

RAPIDES PARISH POLICE JURY

REGULAR SESSION MARCH 12, 2018

The Police Jury of the Parish of Rapides, State of Louisiana, met in Regular Session at its regular meeting place, the Police Jury Room of the Parish Courthouse, 701 Murray Street, Alexandria, Louisiana, on Monday, March 12, 2018, at three (3:00) o'clock p.m. (Central Standard Time).

There were present: Davron "Bubba" Moreau, President, Richard Vanderlick, Vice President, and Police Jurors: Joe Bishop, Craig Smith, Theodore Fountaine, Jr., Oliver "Ollie" Overton, Jr., Sean McGlothlin, Richard Billings and Scott Perry, Jr.

Also present were Mr. Bruce Kelly, Treasurer; Mr. Dennis Woodward, Public Works Director; Mr. Shane Trapp, Courthouse Building Superintendent; Ms. Donna Andries, Sales & Use Tax Administrator; Chief Randy McCain, Fire District No. 2; Ms. Sonya Wiley-Gremillion, OHSEP Director; Ms. Elaine Morace, WIA Operations Director; Ms. Linda Sanders, Civil Service Director; Mr. Thomas O. Wells, Legal Counsel; Mr. Phillip Terrell, District Attorney and Ms. Laurel Smith, Secretary.

The invocation was given by Mr. Scott Perry, Jr.

The Pledge of Allegiance was led by Mr. Richard Vanderlick.

The Police Jury of the Parish of Rapides, State of Louisiana, was duly convened as the governing authority of said Parish by Hon. Davron "Bubba" Moreau, President, who welcomed all present and then stated that the Police Jury was ready for the first item of business.

The President asked if there was any public comment on any agenda item, to which there was no response.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on February 12, 2018 as published in the Official Journal. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, that approved bills to be paid. On vote the motion carried. Mr. Craig Smith recused himself.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to accept the Treasurer's Report. On vote the motion carried.

The next item on the agenda was to recognize and present plaques to the Tioga High School and Junior High School Cheerleading Teams for winning the 2018 NCA National Championship.

Mr. Bubba Moreau presented plaques to the Tioga High School and Tioga Junior High School Cheerleading Teams.

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The next item was to recognize and present plaques to the Plainview High School Girls Basketball Teams for winning the 2018 LHSAA (Louisiana High School Athletic Association) Class C State Championship. Mr. Richard Billings requested this item be laid over to the Committee Meeting for April 9, 2018.

On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings, to authorize Mr. John Young, Esq. & Associates to represent and file suit on behalf of the Rapides Parish Police Jury in the pending opioid litigation against the multiple pharmaceutical companies and authorize the President to sign any necessary documents.

Mr. Sean McGlothlin asked the President if Mr. Luneau & Beck, Attorney at Law and Townsend Law Firm could be recognized before a vote was taken on the motion being it was pertaining to the opioid litigation, to which the President stated yes.

Mr. Taylor Townsend and Mr. Robert Beck spoke about the opioid litigation and their experiences in litigation. Mr. Townsend stated their firm has been involved in this type litigation and they felt they could provide a unique opportunity to maximize the Police Jury's situation at the Parish level. This case is currently pending in the Northern District of Ohio. It is what is called an MDL, a Multi-District Litigation, which all these suits are filed and one court will take all the cases and manage the discovery. He stated that he had been involved in tobacco litigation and other cases dealing with pharmaceuticals. Mr. Townsend further stated their job would be to interact with the Jury and gather the necessary documents that will be needed, to help prosecute this case in maximizing the recovery on behalf of Rapides Parish.

Question and answers ensued.

The President read the motion again.

On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings, to authorize Mr. John Young, Esq. & Associates to represent and file suit on behalf of the Rapides Parish Police Jury in the pending opioid litigation against the multiple pharmaceutical companies and authorize the President to sign any necessary documents.

Roll call vote was as follows:

YEAS: Richard Vanderlick, Joe Bishop and Richard Billings

NAYS: Davron "Bubba" Moreau, Craig Smith, Theodore Fountaine, Jr.,
Oliver "Ollie" Overton, Sean McGlothlin and Scott Perry, Jr.

ABSTAINED: none

ABSENT: none

On roll call vote the motion failed 6-3.

On motion by Mr. Sean McGlothlin, seconded by Mr. Ollie Overton, to make a substitute motion to amend the motion to read to obtain an Attorney General's Opinion to hire Luneau, Beck and Townsend as outside Legal Counsel to represent the Rapides Parish Police Jury, in the pending opioid litigation against

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the multiple parties who have caused or contributed to the public nuisance created by the opioid crisis and authorize the President to sign any necessary documents.

