

RAPIDES PARISH POLICE JURY
REGULAR SESSION

SEPTEMBER 12, 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, September 12, 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 Fountaine 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, WIA Operations Director; Mr. Shannon Trapp, Courthouse Building Superintendent; Ms. Linda Sanders, Civil Service Director; Chief Randy McCain, Fire District No. 2; Ms. Sonya Wiley-Gremillion, Director of OHSEP; Mr. Thomas O. Wells, Legal Counsel; and Ms. Laurel Smith, Secretary.

The invocation was given by Mr. Ollie Overton.

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. Richard Vanderlick, seconded
by Mr. Scott Perry, to adopt the minutes of the Rapides Parish
Police Jury held in Regular Session on August 8, 2011, as
published in the Official Journal. On vote the motion carried.

ADOPT MINUTES

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

PAY BILLS

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

ACCEPT TREAS. REPORT

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, representing District B, term expired on January 8, 2011.

Announcement of appointments to be made at the next meeting to:

Code of Ethics, for a one year term to fill the expiring term of Mr. James Williams, term will expire September 13, 2011.

Civil Service Board for a three year term to fill the expiring term of Mr. Thomas Davenport, nominee of the Alexandria Bar Association, term will expire October 14, 2011.

Fire District #3 Civil Service Board for a three year term to fill the expiring term of Mr. John Cummings, employee elected, term will expire on October 10, 2011.
(ltr 8/22-Chief Corley)

Industrial Development Board for a six year term to fill the expiring term of Rod Noles, term will expire October 10, 2011.
Mosquito Abatement District #1 for a three year term to fill the expiring term of Ms. Mary Wardsworth, term will expire October 13, 2011.

On motion by Mr. Jamie Floyd, seconded
by Mr. Buck Lincecum, to accept the Secretary's Report.
On vote the motion carried.

ACCEPT SEC. REPORT

On motion by Mr. Ollie Overton, seconded
by Mr. Jamie Floyd, to renew the L.A.C.E. Agreement
with all other parties and the Louisiana State Police starting
July 1, 2011 and ending June 30, 2015 and authorize the
President to sign same, as recommended by the Treasurer.
On vote the motion carried.

L.A.C.E. AGREEMENT
RENEWAL

On motion by Mr. Joe Bishop, seconded by
Mr. Richard Vanderlick, to amend the General Fund
Budget to receive \$150,000.00 from the Rapides Parish
Finance Authority and enter into an intergovernmental
agreement with the Rapides Parish Coliseum Authority to
provide \$150,000.00 to be used for operational expenses
and authorize the President to sign same. On vote the motion carried.

IGA W/ COLISEUM
AUTHORITY

On motion by Mr. Jamie Floyd, seconded by
Mr. Ollie Overton, for the Rapides Parish Police Jury to
study the possibility of giving the Rapides Parish Police
Jury employees a cost of living raise, as expediently as
possible. On vote the motion carried.

EMPLOYEE RAISE
STUDY

On motion by Mr. Richard Vanderlick, seconded by
Mr. Ollie Overton, to delete from the Juvenile Probation
Asset/Inventory Program the following vehicles as they will
be stored at the highway department and sold at an upcoming auction:

ASSET/INVENTORY
JUVENILE PROBATION

<u>ASSET NUMBER</u>	<u>DESCRIPTION</u>	<u>DISPOSAL</u>
9836	2000 – Chev Malibu	To be sold at Auction
5932	1991 – Chev Caprice	To be sold at Auction

On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by
Mr. Jamie Floyd, to authorize the purchase of one (1)
wetland mitigation credit from Little River Mitigation
Bank in the amount of \$3,100.00 for the Rigolette Bridge
replacement project and authorize the President to sign
necessary paperwork as recommended by Steve Fontenot,
Engineer. On vote the motion carried.

BUY MITIGATION
CREDIT

On motion by Mr. Jamie Floyd, seconded by
Mr. Buck Lincecum, to authorize the issuance of a quietus
on the part of the Rapides Parish Police Jury in favor of the
Sheriff and Tax Collector, and against any claim on the part
of the Rapides Parish Police Jury for the ad valorem taxes of
the year 2010, and authorize Tim Ware, Treasurer, to issue
said quietus. On vote the motion carried.

TAX QUIETUS

On motion by Mr. Ollie Overton, seconded by Mr. Jamie Floyd, to enter into an annual services agreement with BidSync (current provider) for the online competitive solicitation system that meets or exceeds compliance with all provisions of Louisiana Public Bid Laws (RS 38:2212 et seq.) for submitting and receiving electronic bids, as recommended by the Treasurer and Purchasing Agent, and authorize the President to sign same. On vote the motion carried.

BIDSYNC AGREEMENT

On motion by Mr. Richard Vanderlick, seconded by Mr. Buck Lincecum, to accept the Public Works Director's Report. On vote the motion carried.

ACCEPT PWD REPORT

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize to enter into an intergovernmental agreement with the Rapides Parish School Board for the Parish Highway Department to assist in the repair of culverts on drive to Northwood High School, as requested by the School Board, and authorize the President to sign same. On vote the motion carried.

