

RAPIDES PARISH POLICE JURY
REGULAR SESSION
JULY 8, 2024

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, July 8, 2024, at three (3:00) o'clock p.m. (Central Standard Time).

There were present: Joseph "Joe" Bishop, President and Police Jurors: Davron "Bubba" Moreau, Craig Smith, Ernest Nelson, Danny Bordelon, Parrish Giles and Jay Scott.

Absent: Oliver "Ollie" Overton, Jr. and Sean McGlothlin

Also present were: Ms. Theresa Pacholik, Secretary/Treasurer; Mr. Cory Ashmore, Public Works Director; Mr. Shane Trapp, Building Superintendent; Chief David Corley, FD#3; Ms. Sharon Neal, WOD/OEWD Executive Director; Ms. Betty Jo Bourgeois, Sales Tax Administrator; Ms. Angie Branton, 911/OEP Director; Hon. Greg Beard; Mr. Rhett Desselle, Pan American Engineers; Mr. Matt Johns, RAPC Executive Director; Ms. Marla West, Purchasing Agent; and Mr. Greg Jones, Legal Counsel.

The invocation was given by Mr. Ernest Nelson.

The Pledge of Allegiance was led by Mr. Bubba Moreau.

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

Mr. Craig Smith recognized and presented a certificate to Mr. Jason Cannon with Rapides Parish Fire District No. 7 - Ruby/Kolin Fire Department for thirty-four (34) years of service.

Mr. Jay Scott recognized and presented plaques to Stryk Baseball Team for winning second (2nd) place in the 2024 DFW World Series in Dallas, Tx.

Ms. Angie Branton, OEP Director, gave an update on Hurricane Beryl and the impact it may have on Rapides Parish.

On motion by Mr. Bubba Moreau, seconded by Mr. Craig Smith to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on June 10, 2024 and Special Session on June 20, 2024, as published in the Official Journal. On vote the motion carried.

On motion by Mr. Jay Scott, seconded by Mr. Danny Bordelon that approved bills be paid. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Parrish Giles to approve the Treasurer's report as presented in the Committee Meeting on July 1, 2024. On vote the motion carried. The report contained budget to actual revenue and expenses for all funds and status of audit findings. On vote the motion carried.

On motion by Mr. Parrish Giles, seconded by Mr. Bubba Moreau to waive the thirty

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(30) day announcement rule and reappoint Mr. Steven Halbert on the Fire Protection District No. 12 board for a two (2) year term. New term will expire August 14, 2026. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Bubba Moreau to waive the thirty (30) day announcement rule and reappoint Mr. David Bates on the Finance Authority Board for a six (6) year term, representing District B. New term will expire September 30, 2030. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Bubba Moreau to waive the thirty (30) day announcement rule and reappoint Mr. Buck Vandersteen on the Zachary Taylor Parkway for a two (2) year term. New term will expire August 31, 2026. On vote the motion carried.

On motion by Mr. Jay Scott, seconded by Mr. Bubba Moreau, the following ordinance was presented and unanimously adopted:

Sale of Adjudicated Property
ORDINANCE
AUTHORIZING THE RAPIDES PARISH POLICE JURY
TO SELL TO:
PAUL "DAMON" KIRK
FOR THE CONSIDERATION OF \$1,566.67 CASH

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

LOT FRTG 84 FEET ON HWY 454 X 120 FEET ON PARISH RD.
IN NW4 OF NE4 SEC 27 T3NR2E (200 IMP 1500)---(CB 534-230
HINES)(CB 846-378 WALL)

DESCRIBED AS FOLLOWS:

A CERTAIN PIECE, PARCEL OR TRACT OF LAND, TOGETHER WITH ALL IMPROVEMENTS THEREON LOCATED, AND ALL RIGHTS, WAYS AND PRIVILEGES APPERTAINING THERETO, LYING AND SITUATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION TWENTY-SEVEN (27), TOWNSHIP THREE (3) NORTH, RANGE TWO (2) EAST, DISTRICT NORTH OF RED RIVER, RAPIDES PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

