ms. Golden informed the Police Jury that she was offering Ordinance No. 8777, an ordinance amending Section 14-1(329) of the Compiled Ordinances of the Ouachita Parish Police Jury, decreasing the speed limit on Cedarbrook Drive to fifteen (15) miles per hour; providing for a public hearing, and referred it to the June 7, 2004 Regular Police Jury meeting.



Ms. Golden spoke regarding a letter she had received from Mr. Jim Gilliland, Wildland Fire Series, and also other information she had received from Mr. Newt Briggs with the Department of Forestry, setting forth some developmental training that is available.

Mr. Dawson spoke regarding the neighborhood park in Tanglewood Subdivision.

Motion was offered by Mr. Dawson, seconded by Mr. Hargrove to rescind the motion to close the neighborhood park in Tanglewood Subdivision and reinstate it with the following stipulations for the security and safety of the juveniles:

1. Contact Entergy to add lights
2. Restrict time in Park for recreation - From October through April, the Park would be open for recreation between the hours of 8 a.m.-6 p.m.- from April through September the park would be open for recreation between the hours of 8 a.m.- 9 p.m.
3. Rules will be posted on activities and Restricted as “Drug Free Zone”
4. Contact some retailers to get some wood fencing to go around the west side and the north side of the Park and leave the south side and the east side of the Park open so that the Sheriff’s Department will have access to view inside the Park. If wood is donated for fencing, that Mark Johnson be authorized to install the fencing.

Motion adopted. Mr. Caldwell opposed.

Mr. Dawson stated that he would discuss future recreation needs at a later date.

The following application for Beer and Whiskey license has been received, to-wit:

- 1) **MOORE, JAMES W., JR. DBA MOORE OIL CO. LLC DBA STOP N SAVE #828, 560 Lincoln Road, Monroe, Louisiana 71203 (3006 River Oaks Drive, Monroe, Louisiana 71201), Ward 2, Class “A” Beer, Class “C” Whiskey, NEW.**

Motion was offered by Mr. Caldwell, seconded by Mr. Hargrove to approve Item No. 1 as recommended by Mr. Jay B. Mitchell, Assistant District Attorney.

Motion adopted. Ms. Golden opposed.

Mr. Brad Cammack spoke regarding the Internal Controls Policy for the Library bank account.

After discussion, motion was offered by Mr. Hargrove, seconded by Mr. Dawson to defer implementation of a separate bank account for the Library Board of Control on June 1, 2004 until after the Legislative process is complete.

Motion adopted. Mr. Caldwell abstained.

Mr. Brad Cammack spoke regarding possible uses for drainage pumps.

Mr. Jay Mitchell reported on the employment status of Ms. Mary Singh. Mr. Mitchell stated that the effect of the resignation/termination of Ms. Singh was suspension without pay in which the Department Head has the authority to do, pending Jury action on termination. The Jury failed to pass a vote to terminate; a vote to override the suspension and return Ms. Singh to her regular employment also failed. The Jury took no action at the May 3, 2004 Personnel meeting to change her status. Based on research, Ms. Singh is employed by the Police Jury, but under suspension by her Department Head without pay for a maximum period of thirty (30) calendar days in a calendar year.

Mr. Dawson spoke regarding a lease for additional space for WIA youth programs.

Motion was offered by Mr. Dawson, seconded by Mr. Hargrove to approve the lease as presented by WIA for additional space primarily for youth programs.

Motion adopted. Mr. Caldwell opposed.

Mr. Jay Mitchell spoke regarding Blue Bird Ridge Subdivision.

Mr. Lane Beaird, Engineer, also spoke regarding Blue Bird Ridge Subdivision.

Motion was offered by Ms. Golden, seconded by Mr. Dawson to deny Preliminary and Final Subdivision Approval to Blue Bird Ridge Subdivision for lack of a drainage servitude, and refer to the June 7, 2004 Regular Police Jury meeting.

Motion adopted. Mr. Caldwell abstained.

Motion was offered by Mr. Calhoun, seconded by Mr. Caldwell to approve Sketch Plan Approval to Bethel Place Subdivision.

Motion adopted.

Motion was offered by Ms. Golden, seconded by Mr. Hargrove to deny Preliminary Subdivision Approval to Chauvin Place, Unit 1, and refer to the June 7, 2004 Regular Police Jury meeting.

