

RAPIDES PARISH POLICE JURY

REGULAR SESSION

JUNE 13, 2011

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, June 13, 2011, at three (3:00) o'clock p.m. (Central Standard Time).

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

Also present were Mr. Tim Ware, Treasurer; Ms. Donna Andries, Sales and Use Tax Director; Mr. Dennis Woodward, Public Works Director; Ms. Elaine Morace, WOD Director; Mr. Shannon Trapp, Courthouse Building Superintendent; Ms. Linda Sanders, Civil Service Director; Chief Randy McCain, Fire District No. 2; Ms. Sonya Wiley-Gremillion, OHSEP Director; Mr. Thomas O. Wells, Legal Counsel; and Ms. Laurel Smith, Acting Parish Secretary.

The invocation was given by Mr. Theodore Fontaine, Jr.

The Pledge of Allegiance was led by Mr. Steve Coco.

The Police Jury of the Parish of Rapides, State of Louisiana, was duly convened as the governing authority of said Parish by Hon. Richard Billings, 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. Ollie Overton, seconded by Mr. Scott Perry, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on May 19, 2011 and in Special Session on May 13, 2011 and in Special Session on May 25, 2011, as published in the Official Journal. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Buck Lincecum, that approved bills be paid. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Scott Perry and Mr. Jamie Floyd, to accept the Treasurer's Report. On vote the motion carried.

Mr. Joe Bishop laid over the appointment to the Esler Industrial Development Area Advisory Board, representing District B, for a five year term to fill the expired term of the late Mayor Fred Baden, term expired on January 8, 2011.

Mr. Buck Lincecum laid over the appointment to the Fire District No. 3 Civil Service Board to fill vacancy in an unexpired term created by the resignation of Ms. Wanda Simpson, nominee of Louisiana College, term will expire on November 8, 2013.

Mr. Ollie Overton laid over the appointment to the Civil Service Board for a three year term to fill the expired term of Mr. Michael P. Shamblin, nominee of Louisiana College, term expired on April 14, 2011.

Mr. Richard Billings laid over the appointment to the AICUZ Appeal Board for a three year term to fill the expiring term of Mr. Lewell "Bud" Breithaupt, nominee of the Chamber of Commerce, term will expire on July 24, 2011.

The following appointments were announced to be made at the next meeting to:

Fire District No. 2 Civil Service Board, Department Elected, for a three year term to fill the expiring term of Mr. Jesse E. Smith, term will expire on July 29, 2011;

Board on the Code of Ethics for one year term to fill the expiring term of Mr. Harold "Happy" Elliott, term will expire on August 14, 2011; and

Wards 1 and 8 Recreation District for a five year term to fill the expiring term of Mr. Lou Howard, term will expire on August 14, 2011.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Vanderlick, to waive the thirty day announcement rule and reappoint Mr. Harold "Happy" Elliott to the Board on the Code of Ethics for one year term, term will expire on August 14, 2012. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and reappoint Ms. Linda McMahon to the Library Board, representing District F, for a five year term, term will expire on September 12, 2016. On vote the motion carried.

On vote by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to waive the thirty day announcement rule and reappoint Ms. Patsy Barber to the Library Board, representing District E, for a five year term, term will expire on October 12, 2016. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and reappoint Mr. Lou Howard to the Wards 1 and 8 Recreation District for a five year term, term will expire on August 14, 2016. On vote the motion carried.

The following resolution was offered by Mr. Oliver Overton and seconded by Mr. Richard Vanderlick:

RESOLUTION

A resolution ordering and calling a special election to be held in Road District No. 2B (Ward 11) of the Parish of Rapides, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Police Jury of the Parish of Rapides, State of Louisiana (the "Governing Authority"), acting as the governing authority of Road District No. 2B (Ward 11) of the Parish of Rapides, State of Louisiana (the "District"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the District on SATURDAY, OCTOBER 22, 2011, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

ROAD DISTRICT 2B (WARD 11)
(TAX PROPOSITION)

Summary: 10 year, 10 mills property tax for constructing, maintaining and keeping in repair the public roads, highways and bridges of Road District No. 2B.