FROM THE POINT WHERE THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 494 INTERSECTS THE NORTHERN RIGHT-OF-WAY LINE OF A PARISH ROAD RUNNING EAST AND WEST, AND RUN NORTHWEST ALONG SAID RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 494 A DISTANCE OF SIXTY (60) FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED, BEING THE NORTHWEST CORNER OF THE PROPERTY ACQUIRED BY MONROE C. REYNOLDS FROM KENNETH Q. HINES DATED

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OCTOBER 9, 1954 AND RECORDED IN CONVEYANCE BOOK 472, PAGE 69, AS CORRECTED BY A CORRECTION DEED BETWEEN THE SAME PARTIES DATED APRIL 9, 1955, AND RECORDED IN CONVEYANCE BOOK 534, PAGE 230, RECORDS OF RAPIDES PARISH, LOUISIANA; FROM THIS POINT OF BEGINNING THUS ESTABLISHED, RUN EAST ON A LINE PARALLEL WITH THE NORTHERN BOUNDARY OF SAID PARISH ROAD AND ALONG THE NORTHERN BOUNDARY LINE OF THE PROPERTY ACQUIRED BY MONROE C. REYNOLDS FROM KENNETH G. HINES AS AFORESAID, AND GO EAST A DISTANCE OF ONE HUNDRED TWENTY (120) FEET TO THE NORTHEASTERN CORNER OF THE PROPERTY OF REYNOLDS; THENCE TURN TO THE LEFT AND RUN NORTHWEST ON A LINE PARALLEL WITH SAID STATE HIGHWAY NO. 494 A DISTANCE OF TWENTY-FOUR (24) FEET; THENCE TURN TO THE LEFT AND RUN WEST ON A LINE PARALLEL WITH SAID PARISH ROAD BACK TO THE EASTERN RIGHT-OF-WAY OF SAID STATE HIGHWAY NO. 494; THENCE TURN TO THE LEFT AND RUN SOUTHEAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF TWENTY-FOUR (24) FEET BACK TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; BEING A PORTION OF THE PROPERTY ACQUIRED BY MALCOLM E. WALL FROM W. E. THOMPSON, JR. BY DEED DATED MARCH 17, 1966, RECORDED IN THE CONVEYANCE RECORDS OF RAPIDES PARISH, LOUISIANA.

Postal Address:
647 HIGHWAY 454
PINEVILLE, LA 71360-1208

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 PAUL "DAMON" KIRK to purchase said property for the consideration of ONE Thousand FIVE HUNDRED SIXTY-SIX and 67/100 (\$1,566.67) Dollars 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 PAUL "DAMON" KIRK, whose current mailing address is P. O. Box 214, Deville, LA 71328-0214, for the offered consideration.

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

Section 1.

LOT FRTG 84 FEET ON HWY 454 X 120 FEET ON PARISH RD.
IN NW4 OF NE4 SEC 27 T3NR2E (200 IMP 1500)---(CB 534-230
HINES)(CB 846-378 WALL)

