

RAPIDES PARISH POLICE JURY

REGULAR SESSION  
NOVEMBER 8, 2010

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, November 8, 2010, at three (3:00) o'clock p.m. (Central Standard Time).

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

Also present were Mr. Tim Ware, Treasurer; Ms. Donna Andries, Sales and Use Tax Director; Mr. Dennis Woodward, Public Works Director; Mr. Shane Trapp, Courthouse Building Superintendent; Ms. Linda Sanders, Civil Service Director; Chief Randy McCain, Fire District No. 2; Mr. Thomas O. Wells, Legal Counsel; and Ms. Angie Richmond, Secretary.

The invocation was given by Mr. Dennis Woodward.

The Pledge of Allegiance was led by Mr. Joe Bishop.

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. Buck Lincecum, seconded by Mr. Joe Bishop and Mr. Ollie Overton, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on October 11, 2010, as published in the Official Journal. On vote the motion carried.

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

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

On motion by Mr. Richard Vanderlick, seconded by Mr. Jamie Floyd and Mr. Ollie Overton, to lay over the appointment to the Rapides Finance Authority for a six year term to fill the expired term of Mr. Charles Johnson, term expired on September 30, 2010. On vote the motion carried.

Mr. Fountaine called a point of order and asked for a clarification of the previous motion.

On motion by Mr. Scott Perry, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and reappoint Mr. Charles Johnson to the Rapides Finance Authority for a six year term, term will expire on November 8, 2016. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Vanderlick, to lay over the appointment to the Fire District No. 3 Civil Service Board, nominee of Louisiana College, for a three year term to fill the expired term of Mrs. Wanda Simpson, term expired on October 10, 2010, until a nomination is received from Louisiana College. On vote the motion carried.

Mr. Fountaine called a point of order and asked for a clarification of the previous motion.

It was noted a nomination had not yet been received from Louisiana College, three requests sent to date.

On motion by Mr. Jamie Floyd, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and reappoint Mrs. Wanda Simpson to the Fire District No. 3 Civil Service Board, nominee of Louisiana College, for a three year term, term will expire on November 8, 2013. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry, to reappoint Mrs. Linda Drew McMahon to the Civil Service Board, nominee of Grambling State University, for a three year term, term will expire on December 10, 2013. On vote the motion carried.

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

North Louisiana Criminalistic Laboratory Commission for a two year term to fill the expiring term of Mr. James "Jam" Downs, term will expire on January 1, 2011;

Esler Industrial Development Area Advisory Board for a five year term to fill the expiring term of the

late Mayor Fred Baden, representing District B, term will expire on January 8, 2011; and

Fire Protection District No. 12 for a two year term to fill the expiring term of Mr. Henry Corley, representing the Rapides Parish Police Jury, term will expire on January 14, 2011.

On motion by Mr. Ollie Overton, seconded by Mr. Joe Bishop, to waive the thirty day announcement rule and reappoint Mr. Jam Downs to the North Louisiana Criminalistics Laboratory Commission for a two year term, term will expire on January 1, 2013. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Ollie Overton, to waive the thirty day announcement rule and reappoint Mr. Henry Corley to Fire Protection District No. 12, representing the Rapides Parish Police Jury, for a two year term, term will expire on January 14, 2013. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Joe Bishop and Mr. Jamie Floyd, to waive the thirty day announcement rule and reappoint Mr. Darren Sigur to the Alexandria/Pineville Area Convention and Visitors Bureau for one year term, term will expire on February 8, 2012. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to receive the proposed 2011 Rapides Parish Police Jury budget and the 2011 OEWD budget and call for a public hearing to be held on December 6, 2010. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize the Treasurer to amend all 2010 Budgets as necessary. On vote the motion carried.

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

On motion by Mr. Joe Bishop, seconded by Mr. Buck Lincecum, to request Suddenlink Cable to establish a local office in the Alexandria area, to be in addition to the Donahue Ferry Road (Pineville branch), to serve the citizens of Rapides Parish, copy of this resolution to be sent to the Secretary of State, franchising authority; our Louisiana Legislative Delegation; and the City of Alexandria. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, the following ordinance was presented, to amend Section 23-5.1 Exemption for Special Events for Occupational License Taxes for temporary sales not to exceed three days by removing the limitation of calendar year, as recommended by the Sales Tax Administrator, and on vote unanimously adopted:

#### ORDINANCE

#### AN ORDINANCE TO AMEND AND REENACT SECTION 23-5.1 OF ARTICLE II OF CHAPTER 23 OF THE RAPIDES PARISH CODE OF ORDINANCES

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this 8th day of November, 2010, that Section 23-5.1 of the Rapides Parish Code of Ordinances is hereby amended and reenacted as follows:

#### CHAPTER 23. TAXATION AND LICENSES

#### ARTICLE II. OCCUPATIONAL LICENSE TAXES

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Sec. 23-5.1. - Exemption from divisions for special events.