IGA W/ RPSB
NORTHWOOD H.S.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to approve Change Order No. 3 with Gilchrist Construction Company, LLC for Bid No. 2185 Various Road Improvements in Rapides Parish to add Hollymoore Road (Ward 10, District C) for an increased amount of \$158,510.00, as recommended by the Public Works Director. On vote the motion carried.

CHANGE ORDER #3
BID NO. 2185

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton to enter into an Intergovernmental Agreement with the City of Pineville to overlay the Hollymoore Road from Donahue Ferry Road to Wildwood Drive with the City of Pineville to reimburse the Rapides Parish Police Jury for the overlay of that portion of the Hollymoore Road located within the City Limits of Pineville at an estimated cost of \$28,210.00 to the City of Pineville. On vote the motion carried.

IGA W/ CITY
OF PINEVILLE

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the Public Works Director to hire a Mechanic for the Rapides Parish Highway Department to be paid from the Road & Bridge Salary line item. On vote the motion carried.

HIRE MECHANIC
HIGHWAY DEPT.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to ratify authorization for the President to sign a Cooperative Endeavor Agreement with the Louisiana Department of Transportation and Development for the donation of 416 cubic yards of reclaimed asphalt from US 167, State Project No. 023-01-0062, as recommended by the Public Works Director. On vote the motion carried.

CEA W/ LaDOTD

On motion by Mr. Joe Bishop, seconded by Mr. Richard Vanderlick, to award Bid No. 2198 Purchase One (1) 2011 Year Model Hydraulic Track Excavator to Scott Equipment, the lowest bidder that meets specifications for an amount of \$121,500, as recommended by the Public Works Director and Purchasing Agent.

AMENDED BUY 2
EXCAVATORS

Amendment by Mr. Joe Bishop, seconded by Mr. Richard Vanderlick, to Purchase Two (2) Excavators. On vote the amended motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the submission of an application to the Rapides Area Planning Commission for a name change of the Caigle Road to the Cagle Road to correct a spelling error and to waive the application fee. On vote the motion carried.

ROAD NAME CHANGE
CAIGLE/CAGLE

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the President to sign a Joint Use Agreement with the Louisiana Department of Transportation and Development for parking in the right-of-way of LA 28 in front of the Rapides Parish Coliseum with the LDOTD to provide and install approximately 2,500 cubic yards of reclaimed asphalt and the Rapides Parish Police Jury to provide and install 276 concrete bumpers, 1500 feet of barrier railing and 50 feet of 15" culvert. On vote the motion carried.

JOINT USE AGREEMENT
W/ LaDOTD

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, the following ordinance was presented, to revise and reenact Chapter 19 ½-2 (a)(4) – Cotile Lake and Recreation Area-Fees of the Rapides Parish Police Jury Code of Ordinances to increase the monthly rate for camping from October 1 to February 28 by revising the last paragraph of Chapter 19 ½-2(a)(4) to read as follows: From October 1 to February 28, campers wanting to stay thirty (30) consecutive days will pay four hundred and fifty dollars (\$450.00) per month for sites without sewer connections, in advance, with no refunds and the regular daily rate for sites with sewer connections and on vote unanimously adopted.

REVISE COTILE LAKE
RECREATION FEES

ORDINANCE

Sec. 19 ½ - 2. – Cotile lake and recreation Area – Fees.

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

....

(5) Extended stay camping fee (by the month):

From October 1 to February 28, campers wanting to stay thirty (30) consecutive days will pay four hundred and fifty dollars (\$450.00) per month for sites without sewer connections, in advance, with no refunds and the regular daily rate for sites with sewer connections.

....

BE IT FURTHER ORDAINED in all other respects, Section 19 1/2-2 shall remain unchanged. PASSED AND APPROVED on this the 12th day of September, 2011.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to enter into an Intergovernmental Agreement with the Town of Lecompte to repair the Bayou Boeuf Bridge on Canal Street in Lecompte. Town of Lecompte will furnish the materials with the Parish Highway Department furnishing the labor and authorize the President to sign same. On vote the motion carried.

IGA W/ TOWN OF
LECOMPTE

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to approve Change Order No. 4 with Gilchrist Construction Company, LLC for Bid No. 2185 Various Road Improvements in Rapides Parish to remove In-Place Stabilized Base Course with Portland Cement from the Stillmeadow Road and the Frost Road (Ward 9, District B) and add Asphalt Patching (12" Thick) 40 square yards on the Shanghai (Ward 10, District A), 15 square yards on the Frost Road (Ward 9, District B), and 110 square yards on the Stillmeadow Road (Ward 9, District B) at \$91.50 per square yard plus Patching Crew Mobilization at \$2,750 lump sum for a decreased amount of \$10,353.85, as recommended by the Public Works Director. On vote the motion carried.

CHANGE ORDER #4
BID NO. 2185

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to enter into an Intergovernmental Agreement with the Town of McNary to replace the bridge on 5th Avenue over Little Spring with two (2) tank cars furnished by the Highway Department, located at the yard and authorize the President to sign same. On vote the motion carried.