Roll call vote was as follows:

YEAS: Davron "Bubba" Moreau, Craig Smith, Theodore Fountaine, Jr.,
Oliver "Ollie" Overton, Sean McGlothlin and Scott Perry, Jr.

NAYS: Richard Vanderlick, Joe Bishop and Richard Billings

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried 6-3.

Mr. Joe Bishop questioned if this was a new item to the agenda, because it would need to be unanimous to put it on the agenda. The item on the agenda was to recognize.

Mr. Bubba Moreau stated yes, it would need to be unanimous to add it to the agenda.

Motion by Mr. Sean McGlothlin, seconded by Mr. Ollie Overton, to lay over the item to next month. No vote was taken on the motion.

The President recognized Mr. John Young, Esq. & Associates. Mr. Young stated his firms Attorneys were all Louisiana Lawyers. They have been working and investigating this for nearly a year. They have filed suit on behalf of Bossier Parish, in Federal Court, they represent Jefferson Davis Parish, Webster Parish, Beauregard Parish and the Orleans Parish Sheriff's Office. Mr. Young thank the Jury for the opportunity to give his presentation.

The next item on the agenda was to receive an update on storm water management from Mr. Jason DeWitt with Louisiana Department of Environmental Quality.

Mr. Jason DeWitt, Department of Environmental Quality, stated he saw where an application was put in with the Department on June 2013 and the Department issued that permit for the storm water system in June 2014. He stated he was here to help the Jury anyway he could. Mr. DeWitt stated the Town of Ball, City of Alexandria and the City of Pineville have their own permits, which they will enforce. Everything outside of that, even Boyce, Cheneyville, etc., if they don't have their own, the Jury has the enforceable right. Mr. Tom Wells, Legal Counsel, questioned if it was mandatory that the Police Jury adopt an ordinance covering parish wide, outside the municipalities, to which Mr. DeWitt stated yes. The Police Jury has the chance to keep this on a local level. Locally, the Jury can do a lot of enforcement and the state or federal government will not have to get involved.

Question and answers ensued.

Mr. Richard Billings asked if Mr. DeWitt would get with Mr. Tom Wells and Mr. Dennis Woodward to make this as simple and easy as possible, to which Mr. DeWitt stated yes.

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Mr. Matt Johns, Rapides Area Planning Commission, stated this is completely separate from the State Uniform Construction Codes that they enforce now. This is something new. This is mainly for the urbanized areas. Most of this is going to be covered by Ball, Pineville and Alexandria. It's a small sliver outside of that the Jury will be responsible for. It is one acre of disturbed soil. If you are building a home, you would have to be building a monstrous home to driveway, to disturb an acre of land for this to be enforced. They are expecting this to impact a 3% or less to what they are doing now.

On motion by Mr. Richard Billings, seconded by Mr. Ollie Overton, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

TO JOHN CALLIS
FOR THE
CONSIDERATION OF \$1,000.00 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

That certain piece, parcel or lot of ground, together with all buildings and improvements thereon, rights, ways and privileges thereto belonging or in anywise appertaining, being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as Lot 3 of Square 1 of the Welch Addition to the City of Alexandria, Rapides Parish, Louisiana

Municipal Address: 1166 Rapides Avenue, Alexandria, Louisiana

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from JOHN CALLIS, to purchase said property for the consideration of \$1,000.00 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to JOHN CALLIS, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. That certain piece, parcel or lot of ground, together with all buildings and improvements thereon, rights, ways and privileges thereto belonging or in anywise appertaining, being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as Lot 3 of Square 1 of the Welch Addition to

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the City of Alexandria, Rapides Parish, Louisiana

Municipal Address: 1166 Rapides Avenue, Alexandria, Louisiana

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- the mortgage and conveyance records of Rapides Parish,
- the current telephone book,
- any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the “green and white receipts” should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

(a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly “proces verbal”), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly “proces verbal”);

(b) The filing of the sale or donation transferring the property.

(c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

(a) Sixty days, for property on which a tax sale certificate (formerly “proces verbal”) was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly “proces verbal”) was filed less than five years before the first publication of the notice provided for in this Subsection.

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- (b) The filing of the sale or donation transferring the property.
- (c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

(a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sole is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.

(b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.

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(c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

(a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.

(b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.

(c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.

(f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly

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cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

THUS PASSED, APPROVED AND ADOPTED on this 12th day of March, 2018.