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FROM THE POINT WHERE THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 494 INTERSECTS THE NORTHERN RIGHT-OF-WAY LINE OF A PARISH ROAD RUNNING EAST AND WEST, AND RUN NORTHWEST ALONG SAID RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 494 A DISTANCE OF SIXTY (60) FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED, BEING THE NORTHWEST CORNER OF THE PROPERTY ACQUIRED BY MONROE C. REYNOLDS FROM KENNETH Q. HINES DATED OCTOBER 9, 1954 AND RECORDED IN CONVEYANCE BOOK 472, PAGE 69, AS CORRECTED BY A CORRECTION DEED BETWEEN THE SAME PARTIES DATED APRIL 9, 1955, AND RECORDED IN CONVEYANCE BOOK 534, PAGE 230, RECORDS OF RAPIDES PARISH, LOUISIANA; FROM THIS POINT OF BEGINNING THUS ESTABLISHED, RUN EAST ON A LINE PARALLEL WITH THE NORTHERN BOUNDARY OF SAID PARISH ROAD AND ALONG THE NORTHERN BOUNDARY LINE OF THE PROPERTY ACQUIRED BY MONROE C. REYNOLDS FROM KENNETH G. HINES AS AFORESAID, AND GO EAST A DISTANCE OF ONE HUNDRED TWENTY (120) FEET TO THE NORTHEASTERN CORNER OF THE PROPERTY OF REYNOLDS; THENCE TURN TO THE LEFT AND RUN NORTHWEST ON A LINE PARALLEL WITH SAID STATE HIGHWAY NO. 494 A DISTANCE OF TWENTY-FOUR (24) FEET; THENCE TURN TO THE LEFT AND RUN WEST ON A LINE PARALLEL WITH SAID PARISH ROAD BACK TO THE EASTERN RIGHT-OF-WAY OF SAID STATE HIGHWAY NO. 494; THENCE TURN TO THE LEFT AND RUN SOUTHEAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF TWENTY-FOUR (24) FEET BACK TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; BEING A PORTION OF THE PROPERTY ACQUIRED BY MALCOLM E. WALL FROM W. E. THOMPSON, JR. BY DEED DATED MARCH 17, 1966, RECORDED IN THE CONVEYANCE RECORDS OF RAPIDES PARISH, LOUISIANA.

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

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

(a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly “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 donee intends to be terminated has, to redeem the property, until the later of:

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

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shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

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

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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, shall 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 property 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 of which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.

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

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

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

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

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

THUS PASSED, APPROVED AND ADOPTED this 8th day of July, 2024.

On motion by Mr. Jay Scott, seconded by Mr. Ernest Nelson to delete from the Rapides Parish Public Works Asset/Inventory listing the following equipment and place for auction as requested by the Public Works Director:

Asset No	Description	Method of Disposal
10784	Printer	To be auctioned

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13270 Wheeled Off-Road Jack Equipment Returned
On vote the motion carried.

On motion by Mr. Danny Bordelon, seconded by Mr. Craig Smith to authorize Change Order No. 1 for Cotile Recreation Restroom Restoration Repairs, in the amount of \$57,248.03, to perform repairs to damaged roof framing at Comfort Station No. 4 and replace all plumbing fixtures, as recommended by the project engineer, Ballard CLC and Pan American Engineers, and authorize the Parish President to sign all necessary documents. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Parrish Giles to authorize the Purchasing Agent to receive price quotes and award to the lowest bidder for asphalt overlay for various roads in Road District 2B-2, District C, cost not to exceed \$240,000.00. Project to be funded by Road District 2B-2, District C. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Ernest Nelson to extend Bid No. 2993 – Roadside Open Ditch Maintenance for an additional twelve (12) months, beginning on June 28, 2024 – June 27, 2025, as requested by the Public Works Director and Purchasing Agent and approved by the participating Vendor and authorize the President to sign all necessary documents. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Craig Smith to enter into a contract with the Louisiana Department of Health, Central Louisiana Human Services District (CLHSD), for the Ninth Judicial District Court to provide (Patricia Koch) Behavioral Health Court services, for three (3) years at an amount of \$372,330.00 annually, with no cost to the Police Jury and authorize the President to sign necessary documents. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Danny Bordelon to review and discuss first floor entrance policy. Discussion ensued.

Mr. Bishop stated a meeting was held with Sheriff Mark Wood, Security Officers for the Rapides Parish Courthouse and Hon. Phillip Terrell and it was mutually decided to continue the current process but the security officers shall now perform random checks of briefcases and bags on authorized personnel entering the first floor of the Courthouse; and the Parish owns the Courthouse and firearms shall be prohibited except for authorized law enforcement personnel. On vote the motion carried.

On motion by Mr. Jay Scott, seconded by Mr. Danny Bordelon to declare Friday, July 5, 2024, as a parish holiday, in observance of Independence Day, in accordance with Proclamation 41 JML 2024 issued by Governor Jeff Landry on June 24, 2024. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Ernest Nelson to grant a 2% pay rate increase for one (1) full time firefighter at Rapides Parish Fire District No. 7 who does not meet the requirements for the state mandated annual 2% pay increase, as requested by the Ruby Kolin Volunteer Fire Department Board and Fire Chief. On vote the motion carried.