IGA W/ TOWN
OF MCNARY

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to grant approval to Leavines Corner Subdivision, located on Highway 28 West and Leavines Road, as recommended by the Rapides Area Planning Commission and approved by the Public Works Director, pending approval from Legal Counsel and authorize signing of the plat. On vote the motion carried.

LEAVINES CORNER
SUBDIVISION
APPROVAL

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to put a stop sign at the end of Barber Road, District C, to make this a three way stop at the intersection. On vote the motion carried.

BARBER ROAD

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to ratify authorization for President to sign Modification Request Earmark Grant # EA-20248-10-60-A-22 requesting transfer of monies from line items travel, supplies and contractual be moved into the other cost line item cost category and authorize Treasurer to amend the budget as necessary. On vote the motion carried

EARMARK GRANT

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the President to appoint public sector nominee from Chamber of Commerce Ms. Gena Gore to the Rapides Parish Workforce Investment Board LWIA 61. Term date to begin September 1, 2011 and end September 1, 2013. On vote the motion carried.

APPOINT
MS. GENA GORE
RP – WIA61 BOARD

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the President to appoint Ms. Krista Varnado and Mr. Armond Duncan to the Rapides Workforce Investment Board – Youth Council. Term dates to begin September 1, 2011 and end September 1, 2013. On vote the motion carried.

APPOINT
MS. K. VARNADO/
MR. A. DUNCAN
WIA – YOUTH COUNCIL

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to delete from OEWD/WOD Asset Inventory the following vehicle, equipment, and furnishings that or either broken, obsolete, or no longer suitable for program use and authorize disposal at Bonnette's Public

ASSET/INVENTORY
OEWD/WOD

Auction on 9/17/2011.

<u>Asset</u>	<u>Description</u>	<u>Serial Number</u>
Computer Monitor	Impression	GC27360530
Computer Monitor	Impression	GC27360517
Computer Monitor	Impression	GC27360511
Computer Monitor	Arcus	RPPJ 08961
Computer Monitor	KEI	GC234M0137
Computer Monitor	Impression	GC27360516
Computer Monitor	Dell	RPPJ G001197
Computer Monitor	KEI Benq	9991171421- 31800722T68421
Computer Monitor	Sampo	T5930120BH00267
Computer Monitor	KEI Benq	9991171421- 3130068T68421
Computer Monitor	KEI Benq	9991171421- 31300079T68421
Computer Monitor	Viewsonic	RPPJ 07607
Computer Monitor	KEI Benq	9991171421- 31300529T68421
Computer Monitor	KEI Benq	9991171421- 31800706T68421
Computer Monitor	Sampo	T8020128BT00484
Computer Monitor	KEI Benq	9991171421- 31800716T68421
Computer Monitor	KEI Benq	9991171421- 31800707T68421
Computer Monitor	KEI Benq	9991171421- 31300700T68421
Computer Monitor	KEI Benq	9991171421- 31800713T68421
Computer Monitor	KEI Benq	9991171421- 31300696T68421
Computer Monitor	KEI Benq	9991171421- 31800705T68421
Computer Monitor	KEI Benq	9991171421- 31300698T68421
Computer Monitor	KEI Benq	9991171421- 31300686T68421
Computer Monitor	KEI Benq	9991171421- 31300684T68421
Computer CPU	KEI	RPPJ G001224
Computer CPU	Dell	RPPJ G001064
Computer CPU	KEI	RPPJ G001228
Computer CPU	KEI	RPPJ G001243
Computer CPU	KEI	RPPJ G001014

On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to ratify authorization for the submission of an application for Louisiana Governmental Assistance Program (LGAP) grant for the EMC Water System, Inc., for \$37,000, to purchase and install a new 200 KW 440 volts-3 phase generator, as recommended by the EMC Board of Directors, and authorize the President to sign same. On vote the motion carried.

LGAP
 EMC WATER SYSTEM

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize to enter into the 1st amended cooperative endeavor agreement with the Louisiana Facility Planning and Control, Division of Administration, for the Cotile, Indian Creek and Kincaid Outflow Gate Repair/Replacement, FP&C Project No. 50-J40-09-01, and authorize the President to sign same. On vote the motion carried.

OUTFLOW GATE
REPAIR

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to adopt a notice of Intent of Sale through the Abandoned/Adjudicated property procedures the property listed below:

NOTICE OF INTENT
OF SALE

Tax Debtor

Description

Willie James Bell

Lot Nineteen (19), big Valley Subdivision
Of Lot Forty-Seven (47), Leland College
Bearing the Municipal address of:
3727 Milton Alley, Alexandria

On vote the motion carried.

On motion by Mr. Theodore Fontaine, seconded by Mr. Ollie Overton, that the Police Jury send a resolution to our Louisiana Legislative Delegates, that the Rapides Parish would like to go on record that it is against smoking in any Class A establishments. Mr. Scott Perry, Mr. Theodore Fontaine, Mr. Ollie Overton and Mr. Richard Billings voted nay. On vote the motion carried.