On motion by Mr. Richard Vanderlick, seconded by Mr. Richard Billings, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

TO RICHARD DENDY,
Married to and living in the community with Jeanine
FOR THE
CONSIDERATION OF \$6,333.33 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

A certain piece, parcel or lot of ground, together with all buildings and improvements thereon located, and all rights, ways and privileges thereunto appertaining, being, lying and situated in the City of Alexandria, Parish of Rapides, State of Louisiana, and being more particularly described as Lot Nine (9) of Block Five (5) of Hill Addition to the City of Alexandria, as per plat thereof recorded in Plat Book 1, page 135, of the records of Rapides Parish, Louisiana, said lot fronting 50 feet on Hill Street and running back therefrom between equal and parallel lines a distance of 152.5 feet to an alley in the rear, all as is more fully shown on the official plat survey hereinabove mentioned.

Municipal Address: 2337 Hill Street, Alexandria, Louisiana

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from RICHARD DENDY, married to and living in the community with Jeanine, to purchase said property for the consideration of \$6,333.33 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to RICHARD DENDY, married to and living in the community with Jeanine, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. A certain piece, parcel or lot of ground, together with all buildings and improvements thereon located, and all rights, ways and privileges thereunto

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appertaining, being, lying and situated in the City of Alexandria, Parish of Rapides, State of Louisiana, and being more particularly described as Lot Nine (9) of Block Five (5) of Hill Addition to the City of Alexandria, as per plat thereof recorded in Plat Book 1, page 135, of the records of Rapides Parish, Louisiana, said lot fronting 50 feet on Hill Street and running back therefrom between equal and parallel lines a distance of 152.5 feet to an alley in the rear, all as is more fully shown on the official plat survey hereinabove mentioned.

Municipal Address: 2337 Hill Street, Alexandria, Louisiana

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- the mortgage and conveyance records of Rapides Parish,
- the current telephone book,
- any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the “green and white receipts” should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

(a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly “proces verbal”), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly “proces verbal”);

(b) The filing of the sale or donation transferring the property.

(c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the

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property, until the later of:

- (a) Sixty days, for property on which a tax sale certificate (formerly “proces verbal”) was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly “proces verbal”) was filed less than five years before the first publication of the notice provided for in this Subsection.
- (b) The filing of the sale or donation transferring the property.
- (c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney’s office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier’s check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- (a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sole is reasonable fit for its ordinary purpose or the acquiring person’s intended or particular purpose.

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(b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.

(c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

(a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.

(b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.

(c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the

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property.

(f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

THUS PASSED, APPROVED AND ADOPTED on this 12th day of March, 2018.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

TO JOHN CALLIS
FOR THE
CONSIDERATION OF \$2,666.67 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

TRACT 1:

A certain piece, parcel or tract of land together with all improvements located thereon, and all rights, ways and privileges appurtenant thereto being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as follows, to-wit:

Parts of Lot Eight (8), Nine (9) and Ten (10) of Square Twenty-Two (22) of West Alexandria Addition fronting 71 feet on Sixteenth Street and running back between parallel lines 110 feet to an alley in rear; bounded in front by Sixteenth Street, on the left by property conveyed by Amelia J. Porterie to Florin Ponthieux on September 8, 1919 and in the rear by an alley; being the same property.

Municipal Address: 63 Sixteenth Street, Alexandria, Louisiana

TRACT 2:

A certain piece, parcel or tract of ground, together with all buildings and improvements thereon, being and lying in Rapides Parish, Louisiana, and being part of Lot Eight (8) of Square Twenty-Two (22) of Alexandria Land Improvement Company West Alexandria Addition to the City of Alexandria, more particularly described as follows:

Fronting 39 feet on Sixteenth Street and running back between parallel lines and distance of 121 feet to an alley in the rear; bounded on the front by Sixteenth

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Street, in the rear by an alley, on the right or toward Levin Street by property of Mrs. E. S. Firmin and on the left or toward Kelly Street by property of Dr. C. L. Porterie, all as per plat thereof recorded in Conveyance Book Y, Page 430 of the records of Rapides Parish, Louisiana.

Municipal Address: 61 Sixteenth Street, Alexandria, Louisiana

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from JOHN CALLIS, to purchase said property for the consideration of \$2,666.67 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to JOHN CALLIS, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. TRACT 1:

A certain piece, parcel or tract of land together with all improvements located thereon, and all rights, ways and privileges appurtenant thereto being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as follows, to-wit:

Parts of Lot Eight (8), Nine (9) and Ten (10) of Square Twenty-Two (22) of West Alexandria Addition fronting 71 feet on Sixteenth Street and running back between parallel lines 110 feet to an alley in rear; bounded in front by Sixteenth Street, on the left by property conveyed by Amelia J. Porterie to Florin Ponthieux on September 8, 1919 and in the rear by an alley; being the same property.