Shall Road District No. 2B of Rapides Parish, State of Louisiana (the "District"), levy and collect a tax of ten (10) mills on all the property subject to taxation in the District (an estimated \$212,450 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2012 and ending with the year 2021, for the purpose of constructing, maintaining, and keeping in repair the public roads, highways, and bridges within the District?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the Alexandria Daily Town Talk, a daily newspaper of general circulation within the District, published in Alexandria, Louisiana, and being the official journal of the District, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Rapides Parish Courthouse, 701 Murray Street, 2nd Floor, Alexandria, Louisiana, on MONDAY, NOVEMBER 14, 2011, at THREE O'CLOCK (3:00) P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Monday, November 14, 2011, as provided in Section 3 hereof. All registered voters in the District will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Secretary of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the President and/or Secretary of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of the State, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Rapides Parish and the Registrar of Voters of Rapides Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Richard Billings, John "Buck" Lincecum, Joe Bishop, Jamie Floyd, Theodore Fountaine, Jr., Richard Gerald Vanderlick, Oliver "Ollie" Overton, Steve Coco, Scott Perry, Jr.

NAYS: None

ABSENT: None

And the resolution was declared adopted on this, the 13th day of June, 2011.

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Police Jury of the Parish of Rapides, State of Louisiana (the "Governing Authority"), acting as the governing authority of Road District No. 2B (Ward 11) of the Parish of Rapides, State of Louisiana (the "District"), on June 13, 2011, NOTICE IS HEREBY GIVEN that a special election will be held within the District on **SATURDAY, OCTOBER 22, 2011**, and that at the said election there will be submitted to all registered voters in the District qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

ROAD DISTRICT 2B (WARD 11) (TAX PROPOSITION)

Summary: 10 year, 10 mills property tax for constructing, maintaining and keeping in repair the public roads, highways and bridges of Road District No. 2B.

Shall Road District No. 2B of Rapides Parish, State of Louisiana (the "District"), levy and collect a tax of ten (10) mills on all the property subject to taxation in the District (an estimated \$212,450 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2012 and ending with the year 2021, for the purpose of constructing, maintaining, and keeping in repair the public roads, highways, and bridges within the District?

The said special election will be held at the following polling places situated within the District, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to-wit:

POLLING PLACES	
Precinct	Location
N10	J.I. BARRON ELEMENTARY SCHOOL, 3655 TRINITY CHURCH DRIVE, PINEVILLE (PART OF)
N12	J.I. BARRON ELEMENTARY SCHOOL, 3655 TRINITY CHURCH DRIVE, PINEVILLE (PART OF)
N17	ESLER FIELD VOL FIRE STATION, 6970 ESLER FIELD RD, PINEVILLE (PART OF)
N22	PHILADELPHIA BAPTIST CHURCH, 722 PHILADELPHIA RD, DEVILLE (PART OF)
N23	FIRE DISTRICT #6 FIRE STATION, 7557 HICKORY GROVE RD, HOLLOWAY COMMUNITY
N24	BUCKEYE HIGH SCHOOL, 715 HWY 1207, DEVILLE COMMUNITY
N25	BUCKEYE HIGH SCHOOL, 715 HWY 1207, DEVILLE COMMUNITY
N26	PHILADELPHIA BAPTIST CHURCH, 722 PHILADELPHIA RD, DEVILLE (PART OF)
N27	RUBY WISE ELEMENTARY SCHOOL, 5279 HWY 107, PINEVILLE (PART OF)

N28 RUBY WISE ELEMENTARY SCHOOL, 5279 HWY 107, PINEVILLE (PART OF)
N29 RUBY WISE ELEMENTARY SCHOOL, 5279 HWY 107, PINEVILLE (PART OF)

The polling places set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Rapides Parish Courthouse, 701 Murray Street, 2nd Floor, Alexandria, Louisiana, on **MONDAY, NOVEMBER 14, 2011**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the District are entitled to vote at said special election and voting machines will be used.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Richard Billings, John "Buck" Lincecum, Joe Bishop, Jamie Floyd, Theodore Fountaine, Jr., Richard Gerald Vanderlick, Oliver "Ollie" Overton, Steve Coco, Scott Perry, Jr.

NAYS: None

ABSENT: None

And the resolution was declared adopted on this, the 13th day of June, 2011.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry, to recognize Deputy Curtis Gunter, for receiving Rapides Parish Deputy of the Year and the DWI Officer of Year State Award. No vote taken on motion.