On motion by Mr. Parrish Giles, seconded by Mr. Craig Smith to receive the required

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report from Acadian Ambulance under the Contract for May, 2024:

Response Zone	Number of Responses	Required %	Compliance %
Alexandria - 8 minute	498	80%	88.76%
Pineville - 8 minute	151	80%	82.78%
Rapides - 12 minute	197	80%	87.82%
Rapides - 20 minute	205	80%	85.37%

On vote the motion carried.

On motion by Mr. Danny Bordelon, seconded by Mr. Joe Bishop to amend Parish Ordinance - Chapter 13 – Article I. Section 13-11 regulating the burning of materials in Rapides Parish. Discussion ensued.

On amended motion by Mr. Bubba Moreau, seconded by Mr. Ernest Nelson to add Parish Ordinance – Chapter 25 – Article I. Section 1-5 regulating the burning of materials in Rapides Parish.

ARTICLE I. OUTDOOR BURNING

Sec. 25-1. Prohibition against outdoor burning.

No person shall cause or allow the outdoor burning of waste material or other combustible material on any property owned by him or under his control within unincorporated areas of Rapides Parish, Louisiana except as provided in section 25-2.

Sec. 25-2. Exceptions to prohibition against outdoor burning.

- (a) Outdoor burning of waste material or other combustible material may be conducted in the situations enumerated below if no public nuisance is or will be created and if the burning is not prohibited. The burning shall be in compliance with other applicable laws and with regulations and orders of governmental entities having jurisdiction, including air control regulations and orders. The authority to conduct outdoor burning under this regulation does not exempt or excuse the person responsible from the consequences of or the damages or injuries resulting from the burning.
 - (1) The burning of leaves, grass, twigs, branches, and vines by a private property owner on his own property for non-commercial purposes, provided the property owner attends the burning of yard waste at all times.
 - (2) Outdoor burning in connection with the preparation of food.
 - (3) Campfires and fires used solely for recreational purposes or for ceremonial occasions, provided fire is attended.
 - (4) Fires purposely set to forest lands for a specific forest management purpose in accordance with practices acceptable to the Louisiana Forestry Commission.
 - (5) Fires purposely set to agricultural lands for a specific management purpose in accordance with practices acceptable to the Louisiana Department of Agriculture.
 - (6) Outdoor burning in a rural park or rural recreation area of trees, brush, grass and other vegetable matter for game management purposes in

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accordance with practices acceptable to the Louisiana Parks and Recreation Commission and the Louisiana Wildlife and Fisheries Commission.

- (7) Small fires, by tradesmen and contractors, in such activities as street repair, installation or repair of sewer, water, electric, telephone mains, and services.
- (8) The operation of contrivances using open flames such as welding torches, blow torches, portable heaters, and other flame making devices.
- (9) Outdoor burning, in other than rural park or rural recreation areas, of trees, brush, grass, and other vegetable matter from such area in land clearing and right-of-way maintenance operation **only if the following conditions are met:**
 - a. **Prevailing winds at the time** of the burning must be away from any city or town, the ambient air of which may be affected by smoke from the burning;
 - b. The location of the burning must be at least **100 feet from any dwelling** other than a dwelling or structure located on the property on which the burning is conducted;
 - c. Heavy oils, asphaltic materials, items containing natural or synthetic rubber, or any materials other than plant growth which produce unreasonable amounts of **smoke may not be burned, nor may these substances be used to start a fire;**
 - d. The burning may be conducted only between **the hours of legal sunrise and legal sunset**, and piles of combustible material should be of such size to allow complete reduction in this time interval;
 - e. The burning must be controlled so that a **traffic hazard is not created as prohibited** by section 25- 3.
- (10) Fires purposely set as a part of an organized program of drills for the training of firefighting personnel or for testing firefighting materials or equipment if the following conditions are met:
 - a. The duration of the burning is held to the minimum required for such purposes;
 - b. The burn is controlled so that a traffic hazard is not created as prohibited by section 25-3.
- (11) Outdoor burning of waste hydrocarbon products from petroleum exploration, development or production companies, natural gas processing, such as, but not limited to, basic sediments, oil produced in testing an oil well, and transport of the waste products for sale or reclamation or to dispose of them lawfully in some other manner. In addition, hydrocarbons spilled or lost from pipeline breaks or other transport failures which cannot practicably be recovered or be disposed of lawfully in some other manner, may be outdoor burned at the site where the spill occurred or at another place due to safety considerations. Except