Municipal Address: 63 Sixteenth Street, Alexandria, Louisiana

TRACT 2:

A certain piece, parcel or tract of ground, together with all buildings and improvements thereon, being and lying in Rapides Parish, Louisiana, and being part of Lot Eight (8) of Square Twenty-Two (22) of Alexandria Land Improvement Company West Alexandria Addition to the City of Alexandria, more particularly described as follows:

Fronting 39 feet on Sixteenth Street and running back between parallel lines and distance of 121 feet to an alley in the rear; bounded on the front by Sixteenth Street, in the rear by an alley, on the right or toward Levin Street by property of Mrs. E. S. Firmin and on the left or toward Kelly Street by property of Dr. C. L. Porterie, all as per plat thereof recorded in Conveyance Book Y, Page 430 of the records of Rapides Parish, Louisiana.

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Municipal Address: 61 Sixteenth Street, Alexandria, Louisiana

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- the mortgage and conveyance records of Rapides Parish,
- the current telephone book,
- any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the “green and white receipts” should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

(a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly “proces verbal”), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly “proces verbal”);

(b) The filing of the sale or donation transferring the property.

(c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

(a) Sixty days, for property on which a tax sale certificate (formerly “proces verbal”) was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly “proces verbal”) was filed less than five years before the first publication of the notice provided for in this Subsection.

(b) The filing of the sale or donation transferring the property.

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(c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

(a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.

(b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.

(c) The writing constituting the sale shall be in the form as provided in R.S.

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47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

(a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.

(b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.

(c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.

(f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder

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of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

THUS PASSED, APPROVED AND ADOPTED on this 12th day of March, 2018.

On motion by Mr. Joe Bishop, seconded by Mr. Sean McGlothlin, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

TO NORMA HAIMBACH
FOR THE
CONSIDERATION OF \$1,001.44 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

Certain pieces, parcels or lots of ground, together with all buildings and improvements thereon and all rights, ways and privileges thereto pertaining, being, lying, and situated in Rapides Parish, Louisiana, and being more particularly described as:

Lot Two (2) of the T. J. Davis Subdivision to the Town of Pineville, Louisiana, as is more particularly shown by plat of said subdivision duly of record in the office of the Clerk and Recorder of Rapides Parish, Louisiana.

Municipal Address: Wells Lane, Pineville, LA 71360

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from NORMA HAIMBACH, to purchase said property for the consideration of \$1,001.44 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to NORMA HAIMBACH, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. Certain pieces, parcels or lots of ground, together with all buildings and improvements thereon and all rights, ways and privileges thereto pertaining, being, lying, and situated in Rapides Parish, Louisiana, and being more particularly described as:

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Lot Two (2) of the T. J. Davis Subdivision to the Town of Pineville, Louisiana, as is more particularly shown by plat of said subdivision duly of record in the office of the Clerk and Recorder of Rapides Parish, Louisiana.

Municipal Address: Wells Lane, Pineville, LA 71360

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- the mortgage and conveyance records of Rapides Parish,
- the current telephone book,
- any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the “green and white receipts” should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

- (a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly “proces verbal”), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly “proces verbal”);
- (b) The filing of the sale or donation transferring the property.
- (c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

- (a) Sixty days, for property on which a tax sale certificate (formerly “proces verbal”) was filed over five years previous of the first publication, or six month if

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the tax sale certificate (formerly “proces verbal”) was filed less than five years before the first publication of the notice provided for in this Subsection.

(b) The filing of the sale or donation transferring the property.

(c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney’s office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier’s check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

(a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sole is reasonable fit for its ordinary purpose or the acquiring person’s intended or particular purpose.

(b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of

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whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.

(c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

(a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.

(b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.

(c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.

(f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the

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cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

THUS PASSED, APPROVED AND ADOPTED on this 12th day of March, 2018.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Vanderlick, the following ordinance was presented and unanimously adopted:

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

TO BILLY BAKER

Married to and living in the community with Beverly Baker

FOR THE

CONSIDERATION OF \$3,691.42 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

Lots Thirteen (13) and Fourteen (14) of the Subdivision of Lot Seven (7) of the W. D. Rush Subdivision of a portion of Rosenthal Plantation as per plat thereof recorded in Plat Book 8, Page 131, records of Rapides Parish, Louisiana, each of said lots fronting 50 feet on Cooper Williams Street and running back there from between parallel lines and distance of 50 feet and being that property acquired by Dina Elaine Pullen from Rosie Marie Jackson Frank by act dated November 6, 1978 recorded at Conveyance Book 949, Page 7, records of Rapides Parish, LA.

Municipal Address: 3810 Cooper Williams St., Alexandria, Louisiana

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from BILLY BAKER, married to and living in the community with Beverly Baker, to purchase said property for the consideration of \$3,691.42 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to BILLY BAKER, married to and living in the community with Beverly Baker, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. Lots Thirteen (13) and Fourteen (14) of the Subdivision of Lot Seven

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(7) of the W. D. Rush Subdivision of a portion of Rosenthal Plantation as per plat thereof recorded in Plat Book 8, Page 131, records of Rapides Parish, Louisiana, each of said lots fronting 50 feet on Cooper Williams Street and running back there from between parallel lines and distance of 50 feet and being that property acquired by Dina Elaine Pullen from Rosie Marie Jackson Frank by act dated November 6, 1978 recorded at Conveyance Book 949, Page 7, records of Rapides Parish, LA.