The provisions of this division shall not apply to peddlers, hawkers, itinerant vendors, and any person who displays samples, models, goods, wares, or merchandise on a temporary basis, not to exceed three (3) days, for the purpose of securing orders for the retail sale of such goods, wares, or the like kind and quality, either for immediate or future delivery in any publicly owned building or facility, not including public streets, highways or rights-of-way, including but not limited to the Harold Miles Park, the Beagle Club, the Cotile Recreation Area Park, the Indian Creek Recreation Park, or the Kincaid Lake Recreation Park.

...

BE IT FURTHER RESOLVED that Section 5-69 Penalties for violation shall specifically be applied with this amendment.

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

THUS DONE AND SIGNED on this 8th day of November, 2010.

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

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to waive the provisions of Sections 6-1/2.80 Deposit Requirement and 6-1/2.81 Permit and Inspection Fees for Pipeline Construction in Roadways,

Rights-of-Ways, Etc. on certain roads for the Hineston Water System Inc. for their project Water System Improvements, as requested by the Hineston Water System. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize Ms. Linda Stanley, 580 Highway 113, Glenmora, Louisiana, as a Hardship Case, pending proper certification. On vote the motion carried.

The next agenda item was to lay over the culvert installation on Gunter Road until clarification is received from Legal Counsel on whether an ordinance was required. Mr. Floyd asked Legal Counsel for an opinion.

Mr. Tom Wells, Legal Counsel, advised from his preliminary research that although the Police Jury does not have an obligation to install driveway culverts, it may if the installation of the culverts is for a public purpose, the determination of whether it was a public purpose to be made by the Public Works Director upon issuance of the required driveway permit, and if funds are available for the work. Mr. Floyd mentioned the culvert installations he was requesting was for a parking lot for a race track, an economic benefit and a solution to a safety problem on the highway by providing multiple entrances; noting the property owner was in possession of the donated culverts.

On motion by Mr. Jamie Floyd, seconded by Mr. Buck Lincecum, to authorize the Parish Highway Department to install and cover 200 feet of driveway pipe at the intersection of Gunter Road and Hickory Grove Road, the property owner to purchase the pipe, to be paid out of the Road and Bridge Fund. On vote the motion carried.

Mr. Fountaine called a point of order and asked whether this item needed to be put on the agenda prior to vote.

On motion by Mr. Buck Lincecum, seconded by Mr. Joe Bishop, to add the previous item to the agenda.

A roll call vote was called and was as follows:

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

On roll call vote the motion failed to carry 6-3.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize the President to sign the Cooperative Forest Road Agreement - Schedule "A" - Rapides Parish with the US Forest Service, as recommended by the Public Works Director. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize Ms. Rhonda Burnaman, 1157 Philadelphia Road, Deville, Louisiana, as a Hardship Case, pending proper certification. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize the President to sign Solicitation Grant Application (SGA) for YouthBuild Grant Funding Opportunity No. SGA/DFA PY 10-02 Catalog of Federal Domestic Assistance (CFDA) No. 17.271 YouthBuild Grant funds will be used to provide disadvantaged youth with education and employment skills necessary to achieve economic self-sufficiency in occupations in high demand and postsecondary education and training opportunities. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to ratify authorization for the President to sign Request for Budget Revision for Louisiana Job Employment Training Program (LaJET) and authorize the Treasurer to amend the budget as needed. Funds originally set up for Unemployment Insurance (UI) were overestimated in the budget. The request is to transfer funds in the amount of \$36.65 from the UI Line Item to the Workers Compensation Line Item to accommodate the correction. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize the Office of Economic and Workforce Development (OEWD) to continue the temporary full-time employment position for Data Clerk at an hourly pay rate of \$10.00 through June 30, 2011, contingent upon availability of funds. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize the purchase under State Contract of a new Ford Taurus for the District Attorney's Office in the approximate amount of \$19,471.00, and authorize a transfer of \$8,000 from Contract Maintenance and Repair line item and \$12,000 from Equipment line item to Vehicle Purchase in Criminal Court Fund, as requested by the District Attorney. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize the expenses of interested Police Jurors and Legal Counsel to attend the 2011 NACo Justice and Public Safety Steering Committee Retreat to be held on January 19-22, 2011 in Orleans Parish. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to accept the Library Parking Lot - Lake District (RPPJ File No. 2153) as substantially complete, as recommended by the Library Board of Control, and authorize the President to sign Notice of Substantial Completion. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize to enter into an intergovernmental agreement with the Village of Forest Hill for the Parish Highway Department to furnish a gravel truck and one driver to haul rock to be purchased by the Village of Forest Hill and be reimbursed out of Road District No. 1A Funds, as requested by the Village of Forest Hill, the equipment and employee rates to be paid out of Road District No. 1A Funds, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to receive the required report from Acadian Ambulance under the Contract for September 2010:

Response Zone	Number Responses	Required %	Compliance %
Alexandria - 8 minute	427	80%	88.29%
Pineville - 8 minute	130	80%	84.61%
Rapides - 12 minute	169	80%	87.57%
Rapides - 20 minute	139	80%	85.61%

On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to grant the three years of service pay increase to Firefighter/Operator John Cummings, effective November 5, 2010, as requested by the Alpine Volunteer Fire Department Board of Directors, to be paid out of Fire Protection District No. 3 Funds. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to renew the workmen's compensation insurance with LWCC for 2011 for Fire District Nos. 2, 3, 4, 5, 7 and 11, as recommended by the Treasurer, a savings of \$88,440.00 from current year. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to renew the Group Health Insurance with Parish Government Risk Management Company retaining the Managed Care Option with a 2% increase and retaining the Regular Plan with no increase; however, changing the PPO Network to Verity Health Network as primary PPO and First Health as the secondary PPO, as recommended by the Treasurer. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to approve participation and authorize the OHSEP Director to administer and sign related documents for the 2010 Interoperable Emergency Communications Grant Program (IECGP), Grant No. 2010-EP-TO-0039, administration will be in accordance with Grant guidelines. The purpose of the grant is establishing or enhancing common interoperable communications plans to address governance, procedures, training and exercise of plan, conduct needs assessments, workshops, procure interoperable communication equipment, etc. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton and Mr. Richard Vanderlick, to add the following item to the agenda.

A roll call vote was called and was as follows:

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

On roll call vote the motion carried 9-0.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to request the Police Jury Association to intercede as Amicus Curiae in the suits State of Louisiana vs. Curtis Benson and George Dotson and Gregory Wallace, Criminal Suit No. 209,305; and State of Louisiana vs. Curtis Benson and George Dotson and Gregory Wallace, Criminal Suit No. 239,897; and State of Louisiana of Louisiana vs. Gregory Dewayne Wallace, Criminal Suit No. 255,184. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Joe Bishop, to add the following items to the agenda.

A roll call vote was called and was as follows:

YES

NO

Richard Billings

Scott Perry

Buck Lincecum

Joe Bishop

Jamie Floyd

Theodore Fountaine

Richard Vanderlick

Ollie Overton

Steve Coco

On roll call vote the motion carried 9-0.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to ratify authorization for the President to sign the On-the-Job Training (OJT) National Emergency Grant (NEG), EM 20607-10-60-A-22 Contract in the amount of \$185,173.00 and authorize the Treasurer to amend the budget as needed. Contract period is September 1, 2010 through June 30, 2012. This NEG is to provide time-limited funding assistance in response to significant dislocation events such as plant closures and mass layoffs to eligible dislocated workers. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to authorize an amendment to the Intergovernmental Agreement with the City of Pineville for resealing of Trinity Church Road to include striping of the Road, as recommended by the Public Works Director and Treasurer, to be paid out of Road District No. 9B (District B) Funds. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, to accept the settlement from Traveler's Insurance Company for the 1998 International Dump Truck (Asset No. 7578) (involved in an accident on August 16, 2010 on Hoyt Road) for the actual cash value of \$16,405, less the \$1,000 deductible, for a total settlement of approximately \$15,405; authorize Asset No. 7578 be declared surplus property and removed from the Asset Inventory List; and authorize the Treasurer to sign the title and all necessary documents, as recommended by the Purchasing Agent and Public Works Director. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, the following resolution was presented, as requested by the North Criminalistics Laboratory and recommended by the Treasurer, and on vote unanimously adopted:

Resolution

BE IT RESOLVED by this Police Jury in Regular Session duly convened and assembled, a quorum being present, that it does hereby approve the original budget for the calendar year 2011, and the amended budget for calendar year 2010, duly adopted by the North Louisiana Criminalistic Laboratory Commission, the same having been furnished to this Police Jury by said Commission and being on file in the office of the Secretary hereof.

THUS DONE AND SIGNED on this 8th day of November, 2010.

On motion by Mr. Joe Bishop, seconded by Mr. Buck Lincecum, that there being no further business, the meeting be declared adjourned. On vote the motion carried at 3:22 p.m.

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Angie Richmond, Secretary  
Rapides Parish Police Jury

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Richard Billings, President  
Rapides Parish Police Jury