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when the immediate or continuous burning of hydrocarbon spills is reasonably necessary to abate or eliminate an existing or imminent threat of injury to human life or significant damage to property, the outdoor burning shall be conducted under the following conditions:

- a. The location of the burning must be one hundred (100) feet from any residence and/or not adjacent to a city or town or in such proximity thereto that the ambient air of the city or town may be affected by smoke from the burning;
- b. The burning is conducted only between the hours of legal sunrise and legal sunset;
- c. The burning is controlled so that a traffic hazard is not created as prohibited by section 25-3.

Sec. 25-3. Traffic hazards prohibited.

The emission of smoke, suspended particulate matter or uncombined water or any air contaminants or combinations thereof which passes onto or across a public road and creates a traffic hazard by impairment of visibility or intensifies an existing traffic hazard condition is prohibited.

Sec. 25-4. Penalties.

Anyone who shall violate any provision of this article or fail to comply with any order made thereunder shall severally for each such violation and noncompliance be guilty of a misdemeanor and punishable by a fine not to exceed five hundred dollars (\$500.00), or imprisonment not exceeding sixty (60) days, or both. The imposition of one penalty for any violation shall not excuse the violation nor permit it to be continued, and all such persons shall be required to correct or remedy such violation. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Any fire department or other governmental entity having jurisdiction may extinguish a fire or remove a condition that is in violation of this article.

Sec. 25-5. Authority to impose restrictions.

- (a) The authority to impose restrictions on any activities outlined in the provisions of this article as a result of drought conditions shall rest with the police jury through its president and shall be placed only when the president of the police jury, after consultation with officials located within the state and/or parish who are experienced in matters of climatology, meteorology, forestry, fire, and/or public safety, and shall be based on recognized indexes of the National Weather Service, declares that existing drought conditions warrant said restrictions, with such declaration to be ratified by the full police jury at its next regular or special meeting following the issuance of the declaration.
- (b) Restrictions placed pursuant to this section include, but are not limited to, outdoor burning activities and any other measures to ensure citizens' health and safety. Restrictions may be placed parish wide or limited to certain districts within the parish.
- (c) Restrictions shall be imposed and established by a written "Notice of Restrictions Due to Existing Drought Conditions," with such notice being in accordance with provisions of the Louisiana Emergency Assistance and Disaster Act of 1993, and shall be published in the official journal and disseminated through a press release to all available news media, and which

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shall describe the conditions necessitating the restrictions, the type of restrictions imposed, the effective date of the restrictions, the length of time said restrictions are to remain in effect, not to exceed thirty (30) days, and the areas of the parish covered by the restrictions. Subsequent notices extending the restrictions may be executed without limitations. A "Notice of Restrictions Due to Existing Drought Conditions" shall cease to be effective and thus revoke upon expiration of its term, or by written declaration by the president of the police jury with reasons for revocation, or upon failure of the police jury to ratify the president's actions.

- (d) This section shall not apply to prescribed burns by the Department of Agriculture and Forestry, those trained and certified by the Department of Agriculture and Forestry, or by those who conduct prescribed burning as a "generally accepted agricultural practice" as defined by the Louisiana Right to Farm and Forest Act.
- (e) Parish fire departments are empowered to extinguish all fires that are in direct violation of a "Notice of Restrictions Due to Existing Drought Conditions" or State issued burn ban.
- (f) Penalties for violation of a "Notice of Restrictions Due to Existing Drought Conditions" or State issued burn ban, shall be in accordance with section 25-4.
- (g) **State burn ban.** Any burn ban imposed by the state fire marshal's office shall supersede this section and shall remain in effect until lifted by the state fire marshal's office.