Municipal Address: 3810 Cooper Williams St., Alexandria, Louisiana

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- the mortgage and conveyance records of Rapides Parish,
 - the current telephone book,
 - any other examination resources, including Internet search engines, if any,
- the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the “green and white receipts” should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

(a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly “proces verbal”), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly “proces verbal”);

(b) The filing of the sale or donation transferring the property.

(c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the

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property, until the later of:

- (a) Sixty days, for property on which a tax sale certificate (formerly “proces verbal”) was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly “proces verbal”) was filed less than five years before the first publication of the notice provided for in this Subsection.
- (b) The filing of the sale or donation transferring the property.
- (c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney’s office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier’s check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- (a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sole is reasonable fit for its ordinary purpose or the acquiring person’s intended or particular purpose.

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(b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.

(c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

(a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.

(b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.

(c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

(e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the

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property.

(f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

THUS PASSED, APPROVED AND ADOPTED on this 12th day of March, 2018.

On motion by Mr. Richard Billings, seconded by Mr. Ollie Overton, to delete from Rapides Parish Fire District No. 3 the following equipment as it is broken and too costly to repair as recommended by the Fire Chief:

ASSET NUMBER	DESCRIPTION	DISPOSAL
9231	Generator 13KW Purchased – 2012	to be auctioned

On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Joe Bishop, to consider a feasibility study for the operation and maintenance of the Rapides Parish Police Jury.

Mr. Richard Billings questioned what this would cost, to which Mr. Craig Smith stated it would depend on what the Jury decides. It gives the Jury an option to look at feasibility studies. We are growing, the Courthouse is running out of office space, we need elevators and different things. This will give us something to look at in the future.

Mr. Sean McGlothlin stated he had the same concern. Right now, we don't have an adopted budget.

Roll call vote was as follows:

YEAS: Davron "Bubba" Moreau, Richard Vanderlick, Joe Bishop, Craig Smith and Theodore Fontaine, Jr

NAYS: Oliver "Ollie" Overton, Sean McGlothlin, Richard Billings, and Scott Perry, Jr.

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried. 5-4.

On motion by Mr. Craig Smith, seconded by Mr. Joe Bishop, that the Rapides Parish Police Jury acknowledges that the Gunter Branch Library closed its doors September 30, 2017 and per Act of Donation, land and building, after being vacated 180 days will revert back to the Gunter Family. On vote the motion carried.

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On motion by Mr. Craig Smith, seconded by Mr. Ollie Overton, to accept the Public Works Director's Report. On vote the motion carried.

On motion by Mr. Scott Perry, seconded by Mr. Craig Smith, to authorize the Public Works Director to hire up to 25 seasonal workers for the mowing and chip sealing crews. Work to begin on or about April 2, 2018 and end no later than October 31, 2018, at the rate of \$9.00 per hour and foreman at \$9.75 per hour, to be paid from the Road & Bridge Salary line item. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Craig Smith, to accept 0.20 miles of the Branch Lane (Ward 4, District H) for Parish maintenance contingent on receiving a 50 foot right-of-way. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Craig Smith, to recommend the revocation of a portion of the un-improved Dottie St (50' Right-of-Way), described as 0.190 acres being part of the undeveloped Dottie St, Shady Hills Subdivision, located in Section 38, T4N-R4W, as shown on Certificate of Survey by William J. Wood, dated March 17, 2017, as recommended by the Rapides Area Planning Commission's Subdivision Technical Advisory Committee (STAR), and the Parish Engineer, as it is no longer needed for public use. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Richard Vanderlick, to solicit request for proposals for the leasing of certain areas located at Cotile Lake and Kincaid Lake for the purpose of cutting hay.

Mr. Richard Billings questioned if it was going to be in the lease the amount of time to lease it, to which Mr. Richard Vanderlick stated that Dennis Woodward was going to work out the lease. It can be three, four or five years, whatever is wanted.

On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Craig Smith, to authorize Mrs. Dorothy McDowell, 41 Morrison Road, Hineston, LA 71438, District H, as a Hardship Case. (Pending proper certification) On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Craig Smith, to extend Bid #2449 (Hot Mix @ \$54.35 per ton and Cold Mix @ \$87.00 per ton) as per specifications in original bid until March 31, 2019 as recommended by the Public Works Director and the Purchasing Agent. This is the last year for the extension of this contract. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Craig Smith, to extend Bid #2447 (CRS-2 @ \$1.25 per gallon delivered) as per specifications in original bid until March 31, 2019 as recommended by the Public Works Director and the Purchasing Agent. This is the last year for the extension of this contract. On vote the motion carried.

