

RAPIDES PARISH POLICE JURY
REGULAR SESSION
OCTOBER 14, 2019

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, October 14, 2019, at three (3:00) o'clock p.m. (Central Standard Time).

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

Also present were Mr. Bruce Kelly, Treasurer; Mr. Dennis Woodward, Public Works Director; Mr. Shane Trapp, Courthouse Building Superintendent; Ms. Donna Andries, Sales & Use Tax Administrator; Chief Joseph Glorioso, Fire District No. 2; Ms. Sonya Wiley-Gremillion, OHSEP Director; Ms. Elaine Morace, WIA Operations Director; Ms. Linda Sanders, Civil Service Director; Mr. Greg Jones, Legal Counsel and Ms. Laurel Smith, 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. Theodore Fountaine, Jr., President, who welcomed all present and then stated that the Police Jury was ready for the first item of business.

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

On motion by Mr. Richard Billings, seconded by Mr. Sean McGlothlin, to adopt the minutes of Rapides Parish Police Jury held in Regular Session on September 9, 2019, as published in the Official Journal. On vote the motion carried.

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

The next item on the agenda was the appointments to be announced as follows:

***Appointment to Sewerage District No. 1 Board for a four (4) year term to fill the expiring term of Mr. Ronald Welch. Term will expire December 14 2019.

***Appointment to the Ward 9 Recreation District Board for a five (5) year term to fill the expiring term of Mr. Jason DeWitt. Term will expire November 8, 2019.

***Appointment to the Waterworks District 11A Board for a five (5) year term to fill the expiring term of Mr. Jim Atkins. Term will expire November 8, 2019.

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On motion by Mr. Richard Vanderlick, seconded by Mr. Craig Smith, to waive the thirty (30) day announcement rule and reappoint Mr. Ronald Welch to the Sewerage District No. 1 Board for a four (4) year term. Term will expire December 14, 2023. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Craig Smith, to waive the thirty (30) day announcement rule and reappoint Mr. Jim Atkins to the Waterworks District 11A Board for a five (5) year term. Term will expire November 8, 2024. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Vanderlick, the following motion was presented and unanimously adopted:
Sale of Adjudicated Property

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL
TO: Samuel Williams
FOR THE
CONSIDERATION OF \$2,860.64 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 situated and all rights, way and privileges thereon appertaining, being, lying and situated in Rapides Parish, Louisiana, and being Lot Eleven (11) of Square Twenty-One (21) of the Race Tack Addition to the City of Alexandria, records of Rapides Parish, Louisiana.

Municipal Address of the Property: 1825 Reed Avenue, 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 Samuel Williams of Alexandria, to purchase said property for the consideration of \$2,860.64 (Two thousand eight hundred sixty dollars and sixty-four cents) 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 Samuel Williams, 105 South Bend Drive, Lufkin, TX, 75901, 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 situated and all rights, way and privileges thereon

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appertaining, being, lying and situated in Rapides Parish, Louisiana, and being Lot Eleven (11) of Square Twenty-One (21) of the Race Tack Addition to the City of Alexandria, records of Rapides Parish, Louisiana.

Municipal Address of the Property: 1825 Reed Avenue, 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 State's set forth by the names of identified entities

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

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

(a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly "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 "proces verbal");

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

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

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

(a) Sixty days, for property on which a tax sale certificate (formerly "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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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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 14th day of October, 2019.

On motion by Mr. Joe Bishop, seconded by Mr. Scott Perry, to delete from the Rapides Parish Fire District No. 14 Asset/Inventory Program, the equipment listed below, as it is no longer suitable for public use:

Asset Number	Description	Disposal
11167	Dash Mount Camera SN# 5377H1110C92315 Purchased in 2014	Scrap – to be auctioned
9538	Projector – Apollo Purchased in 2003	Scrap – to be auctioned

On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Richard Billings, to delete from the Rapides Parish Sales and Use Tax Asset/Inventory Program the equipment listed below as it is no longer suitable for public use:

Asset Number	Description	Disposal
11268	Vending Machine – Seaga Purchased in 2015	Scrap

On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Richard Vanderlick, to delete from the Rapides Parish Fire District No. 11 Asset/Inventory Program the equipment listed below as it is no longer suitable for public use:

Asset Number	Description	Disposal
9695	Spreader for Jaws of Life Purchased in 2004	Scrap
9696	Cutter for Jaws of Life Purchased in 2004	Scrap
9697	Hose for Jaws of Life – 30ft. Purchased in 2004	Scrap
9698	Ram Kit for Jaws of Life Purchased in 2004	Scrap

On vote the motion carried.