LTR. TO La. DEL.
AGAINST SMOKING

The next item on the agenda was to amend the alcohol beverage ordinance Sec 4-22-Sale near church, school, public library, playground, full time day care or correctional facility. to amend the alcohol beverage ordinance Sec. 4-22, pending the verbage from Legal Counsel on the measurements and language to be used, to prohibit the sale of low alcohol content within three hundred (300) feet and the sale of high alcohol content within five hundred (500) feet of any church, synagogue, public library, school, playground, full time day care center as defined in R.S. 17:405(A)(4), or a correctional facility housing inmates, including but not limited to a halfway house. Measurement to be from the nearest point of the property line of the church, synagogue, public library, public playground, school, full time day care center or correctional facility housing inmates, including but not limited to a halfway house, in a direct line regardless of any obstructions to the front entrance of the premises to be licensed, regardless of whether or not the premises are part of a partitioned structure with multiple occupants.

Substitute motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to amend the alcohol beverage ordinance Sec. 4-22 – Sale near church, school, public library, playground, full time day care or correctional facility as follows:

AMEND ALCOHOL
ORDINANCE

ORDINANCE

Sec. 4-22. - Sale near church, school, public library, playground, full time day care or correctional facility.

(a)

Prohibited. The sale of alcoholic beverage of high alcohol content within five hundred (500) feet and the sale of any alcoholic beverage of low alcoholic content within three hundred (300) feet of any church, synagogue, public library, school, playground, full time day care center as defined in R.S. 17:405 (A)(4), or a correctional facility housing inmates, including but not limited to a halfway house outside the corporate limits of municipalities in Rapides Parish, Louisiana, is prohibited.

(b)

Computation of distances. The distances within which the sale of alcoholic beverages of high alcoholic content are prohibited shall be measured as follows:

(1)

In unincorporated areas which are divided into subdivisions with streets, blocks and sidewalks the distance shall be measured as a person walks using the sidewalk from the nearest point of the property line of the church, synagogue, public library, public playground, school, full time day care center, or correctional facility housing inmates, including but not limited to a halfway house to the nearest point of the premises to be licensed. For the purpose of this section premises shall be defined as the definite closed or partitioned-in locality, whether room, shop or building wherein alcoholic beverages are sold.

(2)

In unincorporated areas which are not divided into subdivisions with streets, blocks or sidewalks, the distance shall be measured as a pedestrian would travel if there would be a sidewalk or paved walk-way along the edge or parallel to the edge or side of the street or roadway from the nearest point of the property line of the church, synagogue, public library, public playground, school, full time day care center, or correctional facility housing inmates, including but not limited to a halfway house to the nearest point of the premises to be licensed. For the purpose of this section premises shall be defined as the definite closed or partitioned-in locality, whether room, shop or building wherein alcoholic beverages are sold.

(c)

Computation of distances. The distances within which the sale of alcoholic beverages of low content are prohibited shall be measured as follows:

(1)

In unincorporated areas which are divided into subdivisions with streets, blocks and sidewalks the distance shall be measured as a person walks using the sidewalk from the nearest point of the property line of the church, synagogue, public library, public playground, school, full time day care center, or correctional facility housing inmates, including but not limited to a halfway house to the nearest point of the premises to be licensed. For the purpose of this section premises shall be defined as the definite closed or partitioned-in locality, whether room, shop or building wherein alcoholic beverages are sold.

(2)

In unincorporated areas which are not divided into subdivisions with streets, blocks or sidewalks, the distance shall be measured in a straight line from the nearest point of the property line of the church, synagogue, public library, public playground, school, full time day care center, or correctional facility housing inmates, including but not limited to a halfway house to the nearest point of the premises to be licensed. For the purpose of this section premises shall be defined as the definite closed or partitioned-in locality, whether room, shop or building wherein alcoholic beverages are sold.

(d)

Violations, penalty. Any person, firm, association of persons, corporation or partnership violating the provisions of this section shall, upon conviction, be fined not more than five hundred dollars (\$500) or imprisoned for not more than thirty (30) days, or both fined and imprisoned, in the discretion of the court.

On vote the substitute motion carried.

On motion by Mr. Theodore Fountaine, seconded by Mr. Joe Bishop, to send a letter to the local Louisiana Delegation Representatives to repeal Act 12 and for it to only apply to Interstate 10 and below.

LTR. TO La. DEL
REPEAL ACT 12

Mr. Fountaine questioned the wording of the motion.

On motion by Mr. Buck Lincecum, seconded by Mr. Jamie Floyd, to amend the motion to send a letter to the local Louisiana Delegation Representatives to amend Act 12 and for it to only apply to Interstate 10 and below.

ACT 12

Discussion ensued.

On vote the amended motion carried. Mr. Theodore Fountaine voted nay.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to accept the resignation of Mr. Kevin Ubie Johnson; waive the thirty day announcement rule and appoint Mr. Paul Williams, to the Sewerage District No. 1 Board, to fill the vacancy in an unexpired term. Term will expire October 12, 2014. On vote the motion carried.