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On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings, to authorize to advertise to receive bids for MC-30 Liquid Asphalt, to be paid from Road and Bridge Funds and various Maintenance funds, as recommended by the Public Works Director and Purchasing Agent. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Craig Smith, to authorize to enter into an Intergovernmental Agreement with the Town of Glenmora for the Rapides Parish Highway Department to provide labor and equipment to perform twenty (20) hours of cleaning culverts, as requested by the Town of Glenmora, to be paid out of town's portion of Road District No. 1A and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Craig Smith, to delete from OEWD/WOD Asset Inventory the following furnishings/equipment that are either broken or no longer suitable for program use and authorize disposal at the Public Auction to be held on March 24, 2018.

Description	RPPJ Tag Number
CPU	G001234
CPU	G001244
Ricoh Color Copier w/ Feeder	G001250
Brother Printer	G001285
CPU	G001288
CPU	G001303
CPU	G001335
CPU	G001386
CPU	G001387
Laptop	G001388
Laptop	G001413
5 Drawer Multicolor File Cabinet	00004134
5 Drawer Multicolor File Cabinet	00004135
IBM Wheel writer 6 Typewriter	00005593
IBM Wheel writer 15 Series II Typewriter	0005970
Brown Rolling Table	06425
IBM Wheel writer 15 Series II Typewriter	06432
Scan mark 2250 Scantron	07591
Monitor	07627
HP Printer	08941
HP LaserJet Pro 300 MFP Color Printer/Scanner	
HP LaserJet 305A Ink Cartridges – Yellow (3), Magenta (3), Blue (3)	
HP LaserJet 51X Ink Cartridge - Black	
HP Officejet 5610 Printer All-in-One	
HP Deskjet D1660	
KEI Keyboard	
Black Computer Desk	
Cabinet with 2 Shelves	
Large Pamphlet Holder	
Pamphlet Holder	

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Black 2 Drawer File Cabinet	
Brown Bookshelves (2)	
Brown Chairs (4)	
Black 3 Shelf Bookcase	
Brown Rolling Table – Small	
Brown Rolling Table	
Brown Mail Sorter	
Blue Chairs (21)	
Blue Executive Chair	
Gray Chair (10)	
Brown Podium	
Computer Keyboard Trays Double (8)	
Computer Keyboard Trays Single (21)	
CPU Desk Mounts (10)	
Printer Brother 5 in 1	No tag-S/N- 61091M4F620037
Printer Brother 5 in 1	No tag-S/N- 61091K4F856609
Printer HP Laser Jet P30005n	No tag-S/N- CNR1N09650
Impression Monitor 17LSP	

On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Craig Smith, to request the Rapides Parish Police Jury to be the recipient of a grant to fund a proposed salary survey of the Rapides Parish Civil Service Classified System. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, the following resolution was presented and adopted:

WHEREAS, the Rapides Parish Police Jury, at the request of Assistant District Attorney, Gregory L. Jones, Civil Division, does hereby acknowledge that the Rapides Parish Police Jury is provided legal representation by the Rapides Parish District Attorney's office by statute, and does further acknowledge that the Rapides Parish Civil Service Board has requested that the Rapides Parish District Attorney's office provide the Rapides Civil Service Board legal representation by statute through the Assistant District Attorney Gregory L. Jones, and the Rapides Parish Police Jury does acknowledge that a potential conflict of interest may exist, if Gregory L. Jones provides legal representation for the Rapides Parish Civil Service Board as an attorney with the Rapides Parish District Attorney's office, as the employees of the Rapides Parish Police Jury are subject to the jurisdiction of the Rapides Parish Civil Service Board;

AND WHEREAS the Rapides Parish Police Jury having considered and discussed said request;

WHEREAS, the Rapides Parish Police Jury does hereby waive any potential conflict of interest and does specifically allow and authorize Assistant District

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Attorney Gregory L. Jones, to provide legal representation to the Rapides Parish Civil Service Board through the Rapides Parish District Attorney's Office.

THUS DONE AND ADOPTED at a regularly scheduled public meeting of the Rapides Parish Police Jury, in Alexandria, Rapides Parish, Louisiana, on the 12th day of March, 2018. Mr. Sean McGlothlin, Mr. Theodore Fontaine and Mr. Scott Perry voted nay.

Mr. Gregory Jones explained why he thought it best to get a potential waiver on legal representation to the Board.

Question and answers pursued.