The following resolution was offered by Mr. Richard Billings, seconded by Mr. Scott Perry, at a meeting of the Rapides Parish Police Jury held on the 14th day of October, 2019, in Alexandria, Louisiana.

WHEREAS, the Rapides Parish Police Jury (hereafter referred to as the “Police Jury”) collects, administers and enforces the sales and use tax ordinances and the hotel-motel occupancy tax ordinances in effect in Rapides Parish, Louisiana, and is governed by the Uniform Local Sales Tax Code (ULSTC) adopted as Act 73 of 2003, and other laws. As such, the Police Jury is the single collector of all hotel-motel occupancy, sales and use taxes for all local taxing authorities within Rapides Parish, and

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WHEREAS, on April 8, 2019, the Police Jury voted and unanimously passed a Resolution offered by Mr. Ollie Overton and seconded by Mr. Craig Smith (the "Resolution") hiring Drew M. Talbot, Attorney at Law, LLC d/b/a Rainer Anding & Talbot of Baton Rouge, Louisiana (hereafter, the "Law Firm"), as special outside counsel to represent the Police Jury in various sales and use tax matters, and

WHEREAS, since April 8, 2019 and pursuant to the Resolution, the Police Jury has regularly and consistently employed Law Firm in accordance with its Resolution and paid Law Firm at the hourly rate per billable hour in compliance with the Louisiana Attorney General fee schedule for private outside counsel on all sales and use tax matters assigned to Law Firm, and

WHEREAS, it is deemed necessary by the Police Jury that it must separately retain Law Firm as special counsel with expertise in hotel-motel occupancy, sales and use tax law to represent it and provide general legal advice, consultation and representation in pursuit of Parish sales and occupancy taxes owed by certain online travel companies ("OTC's"), and

WHEREAS, because of the specialized nature of the above captioned ordinances and other laws and the specialized nature of sales and use tax litigation, as well as the size and sophistication of the OTC's and significant discovery and legal work required to obtain a judgment in the Police Jury's favor and against the OTC's, a real necessity exists for the separate employment of special counsel to represent the Police Jury on a contingency fee basis with the Police Jury finding that it is not economical or in the Police Jury's best interests for it to pursue taxes owed by the OTC's under the standard hourly fee plus expenses contract with Law Firm, and

WHEREAS, it is the desire of the Police Jury to separately retain Law Firm as special outside counsel to identify and collect any Rapides Parish sales and hotel-motel occupancy taxes owed by the OTC's because Law Firm has a special expertise and experience in prosecuting and defending occupancy, sales and use tax cases, in pursuing the OTC's on behalf of other Parishes in similar and ongoing litigation, and in providing local occupancy, sales and use tax legal advice to local taxing authorities such as the Police Jury and the taxing authorities it represents, and to retain the services of the said Law Firm pursuant to the applicable provisions of the sales and use tax statutes of the State of Louisiana and the above referred to ordinances in effect in Rapides Parish, Louisiana, and

NOW THEREFORE BE IT RESOLVED that the Law Firm be and is hereby employed by the Police Jury as special counsel with specific reference to identify and pursue collection of any and all Rapides Parish sales and occupancy taxes owed to the Police Jury by the OTC's, and to interpret and apply all occupancy, sales and use tax statutes and ordinances to provide legal representation to the Police Jury and to undertake the prosecution and/or defense of any legal proceedings involving hotel-motel occupancy tax and sales and use tax matters against the OTC's, and that the fee of said Law Firm for this limited task with respect to the OTC's is to be the contingency fee plus reimbursement of reasonable costs and expenses with such terms and conditions more specifically set forth in the proposed Professional Services Agreement annexed hereto, subject to the approval of the Louisiana Attorney General's office, to be paid only in the event of

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a successful identification and collection of Rapides Parish hotel-motel occupancy and sales and use taxes from the OTC's.