APPOINT
 P. WILLIAMS

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to support the hunters to continue to be able to use dogs in Kisatchie National Forest, copy of this resolution to be sent to our Congressional Delegation and local Forestry Service, expressing our support. On vote the motion carried.

DOG HUNTERS
 KISATCHIE

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to reappoint Mr. Jodie Roberts to the Area Youth Planning Board, representing the Social Services Community, for a two (2) year term. Term will expire on September 14, 2013. On vote the motion carried.

REAPPOINT
 J. ROBERTS

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to receive the required report from Acadian Ambulance under the Contract for July 2011:

AMBULANCE
 REPORT

Response Zone	Number Responses	Required %	Compliance %
Alexandria - 8 minute	521	80%	87.52%
Pineville - 8 minute	146	80%	83.56%
Rapides - 12 minute	148	80%	85.14%
Rapides - 20 minute	165	80%	84.85%

On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to grant a 3% pay increase for full-time Firemen and a 5% pay increase for part-time Firemen and the Secretary, as requested by the Ruby-Kolin Volunteer Fire Department Board of Directors, to be paid out of Fire District No. 7 Funds. On vote the motion carried.

PAY INCREASE
 FD #7

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to adopt a resolution, calling on all Citizens of Rapides Parish, to participate in a "Moment of Remembrance" on September 11, 2011, for one minute, at 12:00 pm to recognize September 11, 2011 as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation, honor the heroic service, actions and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and gave their own lives and offer its

MOMENT OF
 REMEMBRANCE

deepest and most sincere condolences to the families, friends and loved ones of the innocent victims of the September 11, 2001, terrorist attacks.

RESOLUTION

Rapides Parish Police Jury Joining the National Moment of Remembrance of the 10th Anniversary of September 11th

WHEREAS, the governing body of Rapides Parish expresses their support of the United State's Senate regarding coming together as a nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and national Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the governing body of Rapides Parish:

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and
- (4) recognizes the valiant service, actions, and sacrifices of United States personnel including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and
- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the governing body of the Parish of Rapides calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED that the governing body of Rapides Parish encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

THUS PASSED, APPROVED AND ADOPTED on this 12th day of September, 2011.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize to advertise for bid to purchase a new pumper/tanker for Rapides Parish Fire District No. 9 as requested by Echo Poland Fire Department Board of Directors, to be paid with Fire District No. 9 funds. On vote the motion carried.

BUY
PUMPER/TANKER
FD #9

On motion by Mr. Richard Billings, seconded by Mr. Ollie Overton, to proclaim the month of September as Volunteer Firefighters Month in Rapides Parish and to invite the Police Jurors to Rapides Parish Firefighter Day on Saturday, September 17, 2011 at the Saint Martin Church Hall, Lecompte. On vote the motion carried unanimously.

FIREFIGHTER
APPRECIATION DAY

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to reappoint Mr. Jesse Smith to the Rapides Parish Fire District No. 2 Civil Service Board, employee elected representative, to serve a three year term to expire on August 19, 2014, as recommended by Chief Randy McCain. On vote the motion carried.

REAPPOINT
J. SMITH

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to purchase a Ford F-450 Cab & Chassis under the current City of Alexandria Contract No. 1827 to replace a 2003 F-450, as recommended by the Fire Chief to be paid from Fire District No. 2 Funds. On vote the motion carried.

BUY TRUCK
FD #2

On motion by Mr. Jamie Floyd, seconded by Mr. Buck Lincecum, to add the following items to the agenda.

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.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the President to appoint public sector nominee, Ms. Susan Martin, representing the Department of Children & Family Services, to the Rapides Parish Workforce Investment Board LWIA 61. Term date to begin September 1, 2011 and end September 1, 2013. On vote the motion carried.

APPOINT
MS. S. MARTIN
WIB-LWIA 61

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize a letter to the State verifying that the Rapides Parish Police Jury will fund all cost of construction on the Rigolette Bridge Project above the amount of State Funds available including any add change orders that may arise during construction and authorize the President to sign.

RIGOLETTE BRIDGE
FUNDING

Mr. Buck Lincecum recognized Mr. Steve Fontenot, Engineer, Fontenot & Phillips, stated he had received authorization from Facility Planning and Control to solicit for bids.

On vote the motion carried as stated.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to authorize the President to sign the Louisiana Workforce Commission-Social Services Contract—Louisiana Employment Assistance Program (LEAP) and authorize Treasurer to amend budget as needed. Contract amount is \$361,024 and covers the period from October 1, 2011 through September 30, 2012. The primary goal of this Subgrant is to provide job readiness activities, to enable Family Independence Temporary Assistance Program (FITAP) and Supplemental Nutrition Assistance Program (SNAP) participants in their transition from cash assistance to self-sufficiency. On vote the motion carried.

LEAP SUBGRANT

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to adopt an ordinance authorizing the sale of Abandoned/Adjudicated property being that Lot Seven(7), Square Nineteen(19) of S.A.L. Co. Addition, bearing the municipal address of 2017 Wise Street, Alexandria, to Jacqueline Brown for the consideration of \$2,143.01 cash.