On motion by Mr. Craig Smith, seconded by Mr. Scott Perry, to accept the resignation of Mr. Shane Brodnax on the Buckeye Recreation District, waive the thirty day announcement rule and appoint Mr. Brandon Lee Blaney to fill the unexpired term. Term will expire November 10, 2018. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Scott Perry, to appoint Mr. Jason Gunter to the Buckeye Recreation District for a five (5) year term to fill the expired term of Mr. Gerald Salard. Term will expire February 14, 2023. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Ollie Overton and Mr. Richard Vanderlick, to request the Rapides Parish Tax Assessor to roll back the Road District No. 2C Road Maintenance Ad Valorem Tax from 54.49 mills to 25 mills. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to require all Department Heads to furnish detail and/or complete automobile accident information and/or personal injury information, to the Rapides Parish Police Jury President. Automobile accidents need to be accompanied by the Police Report. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Craig Smith, to receive the required report from Acadian Ambulance under the Contract for January, 2018:

Response Zone	Number of Responses	Required %	Compliance %
Alexandria - 8 minute	554	80%	87.36%
Pineville - 8 minute	179	80%	82.12%
Rapides - 12 minute	195	80%	92.82%
Rapides - 20 minute	193	80%	83.42%

On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Ollie Overton, to ratify authorization for the President to sign the State of Emergency Proclamation for Rapides Parish, issued by the President for potential parish wide flooding, as a result of the Red River rising, signed on February 26, 2018. On vote the motion

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carried.

On motion by Mr. Richard Billings, seconded by Mr. Sean McGlothlin, that the following items were not considered by the Committee of the Jury but were posted on the agenda after the Committee Meeting and added to the Jury agenda in compliance with the Public Meetings Law and are now confirmed as having been added to the agenda by two-thirds vote:

YEAS Davron "Bubba" Moreau, Richard Vanderlick, Joe Bishop, Craig Smith, Theodore Fountaine, Jr., Oliver "Ollie" Overton, Sean McGlothlin, Richard Billings and Scott Perry, Jr.

NAYS: none

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried 9-0.

On motion by Mr. Joe Bishop, seconded by Mr. Craig Smith, to accept the resignation of Mr. T.J. Spier on the Fire District No. 4 Civil Service Board, waive the thirty day announcement rule and appoint Mr. Patrick "Skip" Collard to fill the unexpired term. Term will expire on November 12, 2020. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Joe Bishop, to add an additional fulltime firefighter position for Fire Protection District No. 7 and to amend the Organizational Chart, as recommended by the Ruby-Kolin Volunteer Fire Department Board of Directors. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Craig Smith, to amend a certain motion of February 12, 2018 to award Bid #2623--(Purchase Used Performance Stage) to Star Productions (sole bidder) for the bid amount of \$84,353.00. Bid amount to be paid in three annual payments, as recommended by the Purchasing Agent and Treasurer so as to read: two annual payments with first payment being due upon delivery. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Sean McGlothlin, to adopt the following resolution to hire private counsel on all matters until the current conflict with the District Attorney is resolved:

WHEREAS, the Rapides Parish District Attorney is the attorney for the Rapides Parish Police Jury by operation of law; however, the District Attorney is not able to perform that role when his office is in direct conflict with the Police Jury, particularly during litigation or under the threat litigation between the entities.

WHEREAS, the Police Jury has determined that there is a real and immediate need to hire private counsel beyond the employ of the District Attorney for the following reasons: (1) the Police Jury and the District Attorney are in a highly publicized conflict concerning budgeting and related matters; (2) during a public meeting on March 5, 2018, the District Attorney warned that this dispute may require litigation, and special counsel for the District Attorney expressly threatened litigation against the Police

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Jury; (3) similar threatening statements have been made by other representatives of the District Attorney's office concerning the authority of the District Attorney to influence decisions of the Police Jury; and (4) because of the broad implications of this dispute, the Members of the Police Jury presently lack confidence in the objectivity of the District Attorney and his staff on all matters involving the Police Jury.

WHEREAS, private counsel for the Police Jury shall have substantial experience in local and state law governing the affairs of the Police Jury and shall be compensated at the same rates paid by the Attorney General for representation of his office in comparable matters.

WHEREAS, this Resolution shall be presented to the Attorney General for approval and, following approval, shall be published in the official journal of the Parish, all in accordance with La. R.S. 42:263.

NOW THEREFORE, the Rapides Parish Police Jury hereby authorizes the hiring of Jimmy R. Faircloth, Jr. (La. Bar No. 20645) and the firm of Faircloth, Melton & Sobel, LLC, at the following rates: \$225.00 per hour for attorneys with 10 years of experience and \$150.00 per hour for attorneys with less than 10 years of experience, who shall serve as private counsel for the Police Jury on all matters until the current conflict with the District Attorney is resolved.