Mr. Richard Billings presented Deputy Curtis Gunter with a plaque and thanked him for his service to the citizens of Rapides Parish.

The next item on the agenda was to recognize Ms. Candy Christophe, Program Coordinator for Re-Entry Solutions.

Ms. Christophe gave a brief discussion on the overcrowding of jails and alternatives to incarceration. She introduced Mr. Rob Reardon, Lafayette Parish Sheriff Office, Director of Lafayette Sheriff Day Corrections Program. Mr. Reardon discussed how the program worked and the success they were having with the program in Lafayette Parish.

Discussion ensued.

Mr. Ollie Overton stated as Chairman of the Public Safety Committee he would like to see Mr. Reardon come to a Public Safety Meeting, with the Sheriff and give a presentation to everyone. It was also recommended that a tour of the facility be taken.

The next item on the agenda was to recognize Sheriff Chuck Wagner to discuss fines on vandalizing or stealing political signs.

Chief Darrell Guillory, Rapides Parish Sheriff Office, stated most of these crimes are kids taking signs from one yard to another or people in support of the other candidate taking them.

Discussion ensued.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to accept the Secretary's Report. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to delete from the Pineville City Marshal Asset/Inventory Program the below listed equipment as it is broken and no longer suitable for public use:

ASSET DESCRIPTION	ACQUIRED	DISPOSAL
9622 Radio-Smartnet II	7/2003	Scrap/Disposed

On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to ratify participation in a public auction with the City of Alexandria held by Bonnette Auction Company on June 4, 2011 for the sale of surplus vehicles, equipment, etc., as recommended by the Treasurer and Purchasing Agent. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to have the phone system of the Rapides Parish Police Jury Office repaired to allow call back to numbers used by employees of the Police Jury Office. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to accept the Public Works Report. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Buck Lincecum, to accept for Parish maintenance 0.7 mile of the former LA 623 (from LA 623 near Wall Lane, fronting Tioga Junior High School and Tioga High School, crossing the railroad tracks, to LA 3225), LA 623 was relocated under the recent Road Improvement Project by LDOTD. On vote the motion carried.

The following resolution was offered by Mr. Buck Lincecum, seconded by Mr. Ollie Overton:

RESOLUTION

WHEREAS, The Rapides Parish Police Jury is agreeable to conditionally accept ownership of whatever rights the Department may own in and to the following described property and accept all future liabilities associated therewith for its operation and maintenance as a parish road:

The frontage road located along the west side of the Pineville Expressway; starting where it intersects with US Highway 165 and runs in a northwesterly direction for approximately 0.6 mile to where it dead ends on the property now or formerly owned by the Beauregard Development Company.

WHEREAS, The Rapides Parish Police Jury is agreeable to accept ownership of whatever rights the Department may own in and to the aforesaid described property if and only when the Department of Transportation and Development completes the following action:

Provide a patch and overlay with 2" of asphaltic concrete.

RESOLVED, That the Rapides Parish Police Jury will accept ownership of whatever rights the Department may own in and to the aforesaid described property as a binding agreement between the State of Louisiana and the Parish of Rapides provided the Department of Transportation and Development complies with the conditions of this agreement within 10 years of the adoption of this agreement.

FURTHER RESOLVED, That the Rapides Parish Police Jury authorizes the presiding President of the Police Jury to execute the instruments of transfer to the aforesaid property described herein once the conditions of this agreement are met.

A roll call vote was called and was as follows:

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

THUS DONE, PASSED AND APPROVED on this 13th day of June, 2011.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to add Nichols Road (Ward 5, District E) to the list of roads to be advertised for bids for improvement. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize to enter into an Intergovernmental Agreement with the Grant Parish Police Jury to reimburse them one-third of the cost of maintaining the Bayou Darrow Project up to a maximum of \$5,000 for the year 2011, to be paid from Road District No. 10A Funds, and authorize the President to sign same. On vote the motion carried.