BE IT FURTHER RESOLVED that neither the Police Jury nor the Law Firm shall have the authority to discontinue, dismiss, compromise, or otherwise dispose of a hotel-motel occupancy and sales and use tax claim against any OTC owing taxes to the Police Jury without the concurrence of both the Police Jury, or its duly authorized representative, and the Law Firm.

THE FOREGOING having been submitted to a vote, and a quorum being present, and by majority vote in favor thereof, the foregoing resolution was declared adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Alexandria, Louisiana, on this 14th day of October, 2019.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to authorize to advertise for Rapides Parish Fire District No. 9 the purchase of a Used Water Truck, as requested by the Fire Chief. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Joe Bishop, 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 2018, and authorize Bruce Kelly, Treasurer, to issue said quietus.

RESOLUTION

WHEREAS, William E. Hilton, Tax Collector, has exhibited to the Rapides Parish Police Jury satisfactory evidence that all taxes due to the Parish governing authority shown on the ad valorem tax rolls of Rapides Parish for the year 2018 have been paid or accounted for, and

WHEREAS, the said Rapides Parish Police Jury has by resolution, a copy of which is annexed hereto, authorized me to issue this quietus on behalf of the Rapides Parish Police Jury in favor of the said William E. Hilton, Tax Collector, and against any claim on the part of the Rapides Parish Police Jury for the ad valorem taxes of the year 2018.

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

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

NAYS: None

ABSENT: None

ABSTAIN: None

And the resolution was declared adopted on this the 14th day of October 14, 2019.

QUIETUS

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WHEREAS, William E. Hilton, Tax Collector, has exhibited to the Rapides Parish Police Jury satisfactory evidence that all taxes due to the Parish governing authority shown on the ad valorem tax rolls of Rapides Parish for the year 2018 have been paid or accounted for, and

WHEREAS, the said Rapides Parish Police Jury has by resolution, a copy of which is annexed hereto, authorized me to issue this quietus on behalf of the Rapides Parish Police Jury in favor of the said William E. Hilton, Tax Collector, and against any claim on the part of the Rapides Parish Police Jury for the ad valorem taxes of the year 2018.

Thus done and unanimously adopted the 14th day of October, 2019.

On motion by Mr. Bubba Moreau, seconded by Mr. Craig Smith, of Intent to Sell the following Abandoned/Adjudicated Properties:

Tax Debtor	Description
Felicia Dauzat	Part of Lot 6, Square 12, Welch Addition being 50' on Shirland Avenue X 67' as recorded in Conveyance Book 1420, Page 703 and Adjudicated to Parish in 2013 and the City of Alexandria in 2013 Bearing the municipal address of: 1520 Shirland, Alexandria, LA

Dorothy Fred Lucas	Lot Seventeen (17) of Square Twenty-One (21), South Alexandria Land Company, LTD's Addition Bearing the municipal address of: 1124 Vance Avenue, Alexandria, LA
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On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Joe Bishop, to reallocate the tax proceeds from the Sales Tax District No. 3 tax election of April 11, 2011, to be reallocated annually every year in July, according to the population estimates as submitted to the Treasurer of the State of Louisiana by the LSU AgCenter, Department of Agricultural Economics and Agribusiness and Dr. Troy C. Blanchard, from the LSU Department of Sociology also referred to as the Federal/State Cooperative Population. The Federal/State Cooperative Population study dated July 1, 2015 to be used to reallocate provides the following population estimates:

<u>Rapides Parish</u>	131,306
Town of Ball	4,000
Town of Boyce	1,004
Town of Cheneyville	625
Village of Forest Hill	841
Town of Glenmora	1,440
Town of Lecompte	1,248
Village of McNary	211
Village of Woodworth	1,764
City of Pineville	14,555
City of Alexandria	48,138

On vote the motion carried.