Motion adopted. Mr. Caldwell opposed.

Motion was offered by Ms. Golden, seconded by Mr. Blade to deny Preliminary Subdivision to Daywood Subdivision and refer to the June 7, 2004 Regular Police Jury meeting.

Motion adopted. No opposition.

Chief Pat Hemphill spoke regarding disciplinary guidelines being handled by the Fire Department.

Mr. Sewell spoke.

After discussion, motion was offered by Mr. Hargrove, seconded by Mr. Calhoun to allow the Fire Department-Peer Review Board to handle all disciplinary matters in the Fire Department including accidents, all as requested by the Fire Chief.

Motion adopted. No opposition.

Mr. Don Harrison, Consulting Engineer, spoke regarding the close out of FEMA Drainage Project on Bastrop Drive.

After discussion, motion was offered by Ms. Golden, seconded by Mr. Hargrove to accept as Substantially Complete as of February 18, 2004, that certain contract between the Ouachita Parish Police Jury and D'Arbonne Construction Co., Inc. dated July 21, 2003 for Flood Control Improvements, Bastrop Drive Area, subject to the punch list, and to approve Change Order No. 1 to said contract, resulting in a net increase of \$12,536.96 primarily to increase the gauge of the pipe from a 14 gauge to a 10 gauge.

Motion adopted. Mr. Caldwell opposed.

Mr. Don Harrison spoke regarding the close out of Federal Aid Urban Systems Project for the Improvement of Bayou Oaks Drive under State Project # 742-37-0006.

After discussion, motion was offered by Ms. Golden, seconded by Mr. Hargrove to accept as Final Completion as of May 5, 2004, that certain contract between the Ouachita Parish Police Jury and D & J Construction Co., Inc. dated June 18, 2003 for Bayou Oaks Drive and extending from Fink's Hideaway Road to Louisiana Highway 139, and to approve Plan Change No. 1 for a net increase of \$26,969.28, related to additional driveways, concrete and asphalt driveways added, and enlarging driveway culverts as necessary to maintain flow of drainage.

Motion adopted. Mr. Caldwell opposed.

Mr. Don Harrison spoke regarding a request from Fair Park Baptist Church to place a covered crossing over Restful Homes Road.

Motion was offered by Mr. Hargrove, seconded by Mr. Caldwell that pursuant to the provisions of LSA-R.S. 42:7, which provides that upon approval of two-thirds of the members present, that at a meeting of a public body, the public body may take up a matter NOT on the Agenda, that discussion of a covered crossing over Restful Homes Road be added to the Agenda.

Motion adopted.

Motion was offered by Mr. Hargrove, seconded by Mr. Caldwell to grant approval for the covered crossing over Restful Homes Road requested by Fair Park Baptist Church, subject to the comments of Mr. Don Harrison, Consulting Engineer.

Motion adopted. No opposition.

Ms. Golden commended the work of D & J Construction Co., Inc. on the Bayou Oaks Drive Project.

Wayne Heckford, Code Enforcement, informed the Police Jury that Members of the KOPB would make a presentation at the June 7, 2004 Regular Police Jury meeting.

The President offered an invitation for public participation.

Dr. Clark Cooper spoke regarding Mosquito Abatement District.

Mr. Byrd Minter spoke regarding restoration of public confidence; sales tax exemption on Voith Paper Service South; and tax base.

Mr. Paul Hargrove responded to Mr. Minter's comments.

Ms. Virginia Burton questioned the Jury on who was paying for the consultant for G. B. Cooley Hospital.

Ms. Vicky Brady thanked the Police Jury for the repair work done on Harmon Johnson Road, and asked the Police Jury to look at the dangerous road conditions on the south end of the Parish.

Mr. Fred Norris spoke regarding hiring a parish administrator.

Mr. John Sewell spoke regarding responsibility and accountability of the Police Jury.

Mr. Steve Wells stated that the Police Jurors needed to work as a body.

There being no further business to come before this meeting, the meeting was adjourned at 9:30 p.m.

/s/ Sherry White

Sherry White

Recording Secretary.

Ouachita Parish Police Jury

/s/ Kim Golden

Kim Golden

P R E S I D E N T.

Ouachita Parish Police Jury