Thus done and adopted on this 8th day July, 2024.

On motion by Mr. Bubba Moreau, seconded by Mr. Craig Smith the following item(s) were placed on the Jury but were posted on the agenda after the Committee Meeting in compliance with the public meetings law and are confirmed as having been added to the agenda by 2/3rds vote:

YEAS: Craig Smith, Danny Bordelon, Parrish Giles, Ernest Nelson, Davron "Bubba" Moreau and Joe Bishop

NAYS: None

ABSTAIN: None

ABSENT: Oliver "Ollie" Overton, Jr. and Sean McGlothlin

On roll call vote the motion carried 7-0.

Ms. Fran Phoenix discussed the deplorable conditions of Kellyland Subdivision and asked for the Jury to contact the landowners and enforce the ordinances for code enforcement. Mr. Greg Jones stated he would contact the Parish Code Enforcement Officer and visit the area on Tuesday, July 9th to see the condition of the neighborhood. He stated this has been an ongoing issue and he has visited the area many times with Mr. Jay Scott. Mr. Scott stated letters have been sent out to property owners and he is aware of the conditions that Ms. Phoenix has mentioned.

On motion by Mr. Parrish Giles, seconded by Mr. Danny Bordelon to hold a public hearing on Monday, August 12, 2024 at 3:00 p.m. at its regular meeting place, the Police Jury Room of the Rapides Parish Courthouse, 701 Murray Street, 2nd Floor, Alexandria, Louisiana, the Police Jury of the Parish of Rapides, State of Louisiana,

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plans to consider adopting a resolution ordering and calling special elections to be held in (i) the Parish of Rapides, State of Louisiana, (Renaissance/Senior Citizen) (ii) Road District No. 3-A Maintenance of the Parish of Rapides, State of Louisiana and (iii) Fire Protection District No. 10 of the Parish of Rapides, State of Louisiana, to authorize the renewal or continuation ad valorem taxes therein. On vote the motion carried.

On motion by Mr. Parrish Giles, seconded by Mr. Bubba Moreau to notify the Louisiana Department of Economic Development (“Department”) of the following action by RAPIDES PARISH POLICE JURY pursuant to §503(H)(1) of the Industrial Tax Exemption Program Rules: The Procter & Gamble Manufacturing Company Industrial Tax Exemption application #20210324-ITE has been placed on the August 12, 2024 agenda for a public meeting of RAPIDES PARISH POLICE JURY, notice of which is attached hereto, thus hereby requesting an additional 30 days to take action on the application. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Craig Smith to notify the Louisiana Department of Economic Development (“Department”) of the following action by RAPIDES PARISH POLICE JURY pursuant to §503(H)(1) of the Industrial Tax Exemption Program Rules: The Procter & Gamble Manufacturing Company Industrial Tax Exemption application #20190515-ITE has been placed on the August 12, 2024 agenda for a public meeting of RAPIDES PARISH POLICE JURY, notice of which is attached hereto, thus hereby requesting an additional 30 days to take action on the application. On vote the motion carried.

On motion by Mr. Jay Scott, seconded by Mr. Craig Smith to authorize Ms. Rita G. Lachney, 166 Craig Road, Libuse, LA 71360, as a Hardship Case. Proper certification has been received. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Ernest Nelson to announce the holding of a Public Hearing for project announcement for the Hometown Revitalization Program and Resilient Communities Infrastructure Program to be held on Monday, August 12, 2024. Public hearing will be held at the Rapides Parish Police Jury Room, 701 Murray Street, 2nd Floor, Suite 201, Alexandria, LA 71301 at 3:00 p.m. On vote the motion carried.

There being no further business, motion by Mr. Craig Smith, seconded by Mr. Ernest Nelson the meeting was adjourned at 3:39 p.m.

Theresa Pacholik, Secretary/Treasurer
Rapides Parish Police Jury

Joseph “Joe” Bishop, President
Rapides Parish Police Jury