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The next item on the agenda was to receive an update from Mr. Brad Smith and Mr. Del Huddleston of Huddleston Smith on the Jury investments.

Mr. Del Huddleston of Huddleston Smith, stated the portfolio is a little over \$5,000,000. Of the \$5,000,000, about \$3,100,000 is in US Government and US Agency Bonds. Cash of approximately \$1,900,000 in Government money bonding. On the bonds, our current yield is approximately 1.67% and the money market government funds is approximately 1.2%. Mr. Huddleston further explained the portfolio.

Mr. Ollie Overton stated he appreciated the report, but he would like to see something in writing and a quarterly report would be good, to which Mr. Huddleston stated he would gladly come back on a quarterly basis to give an update.

Questions and answers ensued.

On motion by Mr. Richard Vanderlick, seconded by Mr. Scott Perry, to renew the United Healthcare Insurance with a 9% increase and authorize the President to sign the renewal contract.

Mr. Fountaine questioned Mr. Kelly who was picking up the 9% increase, to which Mr. Kelly stated before the end of this year, the Jury is going to have to tell him what the split is. He stated he had given out numbers at the last meeting of how much the current employee pays and how much the employer pays. The Jury will have to decide whether to pass it on to the employee or if the Jury wants to pick it up. What he is asking, before this time next month, he will have budget numbers and you can see if the budget can handle it.

Mr. Perry stated the letter that was received by everyone stating that there was a somewhat rebate given back to the employer, to which Mr. Kelly stated he did get a rebate based on the Affordable Care Act, where it says if an insurance company doesn't spend this amount, then they rebate it back. We got \$150,000 back. Mr. Billings stated he would like to see, if there is any way possible, the Police Jury pick up the increase, because we don't have ways to give our employees raises.

Mr. Joe Bishop stated he would like for the President to appoint a committee to work with Mr. Bruce Kelly on this and bring a recommendation back to the Jury.

On vote the motion carried.

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

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTION 18-4.2
(I) SPEED LIMITS SO AS TO SET A 15 MPH SPEED LIMIT ON
SAYES ROAD, WARD 11, DISTRICT C

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this 14th day of October, 2019, that Section 18-4.2 (i) of the Rapides

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Parish Code of Ordinances is hereby amended and reenacted to set a 15 mph speed limit on the following road in District C, Ward 11 as follows:

Chapter 18. MOTOR VEHICLES AND TRAFFIC

Section 18-4.2. Speed limits designated on certain streets:

(i) Fifteen miles per hour. It shall be unlawful for any person to drive or operate a vehicle upon the following parish road in Rapides Parish in excess of fifteen (15) miles per hour.

...Saves Road, Ward 11, District C

(l). Whoever violates the provisions of this section shall be punished by a fine not to exceed one hundred dollars (\$100.00), or imprisoned in the Rapides Parish Jail for a period not to exceed thirty (30) days, or both.

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

BE IT FURTHER ORDAINED in all other respects Section 18-4.2 of the Rapides Parish Code of Ordinances shall remain unchanged.

BE IT FURTHER ORDAINED that the Parish Highway Department is hereby authorized to erect the speed limit signs on the Road.

THUS DONE AND SIGNED on this 14th day of October, 2019.

On motion by Mr. Bubba Moreau, seconded by Mr. Richard Billings, the following resolution was presented and unanimously adopted:

RESOLUTION

WHEREAS, the Code of Federal regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and,

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of Rapides Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Rapides Parish.

THEREFORE, BE IT RESOLVED by the governing authority of Rapides Parish (herein referred to as the Parish) that the Parish in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for the period October 1, 2018 through September 30, 2019:

1. The Parish has performed all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.

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2. All bridges owned or maintained by the Parish have been structurally analyzed and rated by the Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.

3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.

4. All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the LA DOTD are noted.

These stipulations are prerequisites to participation by the Parish in the Off-System Bridge Replacement Program.