Motion by Mr. Theodore Fountaine, seconded by Mr. Buck Lincecum, to award Bid No. 2185 Various Road Improvements to the low bidder Gilchrist Construction Company for the amount of \$2,335,340.30, as recommended by the Public Works Director, Treasurer and Purchasing Agent to be paid as follows:

District A	
Ward 10	266,942.95
District B	
Ward 9	82,541.35
District E	
Ward 2	82,210.45
Ward 5	204,859.35
Ward 7	131,850.15
Ward 8	347,245.65
District F	
Ward 2	230,673.40
District H	
Ward 6	397,175.00
Ward 3	291,490.00
Ward 2	137,670.00
District I	
Ward 8	162,682.00

On motion by Mr. Richard Vanderlick, seconded by Mr. Theodore Fountaine, to authorize Mr. Dennis Woodward, Public Works Director, to hire an Inspector to inspect the Various Road Improvement roads after road is completed. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, the following ordinance was presented, to clarify Camping Fees with electricity is \$20.00 per day, with electricity and sewer is \$25.00 per day, further to delete the with electricity and fees charged through a credit card to be effective immediately, as follows:

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTION 19 1/2-2(a)(4) COTILE LAKE AND RECREATION AREA - FEES SO AS TO REVISE THE CAMPING FEES

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on the 13th day of June, 2011, that Section 19 1/2-2(a)(4) is hereby amended and reenacted to read as follows:

Chapter 19 ½ Parks and Recreation
Article I. In General
Section 19 1/2-2 Cotile Lake and Recreation Area - Fees

(a) The following fees for the submission to and use of the recreation facilities of the Cotile Lake and Recreation Area are hereby adopted:

...

- (4) Camping Fees:
Without electricity, per day.....\$9.00
With electricity, per day.....\$20.00
With electricity and sewer, per day...\$25.00

...

BE IT FURTHER ORDAINED in all other respects, Section 19 1/2-2 shall remain unchanged.

BE IT FURTHER ORDAINED that this ordinance is to be effective immediately.

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Richard W. Billings, Scott Perry Jr., John “Buck” Lincecum, Joe Bishop, Jamie L. Floyd, Theodore Fountaine, Jr., Richard Gerald Vanderlick, Oliver “Ollie” Overton Jr., and Steve Coco.

NAYS: None

ABSENT: None

And the ordinance was adopted on this, the 13th day of June, 2011.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize Mr. James McComic, 320 Red Store Hill, Boyce, Louisiana, as a Hardship Case, pending proper certification. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, authorize Mr. Tom Wells, Legal Counsel to take legal action on the developer or whoever is involved with the Paradise Subdivision Project. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize the purchase of two (2) Rubber Track Hydraulic Excavators under Louisiana State Contract pricing, not to exceed \$100,000.00 per excavator and that the equipment be tried out before purchasing to make sure the equipment performs to what is needed for the job. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Richard Vanderlick, to have the Mr. Dennis Woodward, Pubic Works Director, to look at Mimosa Road and see what has to be done by the property owners, at their expense, to bring the road up to standards for Parish Maintenance.

Amendment to the motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum, to have the Public Works Director look at Mimosa Road and see what has to be done to bring the road up to Parish standards for Parish Maintenance. On vote the amended motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize to enter into an Intergovernmental Agreement with the Town of Boyce for the Parish Highway Department to use the Road Crew #1, the limb chipper and truck for 60 hours, 30 road name signs and 40 stop signs, as requested by the Mayor of Boyce, to be paid out of Road District No. 7A Funds (town's portion), and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to approve Program Year 2011- Fiscal Year 2012 Workforce Investment Act (WIA) Allocations for Adult in the amount of \$260,698.00, Youth \$279,614.00 and Dislocated Worker \$164,780.00 and authorize President to sign contracts and Treasurer to amend the budget as needed. These WIA allocations were calculated in accordance with USDOL Training and Employment Guidance Letter (TEGL) 26-10. The funds for the allotments announced in TEGL 26-10 are part of the funds appropriated in the Full-Year continuing Appropriation Act, 2011-(PL) 112-10, Division B, Titles I and VIII, signed April 15, 2011. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to temporarily appoint Ms. Laurel Smith from Assistant Parish Secretary to Acting Parish Secretary with an increase in pay of \$1,000 per month effective June 1, 2011. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to award the Diversion Canal Project Consultant Administrator to Frye Magee & Associates as recommended by the Diversion Canal Project Consultant Administrator & Engineer Selection Committee.

On motion by Mr. Richard Vanderlick, seconded by Mr. Joe Bishop, to award the Diversion Canal Project Engineering Services to Meyer, Meyer, LaCroix & Hixson, Inc. as recommended by the Diversion Canal Project Consultant Administrator & Engineer Selection Committee. On vote the motion carried. Mr. Buck Lincecum opposed.