ADJ PROPERTY
J. BROWN

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

A certain lot of ground with all buildings and improvements thereon being, lying and situated in the City of Alexandria, Rapides Parish, Louisiana, and more particularly described as follows: "Lot No. Seven (7) of Block No. Nineteen (19) of the South Alexandria Land Company Addition to the City of Alexandria, Rapides Parish, Louisiana; as shown by plat thereof, recorded in Plat Book 1 page 149, Records of Rapides Parish, Louisiana; said property being bounded in front by Wise Street, in the rear by Lot No. Ten (10) of said Square No. Nineteen (19), and on the side toward Schnack Street by Lot No. Eight (8) of the Said (sic) Square No. Nineteen (19), and on the side toward Turregano Street by Lot No. Six (6) of said Square No. Nineteen (19), and being the same property acquired in the name of Adeline Powell Sanders from John E. Baker by deed dated September 9, 1908, filed April 25, 1909, recorded in Conveyance Book 52, page 26, and from Mrs. Eva O. Readheimer by deed dated January 31, 1929, filed and recorded February 2, 1929, in Conveyance Book 163, page 144, all records of Rapides Parish, Louisiana."

Municipal Address of the Property: 2017 Wise Street, Alexandria, LA

**TO: JACQUELINE BROWN,
FOR THE
CONSIDERATION OF \$2,143.01 CASH**

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

A certain lot of ground with all buildings and improvements thereon being, lying and situated in the City of Alexandria, Rapides Parish, Louisiana, and more particularly described as follows: "Lot No. Seven (7) of Block No. Nineteen (19) of the South Alexandria Land Company Addition to the City of Alexandria, Rapides Parish, Louisiana; as shown by plat thereof, recorded in Plat Book 1 page 149, Records of Rapides Parish, Louisiana; said property being bounded in front by Wise Street, in the rear by Lot No. Ten (10) of said Square No. Nineteen (19), and on the side toward Schnack Street by Lot No. Eight (8) of the Said (sic) Square No. Nineteen (19), and on the side toward Turregano Street by Lot No. Six (6) of said Square No. Nineteen (19), and being the same property acquired in the name of Adeline Powell Sanders from John E. Baker by deed dated September 9, 1908, filed April 25, 1909, recorded in Conveyance Book 52, page 26, and from Mrs. Eva O. Readheimer by deed dated January 31, 1929, filed and recorded February 2, 1929, in Conveyance Book 163, page 144, all records of Rapides Parish, Louisiana."

Municipal Address of the Property: 2017 Wise Street, 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 **JACQUELINE BROWN** to purchase said property for the consideration of \$2,143.01 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 **JACQUELINE BROWN**, for the offered consideration.

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

Section 1. A certain lot of ground with all buildings and improvements thereon being, lying and situated in the City of Alexandria, Rapides Parish, Louisiana, and more particularly described as follows: "Lot No. Seven (7) of Block No. Nineteen (19) of the South Alexandria

Land Company Addition to the City of Alexandria, Rapides Parish, Louisiana; as shown by plat thereof, recorded in Plat Book 1 page 149, Records of Rapides Parish, Louisiana; said property being bounded in front by Wise Street, in the rear by Lot No. Ten (10) of said Square No. Nineteen (19), and on the side toward Schnack Street by Lot No. Eight (8) of the Said (sic) Square No. Nineteen (19), and on the side toward Turregano Street by Lot No. Six (6) of said Square No. Nineteen (19), and being the same property acquired in the name of Adeline Powell Sanders from John E. Baker by deed dated September 9, 1908, filed April 25, 1909, recorded in Conveyance Book 52, page 26, and from Mrs. Eva O. Readheimer by deed dated January 31, 1929, filed and recorded February 2, 1929, in Conveyance Book 163, page 144, all records of Rapides Parish, Louisiana.”

Municipal Address of the Property: 2017 Wise Street, 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:

- 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 done 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 “process 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 “process 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 done 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 “process verbal”) was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly “process 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 done 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 done 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 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 September, 2011.

On motion by Mr. Joe Bishop, seconded by
Mr. Ollie Overton, to adopt an ordinance authorizing the
sale of Abandoned/Adjudicated property being Lots Three(3)
and Four(4) of Square Six(6), Vanderhoeven's Subdivision
bearing the municipal address of: 2003 Van Street, Alexandria,
Louisiana to Mark Young for the consideration of \$3,136.08 cash.

ADJ. PROPERTY
M. YOUNG

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

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

Being Lots Three (3) and Four (4) of Square 6, Vanderhoeven's Subdivision of Lots Three (3), Four (4) and part of Lot Five (5) of the Garner Tract, as per plat thereof recorded in Plat Book 4, Page 70, records of Rapides Parish, Louisiana.

Municipal Address of the Property: 2003 Van Street, Alexandria, LA 71301

TO: MARK YOUNG,

**FOR THE
CONSIDERATION OF \$3,136.08 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 tract of land, together with all buildings and improvements thereon, all rights, way and privileges thereto appertaining, being, lying and situated in Rapides Parish, Louisiana and being more particularly described as follows:

Being Lots Three (3) and Four (4) of Square 6, Vanderhoeven's Subdivision of Lots Three (3), Four (4) and part of Lot Five (5) of the Garner Tract, as per plat thereof recorded in Plat Book 4, Page 70, records of Rapides Parish, Louisiana.