THUS DONE AND ADOPTED this 14th day of October, 2019.

On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, to adopt a resolution affirming that the Rapides Parish Police Jury will construct, maintain during construction, and remove the low profile runaround required for the Dixie Church Road bridge replacement, State Project #H.011531, as recommended by the Public Works Director, copy of the resolution to be sent to LDOTD Off-System Bridge Replacement Program Manager. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, to adopt an ordinance to amend and reenact Section 20-7 (b)(1) Hardship Cases, so as to increase the maximum monthly income of home owners who qualify from \$1,300.00 to \$1,450.00 per month, effective immediately.

Roll call vote was as follows:

YEAS: Davron "Bubba" Moreau, Oliver "Ollie" Overton, Richard Billings, and Scott Perry, Jr.

NAYS: Joe Bishop, Craig Smith, Richard Vanderlick, Sean McGlothlin and Theodore Fontaine, Jr.

ABSENT: none

On roll call vote the motion failed 5-4.

On motion by Mr. Richard Billings, seconded by Mr. Richard Vanderlick, to authorize the Public Works Director to hire two (2) additional Laborers to operate pothole patchers, to be paid from the Road & Bridge Salary line item. On vote the motion carried. Mr. Sean McGlothlin voted nay.

On motion by Mr. Sean McGlothlin, seconded by Mr. Richard Vanderlick, to authorize the President to sign resolutions of support for applicants of the

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Louisiana Watershed Initiative Regional Capacity Building Grant Program as follows:

- a. Region 1: Northwest Louisiana Council of Governments
- b. Region 2: Kisatchie-Delta Regional Planning and Development District (supported by RAPC)
- c. Region 4: Calcasieu Parish
- d. Region 5: Acadiana Planning Commission

On vote the motion carried.

On motion by Mr. Sean McGlothlin, seconded by Mr. Richard Vanderlick, the following resolution was presented and unanimously adopted:

RESOLUTION
SUPPORTING REGIONAL CAPACITY BUILDING
IN LOUISIANA WATERSHED INITIATIVE
PROVISIONAL WATERSHED AREA 2

WHEREAS, the Louisiana State Watershed Initiative was formed in order to coordinate statewide floodplain management efforts through a watershed management approach in response to the 2016 Great Floods and in preparation for future storm and flood events. This coordination includes outreach with local communities to build support for watershed region management approaches that can more effectively address mounting water risks statewide and to build capacity for technical resources to support such; and

WHEREAS, coordination among regional partners is critical to reducing flood risk and preserving the health, safety, and welfare of the residents of Rapides Parish; and

WHEREAS, the Louisiana Watershed Initiative has requested applications for participation in a Regional Capacity Building Grant Program, which may enable the provision of technical assistance to Rapides Parish Police Jury and its regional partners if awarded, thereby furthering immediate watershed management and flood risk reduction goals; and

WHEREAS, the Rapides Parish Police Jury is in agreement with Kisatchie-Delta Regional Planning & Development District, working in conjunction with the Rapides Area Planning Commission, for the purpose of applying for grant funding and acting in support of watershed region management activities and in conjunction with the State of Louisiana Watershed Initiative for HUC8 Provisional Watershed Area 2 and in furtherance of collaboration and cooperation amongst the parishes and communities of said area.

NOW, THEREFORE, BE IT RESOLVED, that the Rapides Parish Police Jury approves Kisatchie-Delta Regional Planning & Development District, working in conjunction with the Rapides Area Planning Commission, for the purpose of applying for grant funding and acting in support of watershed region management activities and in conjunction with the State of Louisiana Watershed Initiative for HUC8 Provisional Watershed Area 2.

The resolution was declared to be adopted on this the 14th day of October, 2019.

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On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, to authorize the Public Works Director to hire up to 2 additional seasonal workers at the rate of \$9.00 per hour to be paid from the Road & Bridge Salary line item and to retain up to 5 seasonal workers after October 31, 2019 to temporarily fill in for vacant positions at the Rapides Parish Highway Department. On vote the motion carried.