Mr. Jimmy Faircloth stated the motion was drafted to provide for private counsel of all matters. Mr. Faircloth explained that all matters in which the DA's Office currently represents the Police Jury on. He stated he was requested to look at the video and recording of last week's meeting. There were comments made by the District Attorney and Mr. Hugo Holland, on the DA's behalf that were a little broad than just the budget dispute and the \$400,000. He couldn't tell how broadly the conflict may or may not impact the Jury. The conflict of the District Attorney's Office creates a real and immediate necessity, for the Jury to hire private counsel to get through this conflict.

Discussion ensued.

Mr. Phillip Terrell, District Attorney, stated the discussion of litigation came, you can categorize litigation, discussion as a threat, but he stated he could also characterize the motion to cut his budget by \$825,000 in the same light. He stated there was absolutely no question, a letter was drafted, that he recognized there is absolutely an issue. The DA's Office is statutorily, constitutionally mandated to provide representation to the Jury and all the public bodies that fall under it. So we have the statutory mandated obligation to do that. In fact, it would be malfeasance on our part not to do so. Ethically it is appropriate for the Jury to have representation, at least on the budgetary issue, as we said in our letter. Mr. Terrell further stated, it seemed very appropriate his legal representatives and Mr. Faircloth talk, maybe prior to moving forward anymore to determine what the correct perimeters are. Sooner rather than later so we can move on and resolve it.

Mr. Faircloth stated that the Police Jury is the legislative branch of local

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government and Mr. Terrell's Office represents the executive branch. Mr. Faircloth stated the point he wanted the Jury to consider was he did not know the scope of the conflict. He cautioned the Jury to give him an opportunity to look at it and report back with an informed decision. He was not satisfied with Mr. Terrell's approach of creating a Chinese Wall. Mr. Faircloth further stated, unless the Jury authorizes him to represent them in connection with all matters that the DA's Office is handling, they can't talk to him about it. If you grant me the authority, you are going to let me represent you on the budget conflict only, they can't disclose to me your business that may involve things beyond that. The only way to get the information is to have your authority to actually sit down and have conversations with them about what would otherwise be attorney/client protected information. The resolution does not say we terminate the District Attorney's Office. The DA represents you by law. This is a grant of authority to hire private counsel, based on a real needing necessity, which statutes require you define. It's not an order saying the District Attorney's Office does not represent you anymore. I need to be very clear about that. So that's why it's drafted like this.

Mr. Theodore Fontaine questioned Mr. Terrell if the letter he sent, meant he was reducing his amount by \$825,000, to which Mr. Terrell stated no, he had agreed to reduce his budget, last year by \$325,000 and the next meeting they were told there was \$500,000 still outstanding. Mr. Kelly said he had already included that \$325,000 in the budget and we are still \$500,000 to the bad. So, that's an \$825,000 reduction from last year.

Mr. Fontaine stated that when he talked to Mr. Bruce Kelly, Treasurer, about the \$325,000 he said he had no idea what the DA was talking about.

Mr. Terrell stated it was included in this year's budget.

Discussion ensued.

Roll call on the motion was as follows:

YEAS: Davron "Bubba" Moreau, Richard Vanderlick, Joe Bishop, Craig Smith, Theodore Fontaine, Jr., Sean McGlothlin and Scott Perry, Jr.

NAYS: Oliver "Ollie" Overton and Richard Billings

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried. 7-2.

Mr. Tom Wells stated that the law provides that you can seek special counsel, but you have to get Attorney General approval before you can pay. If you pay a lawyer without an opinion, that lawyer has to pay that money back.

Discussion ensued.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Vanderlick, to go into Executive Session to discuss the pending litigation "Rapides Parish Police Jury vs. Terri Hunter," Civil Suit No. 247,937-F at 4:48 p.m.

Roll call vote to go into Executive Session was as follows:

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YEAS Davron “Bubba” Moreau, Richard Vanderlick, Joe Bishop, Craig Smith, Theodore Fountaine, Jr., Oliver “Ollie” Overton, Sean McGlothlin, Richard Billings, and Scott Perry, Jr.

NAYS: none

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried unanimously.

EXECUTIVE SESSION

On motion by Mr. Richard Billings, seconded by Mr. Sean McGlothlin, to come out of Executive Session at 5:14 p.m. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Sean McGlothlin, to allow Mr. Steve Crews and his staff to continue working with Terri Hunter’s Attorney. On vote the motion carried.

There being no further business, motion by Mr. Richard Billings, seconded by Mr. Richard Vanderlick, the meeting was adjourned at 5:15 p.m.

Laurel Smith, Secretary
Rapides Parish Police Jury

Davron “Bubba” Moreau, President
Rapides Parish Police Jury