On motion by Mr. Theodore Fountaine, seconded by Mr. Richard Vanderlick, to grant approval to Rapides Station Industrial Park, located at River Road and Shuler Road, as recommended by the Rapides Area Planning Commission. On vote the motion carried. Mr. Theodore Fountaine opposed.

On motion by Mr. Buck Lincecum, seconded by Mr. Joe Bishop and Mr. Richard Vanderlick, to authorize Mr. Richard Billings to sign a Capital Outlay Cooperative Endeavor Agreement with Louisiana Division of Administration, Facility Planning and Control, for the Rigolette Bridge emergency repair, FP&C Project No. 50-J40-10-01. On vote the motion carried.

On motion by Mr. Steve Coco, seconded by Mr. Ollie Overton, to declare that an emergency exists on the Rigolette Road Bridge, which was destroyed by fire on Saturday, March 26, 2011, and to ratify the declaration of the President.

DECLARATION OF EMERGENCY
RESOLUTION OF THE
RAPIDES PARISH POLICE JURY

At a regular meeting of the RAPIDES PARISH POLICE JURY held on June 13th, 2011, the following resolution was duly introduced, seconded and the vote thereon was as indicated below:

WHEREAS, on motion by Mr. Steve Coco, seconded by Mr. Ollie Overton, to declare that an emergency exists on the Rigolette Road Bridge, which was destroyed by Fire on Saturday, March 26, 2011, and to ratify the declaration of the President.

WHEREAS, there is a very definite threat of life and property of the citizens of this community as the destruction of the Rigolette Road Bridge isolates several families, leaving a detour of ten (10) miles, on a one (1) lane gravel road atop the Red River Levee as the only access for emergency response; and

WHEREAS, such action must be taken now; and in accordance with LSA R.S. 38:2212 (D) et seq.;

THEREFORE, I, Richard Billings, President of the Rapides Parish Police Jury by authority vested in me by the Rapides Parish Police Jury do hereby proclaim;

A STATE OF EMERGENCY exists as regards to the Rigolette Road Bridge and Staff is hereby authorized and directed to procure by contract without the necessity of Advertisement of Bids the replacement of the aforementioned bridge as soon as possible.

Issued on this 13th day of June, 2011 and effective at time of issuance. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to name the Secretary as the Records Management Officer Liaison to act as liaison between the Division of Archives, Records Management and History, and the Rapides Parish Police Jury for the period of July 1, 2011 and ending June 30, 2012. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to name the "Alexandria Daily Town Talk" as Official Journal for one year period ending June 30, 2012. On vote the motion carried.

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

That certain piece, parcel, lot or tract of land, together with all buildings and improvements thereon, and all rights, ways and privileges thereto belonging, being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as follows:

Lot Number Seven (7) of Square or Block Number One (1) of HOME ACRES, a subdivision in the Parish of Rapides, State of Louisiana, (located outside the corporate limits of the City of Alexandria, Louisiana) as per official plat of said Subdivision by L. J. Daigre, Parish Surveyor, dated July 21, 1945, duly recorded in Plat Book 5, page 216 of the records of Rapides Parish Louisiana. Said Lot Seven of Block One having a front of 208.7 feet on Oak Street and extending back therefrom between parallel lines 586 feet.

LESS AND EXCEPT that portion of said property sold by Anias Neal, George Neal and Victor Neal to Robert Neal, recorded in Conveyance Book 550, page 612, records of Rapides Parish, Louisiana, more particularly described as follows:

Commence at a point on the northern boundary of Tulane Avenue where it is intersected by the dividing line between Lots Seven & Eight (7 & 8), Block One (1) of Home Acres Subdivision and from said point run in a westerly direction along the northern boundary of Tulane Avenue a distance of 69.57 feet to establish the frontage of the property herein described on Tulane Avenue; from the two points thus established run back between parallel lines, one of which is the dividing line between Lots 7 & 8, a distance of 200 feet, being part of the same property.