The next motion was to receive an update from Mr. Greg Jones, Legal Counsel concerning the variance request to grant approval to Holiday Estates Re-Subdivision of Lot 30, Lot 30B-variance from 1.00 acre minimum requirement for lots in a subdivision, and a variance requested from requirement to have signatures of all property owners on final plat; without a recommendation by the Rapides Area Planning Commission, approved by the Public Works Director, pending Legal Counsel review and authorize signing of the plat.

Mr. Greg Jones stated as he requested, MS & EF, LLC has presented paperwork concerning their application for these variances on Friday. Today, the owners of the Homeowners Association dropped off a batch of paperwork. I would like to note that MS & EF, LLC filed a petition and document with Rapides Area Planning Commission. However, this has come to the Police Jury without a recommendation from RAPC. There is a significant amount information.

Mr. Ollie Overton stated he preferred it to go back to RAPC, which Mr. Jones stated traditionally that is how most come, with a recommendation to the Jury.

Mr. Richard Billings stated he agreed. Instead of RAPC making the decision and giving a recommendation, let them bring it back to Mr. Jones and let him report with a recommendation.

Mr. Matt Johns, Director of RAPC stated it was the motion of the Board to send it without a recommendation. This was an odd situation. Because of the disparity between the two sides, that is the reason the Board decided to send it without a recommendation. If the Jury wants to send it back, we will put it on the agenda for the next meeting.

Discussion ensued.

Mr. Greg Jones stated shortly before the meeting, he did talk to RAPC's Legal Counsel and he said, if it was sent back to the RAPC Council and put on their agenda, he would work with the Director to give some kind of an opinion.

Mr. Fountaine let the homeowners and the realtor express their views and informed them that it would be sent back to RAPC.

Discussion ensued.

On motion by Mr. Ollie Overton, seconded by Mr. Sean McGlothlin, to turn the motion pertaining to the variance of Holiday Estates Re-Subdivision of Lot 30, Lot 30B, back over to the Rapides Area Planning Commission and after consideration, for them to bring a recommendation back to Legal Counsel who will then bring back a recommendation to the Jury. On vote the motion carried. Mr. Richard Vanderlick voted nay.

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On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, to authorize Mr. Derrick Wade Fee, 9775 Highway 112, Glenmora, LA 71433, District H, as a Hardship Case. (Pending proper paperwork) On vote the motion carried.

On motion by Mr. Scott Perry, seconded by Mr. Craig Smith, to ratify the acceptance of Substantial Completion of Bid # 2699 (Renovations for Munsterman/Lawyers Building) and the authorization for the Parish Treasurer to sign the necessary documents. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry, to ratify authorization for the public auction that was held on September 14, 2019. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Richard Vanderlick, to accept the dedication of right-of-way on Heaven's Reach, per plat by Jerry L. Richey, dated September 10, 2019, as shown in the original plat of the South Pines Subdivision, as recommended by the Public Works Director, pending approval of the Rapides Area Planning Commission and Legal Counsel. On vote the motion carried.

On motion by Mr. Scott Perry, seconded by Mr. Craig Smith, to abandon the west 170 feet of the right-of-way on Orleans Place (Ward 8, District I), per the request of Practice Management Partners, LLC, the owner of all the adjacent property, as recommended by the Public Works Director subject to the approval of the Rapides Area Planning Commission and Legal Counsel. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Craig Smith, to authorize to advertise to receive proposals for the cleaning of the Dome of the Rapides Parish Coliseum. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Joe Bishop, to authorize the President to sign a contract between the Rapides Parish Police Jury and the Louisiana Workforce Commission for the LaJET program, in the amount of \$195,848.00, for the fiscal year October 1, 2019 through September 30, 2020, and authorize the Treasurer to amend the budget as necessary. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Richard Billings, to accept a Volunteer Fire Assistance grant administered by the Louisiana Department of Agriculture and Forestry for \$6,786 for Fire District No. 16. The purpose of this U.S. Forest Service grant is to assist rural fire departments in building their firefighting capacities. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Craig Smith, to adopt a resolution that the President is authorized to execute and file an application with the Louisiana Department of Transportation and Development for a grant under 49 CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program. The resolution is as follows:

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WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by Rapides Parish Police Jury:

1. That the President, Theodore Fontaine, Jr., is authorized to execute and file an application on behalf of Rapides Parish Police Jury with the Louisiana Department of Transportation and Development, to aid in the financing of operating and/or capital assistance projects pursuant to the Rural Public Transit Program, 49 CFR 5311 and/or the Discretionary Capital Program, 49 CFR 5309.
2. That the President, Theodore Fontaine, Jr., is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the President, Theodore Fontaine, Jr., is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.
4. That the President, Theodore Fontaine, Jr., is authorized to set and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the President, Theodore Fontaine, Jr., is authorized to execute grant contract agreements on behalf of Rapides Parish Police Jury with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. The resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

THUS DONE AND ADOPTED on this 14th day of October, 2019.

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On motion by Mr. Bubba Moreau, seconded by Mr. Craig Smith, to adopt a resolution to the LA DOTD, Division of Administration, to provide funds for Airport Improvements, Capital Improvement Program Application for State Assistance; certify all servitudes and titles are valid and indefeasible, hold the State harmless for any projects under the Program and authorize the President to sign subsequent related documents required by FAA and the State, as requested by the Esler Airport Manager. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Ollie Overton, to accept a donation of office furniture from USDA Farm Service Agency. On vote the motion carried.

On motion Mr. Scott Perry, seconded by Mr. Joe Bishop, to authorize Ms. Wanda Scott, 17 Kilkenny Street, Alexandria, to block off one block of Kilkenny Street, Halloween night, to host a Halloween Party for the children in the neighborhood. Copy of this resolution sent to Rapides Parish Sheriff Office and Fire District No. 2. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry, the following resolution was presented and unanimously adopted:

RESOLUTION IN SUPPORT OF THE 2020 UNITED STATES CENSUS

WHEREAS, the Constitution of the United States of America requires that a census be taken every 10 years, with the first census having taken place in 1790, and the next census to take place in 2020; and

WHEREAS, Rapides Parish is committed to ensuring that every resident is counted; and

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data; and

WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for the accurate and fair redistricting of state legislative seats, parish and city Police Jurys, and voting districts; and

WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

WHEREAS, the information collected by the census is confidential and protected by law; and

WHEREAS, Parish President Theodore Fountaine, Jr. has appointed a Complete Count Committee and has designated a Chairperson and Liaison to work with the community and the US Census Bureau to ensure a complete and accurate count of all persons within Rapides Parish, Louisiana;

NOW, THEREFORE, BE IT RESOLVED, that the Rapides Parish Police Jury supports the goals and ideals of the 2020 Census, pledges support of the US

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Census Bureau and Rapides Parish Administration efforts to disseminate 2020 Census information, and encourage all people in Rapides Parish to participate in events and initiatives that will raise awareness of the 2020 Census and increase participation among populations.

This resolution was declared adopted on this 14th day of October, 2019.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry, to authorize Legal Counsel to create a policy to allow Rapides Parish Fire Departments to bill companies for Hazmat and accident reimbursement, as per state law. On vote the motion carried.