Municipal Address of the Property: 2003 Van Street, Alexandria, LA 71301

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 **MARK YOUNG** to purchase said property for the consideration of **\$3,136.08** 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 **MARK YOUNG**, for the offered consideration.

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

Section 1. A certain piece, parcel or tract of land, together with all buildings and improvements thereon, all rights, way and privileges thereto appertaining, being, lying and situated in Rapides Parish, Louisiana and being more particularly described as follows:

Being Lots Three (3) and Four (4) of Square 6, Vanderhoeven's Subdivision of Lots Three (3), Four (4) and part of Lot Five (5) of the Garner Tract, as per plat thereof recorded in Plat Book 4, Page 70, records of Rapides Parish, Louisiana.

Municipal Address of the Property: 2003 Van Street, Alexandria, LA 71301

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:

- (d) 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 “process 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 “process verbal”);
- (e) The filing of the sale or donation transferring the property.
- (f) 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 done intends to be terminated has, to redeem the property, until the later of:

- (d) Sixty days, for property on which a tax sale certificate (formerly “process verbal”) was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly “process verbal”) was filed less than five years before the first publication of the notice provided for in this Subsection.
- (e) The filing of the sale or donation transferring the property.
- (f) 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 done 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.

- (d) 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.

- (e) 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.
- (f) 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.

- (g) 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.
- (h) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- (i) 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.
- (j) 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.
- (k) 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.
- (l) 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 September, 2011.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to adopt an ordinance authorizing the sale of Abandoned/Adjudicated property being that certain 2.05 acre tract of land located in the Northeast Quarter of the Southeast Quarter of Section 29, off Hamp Smith Road, Elmer, bearing no municipal address to Derek Lee Weatherford for the consideration of \$4,278.05 cash.

ADJ. PROPERTY
D. WEATHERFORD

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

A certain piece, parcel or tract of land in Rapides Parish, Louisiana, and all improvements thereon situated, more particularly described as being that certain 2.05 acre tract of land located in the Northeast Quarter of the Southeast Quarter of Section 29, Township on a certificate of survey by Thomas C. David, Jr., registered land surveyor dated April 15, 1986, and attached to a particular Act of Mortgage, passed before Phillip G. Hunter, Notary Public, on the 16th day of June, 1986 and recorded at Bdle. #1058, Org. 257, of the mortgage records of the Parish of Rapides, State of Louisiana.

Municipal Address of the Property: Not Applicable [2.05 Acres, Hamp Smith Road, Elmer, Louisiana 71424]

TO: DEREK LEE WEATHERFORD,
married to and living in community with Emily Weatherford

FOR THE
CONSIDERATION OF \$4,278.05 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 tract of land in Rapides Parish, Louisiana, and all improvements thereon situated, more particularly described as being that certain 2.05 acre tract of land located in the Northeast Quarter of the Southeast Quarter of Section 29, Township on a certificate of survey by Thomas C. David, Jr., registered land surveyor dated April 15, 1986, and attached to a particular Act of Mortgage, passed before Phillip G. Hunter, Notary Public, on the 16th day of June, 1986 and recorded at Bdle. #1058, Org. 257, of the mortgage records of the Parish of Rapides, State of Louisiana.

Municipal Address of the Property: Not Applicable [2.05 Acres, Hamp Smith Road, Elmer, Louisiana 71424]

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 **DEREK LEE WEATHERFORD**, married to and living in community with Emily Weatherford to purchase said property for the consideration of \$4,278.05 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 **DEREK LEE WEATHERFORD**, married to and living in community with Emily Weatherford, for the offered consideration.

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

Section 1. A certain piece, parcel or tract of land in Rapides Parish, Louisiana, and all

improvements thereon situated, more particularly described as being that certain 2.05 acre tract of land located in the Northeast Quarter of the Southeast Quarter of Section 29, Township on a certificate of survey by Thomas C. David, Jr., registered land surveyor dated April 15, 1986, and attached to a particular Act of Mortgage, passed before Phillip G. Hunter, Notary Public, on the 16th day of June, 1986 and recorded at Bdle. #1058, Org. 257, of the mortgage records of the Parish of Rapides, State of Louisiana.

Municipal Address of the Property: Not Applicable [2.05 Acres, Hamp Smith Road, Elmer, Louisiana 71424]

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 done 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:

- (g) 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 "process 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 "process verbal");
- (h) The filing of the sale or donation transferring the property.
- (i) 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 done intends to be terminated has, to redeem the property, until the later of:

- (g) Sixty days, for property on which a tax sale certificate (formerly "process verbal") was filed over five years previous of the first publication, or six month if the tax sale certificate (formerly "process verbal") was filed less than five years before the first publication of the notice provided for in this Subsection.
- (h) The filing of the sale or donation transferring the property.
- (i) 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 done 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.

- (g) 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.
- (h) 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.
- (i) 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.