Municipal Address of the Property: 3338 Tulane Ave., Alexandria, LA

TO TONEY KING,
Married to and living in community with Julia King

FOR THE
CONSIDERATION OF \$2,939.90 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, lot or tract of land, together with all buildings and improvements thereon, and all rights, ways and privileges thereto belonging, being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as follows:

Lot Number Seven (7) of Square or Block Number One (1) of HOME ACRES, a subdivision in the Parish of Rapides, State of Louisiana, (located outside the corporate limits of the City of Alexandria, Louisiana) as per official plat of said Subdivision by L. J. Daigre, Parish Surveyor, dated July 21, 1945, duly recorded in Plat Book 5, page 216 of the records of Rapides Parish Louisiana. Said Lot Seven of Block One having a front of 208.7 feet on Oak Street and extending back therefrom between parallel lines 586 feet.

LESS AND EXCEPT that portion of said property sold by Anias Neal, George Neal and Victor Neal to Robert Neal, recorded in Conveyance Book 550, page 612, records of Rapides Parish, Louisiana, more particularly described as follows:

Commence at a point on the northern boundary of Tulane Avenue where it is intersected by the dividing line between Lots Seven & Eight (7 & 8), Block One (1) of Home Acres Subdivision and from said point run in a westerly direction along the northern boundary of Tulane Avenue a distance of 69.57 feet to establish the frontage of the property herein described on Tulane Avenue; from the two points thus established run back between parallel lines, one of which is the dividing line between Lots 7 & 8, a distance of 200 feet, being part of the same property.

Municipal Address of the Property: 3338 Tulane Ave., Alexandria, LA

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 TONEY KING, married to and living in community with Julia King to purchase said property for the consideration of \$2,939.90 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 TONEY KING, married to and living in community with Julia King, for the offered consideration.

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

That certain piece, parcel, lot or tract of land, together with all buildings and improvements thereon, and all rights, ways and privileges thereto belonging, being, lying and situated in Rapides Parish, Louisiana, and being more particularly described as follows:

Lot Number Seven (7) of Square or Block Number One (1) of HOME ACRES, a subdivision in the Parish of Rapides, State of Louisiana, (located outside the corporate limits of the City of Alexandria, Louisiana) as per official plat of said Subdivision by L. J. Daigre, Parish Surveyor, dated July 21, 1945, duly

recorded in Plat Book 5, page 216 of the records of Rapides Parish Louisiana. Said Lot Seven of Block One having a front of 208.7 feet on Oak Street and extending back therefrom between parallel lines 586 feet.

LESS AND EXCEPT that portion of said property sold by Anias Neal, George Neal and Victor Neal to Robert Neal, recorded in Conveyance Book 550, page 612, records of Rapides Parish, Louisiana, more particularly described as follows:

Commence at a point on the northern boundary of Tulane Avenue where it is intersected by the dividing line between Lots Seven & Eight (7 & 8), Block One (1) of Home Acres Subdivision and from said point run in a westerly direction along the northern boundary of Tulane Avenue a distance of 69.57 feet to establish the frontage of the property herein described on Tulane Avenue; from the two points thus established run back between parallel lines, one of which is the dividing line between Lots 7 & 8, a distance of 200 feet, being part of the same property.

Municipal Address of the Property: 3338 Tulane Ave., Alexandria, LA

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:

- (a) the mortgage and conveyance records of Rapides Parish,
- (b) the current telephone book,
- (c) 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.

(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.

(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 subsection © 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 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 13th day of June, 2011.

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

ORDINANCE

AN ORDINANCE TO AMEND THE PRIVATE SALE AND DONATION OF ADJUDICATED PROPERTY PURSUANT TO LSA-R.S. 47:2201-2211, OR AS OTHERWISE PROVIDED BY LAW BY ADDING THE PROVISIONS OF LSA-R.S. 47:2247 QUOTED AS FOLLOWS:

"The person redeeming property adjudicated to a political subdivision shall pay also the actual costs incurred by the political subdivision and any acquiring person for the costs of all certified mail, notice, publication of notice, or personal services of notices in complying with the applicable provisions of law, including without limitation, determination of tax sale parties and the notification of such persons of the sale or donation as allowed by law."

BE IT FURTHER ORDAINED THAT BECAUSE THE ACQUIRING PERSON, AND NOT THE POLITICAL SUBDIVISION, INCURS THE COSTS OF THE TITLE AND APPRAISAL (A REQUIRED ASPECT OF THE STATUTE), THOSE COSTS ARE INTERPRETED TO BE IN COMPLIANCE WITH THE APPLICABLE PROVISIONS OF LAW AND SHALL BE RECOVERABLE FROM ANY REDEEMING PARTY.