On motion by Mr. Joe Bishop, seconded by Mr. Craig Smith, to waive the insurance requirements for the sewer effluent discharge permit at 142 Nally Drive, Pineville, for Mr. Ken Vonesh, pending approval by the Rapides Area Planning Commission and Public Works Director. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Craig Smith, to reappoint Mr. Ricky Roy to the Gas Utility District No. 2 Board, for a five (5) year term. Term will expire October 11, 2024. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Craig Smith, to reappoint Mr. Bob Stevens to the Gas Utility District No. 2 Board for a five (5) year term. Term will expire October 11, 2024. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, to reappoint Mr. Mark Scarber to the Gas Utility District No. 2 Board for a five (5) year term. Term will expire October 11, 2024. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, to reappoint Mr. Chris LaCombe to the Gas Utility District No. 2 Board for a five (5) year term. Term will expire October 11, 2024. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Ollie Overton, to add an additional Maintenance Position, for Fire Protection District No. 11 and to amend the Organizational Chart, at the rate of pay of \$10.18 per hour, effective October 15, 2019, as recommended by the Spring Creek Community Volunteer Fire District Board of Directors, to be paid out of Fire District No. 11 Funds. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to reappoint Mr. Will Cummings to the Ward 10 Recreation District for a five (5) year term. Term will expire October 9, 2024. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to appoint Ms. Idell Norman and Mr. Ronald Dorsey to the Alexandria Central Economic Development District Board. Years and terms to be determined at first meeting. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to receive the required report from Acadian Ambulance under the Contract for August, 2019:

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Response Zone	Number of Responses	Required %	Compliance %
Alexandria - 8 minute	581	80%	88.12 %
Pineville - 8 minute	188	80%	82.45 %
Rapides - 12 minute	209	80%	87.08 %
Rapides- 20 minute	181	80%	81.77 %

On vote the motion carried.

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

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

NAYS: none

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried 9-0.

On motion by Mr. Richard Vanderlick, seconded by Mr. Scott Perry, to reduce the Drainage and Utility Easement on Lot 15, of the Columns, from thirty (30) feet to twenty (20) feet (Ward 8, District E), per the request of the property owner, as recommended by the Public Works Director, subject to the approval of the Rapides Area Planning Commission and Legal Counsel. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Sean McGlothlin, to contract with the Village of Creola for the collection of sales and use taxes on transactions occurring in the Village, within Rapides Parish, effective January 1, 2020, as recommended by the Tax Administrator and the Legal Counsel. On vote the motion carried.

On motion by Mr. Craig Smith, seconded by Mr. Joe Bishop, to authorize the President to sign a nomination form for the Rapides Workforce Development Board for Mr. Paul Fuselier, Community and Governmental Relations Manager, for Acadian Companies – Ambulance Services, replacing Sonia Chevallier and to sign a letter addressed to the Louisiana Workforce Commission concerning new/removed members. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Craig Smith, to enter into an Intergovernmental Agreement with Rapides Parish Fire District No. 8 to repair the parking lot on LA 1200 through a contractor and authorize the President to sign same, to be paid out of Fire District No. 8 funds..

On motion by Mr. Ollie Overton, seconded by Mr. Sean McGlothlin, to approve Change Order No. 1 to the construction contract with Diamond B Construction Company Bid No. 2743 to add the widening of Lynn Drive in the Town of Ball (District A, Ward 10) and to repair the parking lot belonging to Fire District No. 8 at the Fire Station on LA 1200 and to delete East Yeager Road

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(District A, Ward 10) at an additional cost of approximately \$24,523.00 and to extend the contract time by an additional 15 calendar days and authorize the President to sign all the necessary paperwork as recommended by the Public Works Director. On vote the motion carried.

On motion by Mr. Scott Perry, seconded by Mr. Joe Bishop, to add the following motions to the agenda, received after the Jury Meeting agenda was posted in compliance with the Public Meetings Law and are now confirmed as having been added to the agenda by unanimous vote:

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

NAYS: none

ABSTAINED: none

ABSENT: none

On roll call vote the motion carried unanimously.

On motion by Mr. Bubba Moreau, seconded by Mr. Ollie Overton, to approve a Memorandum of Understanding with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) for FEMA Disaster 4462 and authorize the President to sign all the necessary paperwork.

The President recognized Mr. Rusty Wilder, Candidate for Police Juror, District E.

Mr. Rusty Wilder gave a brief statement and requested their support in his Candidacy for Police Juror, District E.

On motion by Mr. Richard Billings, seconded by Mr. Craig Smith, there being no further business, the meeting was adjourned at 4:04 p.m. On vote the motion carried.

Laurel Smith, Secretary
Rapides Parish Police Jury

Theodore Fountaine, Jr., President
Rapides Parish Police Jury