- (m) The affidavit may also contain a statement of the interest to which the purchaser or done 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.
- (n) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.

- (o) 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.
- (p) 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.
- (q) 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.
- (r) 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 September, 2011.

On motion by Mr. Joe Bishop, seconded by
Mr. Ollie Overton, to proclaim September, 2011 as
National Preparedness Month in Rapides Parish.
On vote the motion carried.

NATIONAL
PREPAREDNESS
MONTH

PROCLAMATION

National Preparedness Month, September 2011

WHEREAS, "National Preparedness Month" creates an important opportunity for every resident of Central Louisiana to prepare their homes, businesses, and communities for any type of emergency including natural disaster and potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency's READY Campaign, Citizen Corps and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of Central Louisiana and all citizens are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

WHEREAS, all citizens of Central Louisiana are encouraged to participate in citizens preparedness activities and asked to review the READY campaign's websites at www.Ready.gov or www.Listo.gov (in Spanish) and/or www.getagameplan.org (for Louisiana) and become more

prepared.

THEREFORE, BE IT RESOLVED that the Rapides Parish Police Jury hereby proclaims September, 2011 as national Preparedness Month, and encourages all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society.

DATED this September 2011 by the Rapides Parish Police Jury.

On motion by Mr. Joe Bishop, seconded by STATE OF EMERGENCY
Mr. Ollie Overton, to ratify the State of Emergency
Proclamation in Rapides Parish by the President for the
Severe Weather, Tropical Depression 13/Tropical Storm
Lee for September 2, 2011.

**STATE OF EMERGENCY
RAPIDES PARISH**

WHEREAS, the Parish of Rapides is currently faced with a pending emergency due to Tropical Depression 13/Tropical Storm Lee

WHEREAS, a definite threat to property and lives, for the Citizens of Rapides Parish exists due to the impending impact of Tropical Depression 13/Tropical Storm Lee

WHEREAS, the potential to exhaust local resources due the anticipated winds, torrential rains and severe storms exists, as well as the possibility of flooding and danger to private property, public facilities and the safety and security of the citizens of Rapides;

THEREFORE, I, Richard Billings, President of the Rapides Parish Police Jury by authority vested in me by the Parish Charter and the Louisiana Disaster Act of 1993, do hereby proclaim;

A State of Emergency exists within the Parish of Rapides and that all Emergency Preparedness Plans and the Parish All Hazard Emergency Operations Plan be activated, if necessary.

Issued on this 2nd day of September, 2011 and effective at time of issuance (1700 hrs).

On motion by Mr. Joe Bishop, seconded by CHANGE ORDER
Mr. Ollie Overton, to authorize a change order decrease LA. 623
in the amount of \$52,365.44 for the LA. 623 Sewer Project,
Phase I and authorize the President to sign same.
On vote the motion carried

On motion by Mr. Joe Bishop, seconded by GRANT APP
Mr. Ollie Overton, to endorse and support the grant AMF TO USDA
application of the Alexandria Metropolitan Foundation
(AMF) to the United States Department of Agriculture
(USDA) to provide technical assistance and other business
services to businesses in the Alexandria Statistical Metropolitan
Area (SMSA) of Grant, Avoyelles and Rapides.
On vote the motion carried.

On motion by Mr. Jamie Floyd, seconded by Mr. Steve Coco, to add the following items to the agenda.

A roll call vote was called and was as follows:

YES	NO
Richard Billings	
Jamie Floyd	
Buck Lincecum	
Joe Bishop	
Theodore Fontaine	
Richard Vanderlick	
Ollie Overton	

Steve Coco
Scott Perry

On roll call vote the motion carried unanimously.

Mr. Richard Billings recognized Representative Rick Gallot, candidate for the 29th District Senate. Representative Gallot asked for the Police Jury's support in his candidacy for State Senator.

RICK GALLOT

Mr. Richard Billings recognized Senator Gerald Long, District 31. Senator Long spoke about the new Senate sit in Rapides Parish and how it would benefit having four seats in the Senate representing Rapides Parish.

GERALD LONG

Mr. Richard Billings recognized Mr. Barrett Byrd, candidate for the 25th Representative District. Mr. Byrd asked for the Police Jury's support in his candidacy for State Representative.

BARETT BYRD

On motion by Buck Lincecum, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and appoint Mr. H. Gregory Walker to the Library Board, representing District G for a five year term, term will expire on September 1, 2017.

APPOINT
H.G. WALKER
LIBRARY BOARD

Amendment to the motion by Mr. Steve Coco, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and appoint Mr. H. Gregory Walker to the Library Board, representing District G, to fill the unexpired term, term to expire September 1, 2012 and to reappoint Mr. H. Gregory Walker for a five year term, term to expire September 1, 2017. On vote the motion carried.

AMENDED
APPOINTMENT

On motion by Mr. Buck Lincecum, seconded by Mr. Joe Bishop, that there being no further business, the meeting be adjourned. On vote the motion carried at 4:30 p.m.

Laurel Smith, Secretary
Rapides Parish Police Jury

Richard Billings, President
Rapides Parish Police Jury