THE ACQUIRING PERSON SHALL BE RESPONSIBLE FOR ADVISING THE TAX COLLECTOR OF THE ONGOING BALANCE OF COSTS INCURRED AND THE TAX COLLECTOR(S) SHALL COLLECT THOSE SUMS IN THE EVENT OF A REDEMPTION.

THUS PASSED, APPROVED AND ADOPTED on this 13th day of June, 2011.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize the expenses of interested Police Jurors and Legal Counsel to attend the Congressional Black Caucus Annual Legislative Conference to be held on September 21-24, 2011 in Washington, DC. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize to enter into an Intergovernmental Agreement with the Town of Ball to overlay a portion or all of Shanghai Road, as requested by the Town of Ball, to be paid out of Road District 10A Funds (Ball's portion), and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to receive the required report from Acadian Ambulance under the Contract for April 2011:

Response Zone	Number Responses	Required %	Compliance %
Alexandria - 8 minute	430	80%	87.44%
Pineville - 8 minute	157	80%	83.44%
Rapides - 12 minute	197	80%	89.34%
Rapides - 20 minute (booklet available on request)	134	80%	85.58%

On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize submitting a grant application to the Volunteer Fire Assistance Program administered through the Louisiana Department of Agriculture and Forestry, Office of Forestry. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize to enter into a renewal of the Fire Services Agreement between the Rapides Parish Police Jury and the Village of Forest Hill, effective June 10, 2011, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize the expenses of interested Police Jurors and Legal Counsel to attend the NACo RAC Steering Committee Retreat to be held on October 13-15, 2011 in Saginaw County (Frankenmuth), Michigan. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to add the following items to the agenda.

Mr. Richard Billings asked for each item to be added individually.

A roll call vote was called to add the following item to the agenda and was as follows:

YES	NO
Richard Billings	Buck Lincecum
Jamie Floyd	

Joe Bishop
Theodore Fountaine
Richard Vanderlick
Ollie Overton
Steve Coco
Scott Perry

On roll call vote the motion carried 8-1.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize the President to sign a letter to the Environmental Protection Agency and the Corps of Engineers, urging them to restore, clarify and strengthen the Clean Water Act protection laws. Copy of this resolution to also be sent to the Louisiana Legislative Delegates. On vote the motion carried.

A roll call vote was called to add the following item to the agenda and was as follows:

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

On roll call vote the motion carried 8-1.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize a resolution to the Carl N. Gunter, Sr. Library, located in Libuse, Louisiana, to allow a picture be hung of Mr. Gunter to honor him for donating the land to the library and to remain as long as the library is in operation.

A roll call vote was called and was as follows:

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

On roll call vote the motion failed 4-5.

On motion by Mr. Joe Bishop, seconded by Mr. Jamie Floyd and Mr. Scott Perry, to authorize the President to sign a Cooperative Endeavor Agreement with the Louisiana Department of Transportation and Development for donation of 335 cubic yards of reclaimed asphalt from LA 107 State Project No. H.001907, as recommended by the Public Works Director. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Jamie Floyd, to go into Executive Session to discuss the litigation of Rapides Parish Police Jury vs. Riley Development, LLC, Civil Suite #231 665 (Colina Heights).

A roll call vote was called and was as follows:

YES	NO
Richard Billings	
Jamie Floyd	
Buck Lincecum	
Joe Bishop	

Theodore Fountaine
Richard Vanderlick
Ollie Overton
Steve Coco
Scott Perry

On roll call vote the motion carried 9-0 at 4:17.

EXECUTIVE SESSION

On motion by Mr. Richard Vanderlick, seconded by Mr. Buck Lincecum, to go out of executive session. On vote the motion carried at 4:32.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to authorize Mr. Steve Mansour, Legal Counsel, to draft the necessary documents for the Settlement and Dismissal of the litigation of Rapides Parish Police Jury vs. Riley Development, LLC, etal, Civil Suit #231 665 (Colina Heights). On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Joe Bishop, that there being no further business, the meeting be adjourned. On vote the motion carried at 4:39.

Laurel Smith, Secretary
Rapides Parish Police Jury

Richard Billings, President
Rapides Parish Police Jury