

RAPIDES PARISH POLICE JURY

SPECIAL SESSION
AUGUST 22, 2008

The Police Jury of the Parish of Rapides, State of Louisiana, met in Special Session at its regular meeting place, the Police Jury Room of the Parish Courthouse, 701 Murray Street, Alexandria, Louisiana, on Friday, August 22, 2008, at 10:04 a.m. (Central Standard Time), pursuant to the provisions of a written notice given to each and every member thereof and duly posted in the manner required by law, viz:

Alexandria, Louisiana
August 21, 2008

NOTICE OF SPECIAL POLICE JURY MEETING

NOTICE IS HEREBY GIVEN that a special meeting of the Police Jury of the Parish of Rapides, State of Louisiana, has been ordered and called and will be held at its regular meeting place, the Police Jury Room of the Parish Courthouse, Alexandria, Louisiana, on Friday, August 22, 2008, at 10:00 a.m. for the following purposes to-wit:

1. To go into Executive Session to discuss the prospective litigation between the Police Jury, the School Board and other interested parties in the matter of the application of the Louisiana Enterprise Zone Act and to take such action as it deems necessary.
2. To delete from Chapter 4 Alcoholic Beverages Sections 4-9, 4-10, 4-21 and 4-37 dealing with Employee Permits, which is regulated by State Law.
3. Any other business that may properly come before the Police Jury.

BY ORDER OF THE PRESIDENT

Angie Richmond, Secretary
Rapides Parish Police Jury

There were present: Honorable Richard W. Billings, President; Joe Bishop, Vice President, and Police Jurors John "Buck" Lincecum, Jamie L. Floyd, Theodore Fountaine Jr., Richard Gerald Vanderlick, Oliver "Ollie" Overton Jr., Steve Coco, and Scott Perry Jr.

Also present were Mr. Tim Ware, Treasurer; Mr. Pete Bruce, Public Works Director; Ms. Elaine Morace, Workforce Operations Director; Ms. Donna Andries, Sales and Use Tax Administrator; Ms. Kay Smith, OEWD Director; Mr. Shannon Trapp, Courthouse and Jail Building Superintendent; Mr. Thomas O. Wells, Legal Counsel; Mr. Chris Guillet, Special Counsel; and Ms. Angie Richmond, Parish Secretary.

The invocation was given by Mr. Richard Billings.

The Pledge of Allegiance was led by Mr. Ollie Overton.

The Police Jury of the Parish of Rapides, State of Louisiana, was duly convened as the governing authority of said Parish by Hon. Richard W. Billings, President, who welcomed all present and then stated that the Police Jury was ready for the transaction of business.

On motion by Mr. Buck Lincecum, seconded by Mr. Scott Perry, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE TO DELETE SECTIONS 4-9, 4-10 AND 4-37(3) AND AMEND SECTION 4-21(A) OF THE RAPIDES PARISH OF ORDINANCES DEALING WITH EMPLOYEE PERMITS, WHICH IS REGULATED BY STATE LAW

WHEREAS, an objection of those certain revisions to the Alcoholic Beverage Ordinance by the Rapides Parish Police Jury of December 10, 2007, specifically being the requirement of servers and retail clerks employed within the Parish to hold an Alcoholic Beverage card or permit, has been received from the Louisiana Restaurant Association, CenLA Chapter; and,

WHEREAS, the Louisiana Restaurant Association is of the opinion that the ATC Responsible Vendor Program mandated by the State on January 1, 2000 is sufficient regulation; and,

WHEREAS, the Rapides Parish Police Jury has considered the request of the Louisiana Restaurant Association;

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on the 22nd day of August, 2008, that Sections 4-9 Employees in General and 4-10 Employee Permits; Types, Fees, Penalty for Violation, Exception of the Rapides Parish Code of Ordinances be deleted in its entirety.

BE IT FURTHER ORDAINED that Subsection 3 of Section 4-37 Transitional Rules of the Rapides Parish Code of Ordinances be deleted.

BE IT FURTHER ORDAINED that Section 4-21(a) of the Rapides Parish Code of Ordinances be and is hereby amended to remove the reference to employees as defined in Section 4-9(A) and re-enacted as follows:

CHAPTER 4 ALCOHOLIC BEVERAGES

ARTICLE I. IN GENERAL

...

Sec. 4-21. Applicants to be fingerprinted, have felony conviction check.

(a) All applicants for the issuance of alcoholic beverage permits shall be fingerprinted and subjected to a felony conviction check by the Rapides Parish Sheriffs Office or applicable law enforcement agency as a condition precedent to the issuance of any permit for the sale of alcoholic beverages.

(b) The Rapides Parish Sheriffs Office or applicable law enforcement agency shall sign a certificate of eligibility attesting to the successful completion of the above-mentioned procedures.

BE IT FURTHER ORDAINED that in all other respects Chapter 4 remain unchanged.

BE IT FURTHER ORDAINED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution 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.

A roll call vote was called and was as follows:

YES	NO
Richard Billings	Buck Lincecum
Joe Bishop	Theodore Fountaine
Jamie Floyd	
Richard Vanderlick	
Ollie Overton	
Steve Coco	
Scott Perry	

On roll call vote the motion carried 7-2.

On motion by Mr. Ollie Overton, seconded by Mr. Jamie Floyd, to go into Executive Session for the purpose of discussing the prospective litigation between the Police Jury, the School Board, and other interested parties, and specifically for discussing the possibility of obtaining a judicial determination of the Police Jury's past, present and future application of the Louisiana Enterprise Zone Act and other applicable law. Following such discussion, the Police Jury shall take such action as it deems necessary to protect its interests with respect to all relevant issues.

A roll call vote was called and was as follows:

YES	NO
Richard Billings	

Joe Bishop
Buck Lincecum
Jamie Floyd
Theodore Fountaine
Richard Vanderlick
Ollie Overton
Steve Coco
Scott Perry

On roll call vote the motion carried 9-0 at 10:15 a.m.

EXECUTIVE SESSION

On motion by Mr. Joe Bishop and Mr. Scott Perry, seconded by Mr. Jamie Floyd, to return to open session. On vote the motion carried at 11:29 a.m.

On motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum and Mr. Scott Perry, to authorize the President to sign an agreement with the Rapides Parish School Board regarding the release of the escrowed sales and use tax funds claimed by the School Board, that is approved by Special Counsel. On vote the motion carried.

The President asked if there was any public comment on any agenda item.

Mr. James T. Stewart, President of the Rapides Retired Teachers Organization, spoke of the history of the 1967 Sales Tax, the dedication in the proposition to pay the salaries of School Board employees and the need of the retired employees for those funds.

Ms. Carla Rollins, representing the Louisiana Federation of Teachers, asked when would the terms of the agreement become public, to which Mr. Billings replied when everyone was in agreement.

There being no further business, the meeting was declared adjourned at 11:36 a.m.

Angie Richmond, Secretary
Rapides Parish Police Jury

Richard Billings, President
Rapides Parish Police Jury