

RAPIDES PARISH POLICE JURY
ORGANIZATIONAL AND REGULAR SESSION
JANUARY 9, 2012

The Police Jury of the Parish of Rapides, State of Louisiana, met in an Organizational and Regular Session at its regular meeting place, the Police Jury Room of the Parish Courthouse, 701 Murray Street, Alexandria, Louisiana, on Monday, January 9, 2012 at three (3:00) o'clock p.m. (Central Standard Time), pursuant to the provisions of a written notice given to each and every member thereof and duly posted in the manner required by law, viz:

Alexandria, Louisiana
December 15, 2011

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

Absent were Police Juror John "Buck" Lincecum and Steve Coco.

Also present were Mr. Tim Ware, Treasurer; Mr. Dennis Woodward, Public Works Director; Ms. Donna Andries, Sales Tax Administrator; Ms. Elaine Morace, Workforce Operations Director; Mr. Shane Trapp, Courthouse and Jail Building Superintendent; Chief Randy McCain, Fire District No. 2; Ms. Linda Sanders, Civil Service Director; Mr. Thomas O. Wells, Legal Counsel; Mr. James "Jam" Downs, District Attorney; and Mrs. Angela Voss, Parish Secretary.

The invocation was given by Reverend Danny George, Pastor, Sieper Community Church, Sieper.

The Rapides Parish Sheriff Department Honor Guard posted the Colors.

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

The National Anthem was sung by Ms. Kaylea Johnson.

Mr. Richard Billings, President called the meeting to order.

The Honorable James "Jam" Downs, District Attorney, Ninth Judicial District Court, administered the Oath of Office to the Police Jurors.

The new Police Jury, having been duly sworn into office then proceeded with the business at hand.

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Honorable James "Jam" Downs, gave an Address to the Rapides Parish Police Jury.

The benediction was given by Rev. Solomon Shorter, True Vine Baptist Church.

Mr. Thomas O. Wells, Legal Counsel and Parliamentarian, then opened for the election of officers for 2012.

The President asked if there was any public comment on any agenda item.

On motion by Mr. Richard Billings, seconded by Bubba Moreau, that Mr. Oliver Overton be elected President. On vote the motion carried. PRESIDENT ELECT

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to cease nominations. On vote the motion carried.

There being no other nominations, Mr. Overton was unanimously elected President for 2012.

Mr. Overton assumed the chair at this time.

On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings, that Mr. Richard Vanderlick be elected Vice President. On vote the motion carried. VICE PRES ELECT

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to cease nominations. On vote the motion carried.

There being no other nominations, Mr. Vanderlick was unanimously elected Vice President for 2012.

Mr. Vanderlick assumed the chair at this time.

On motion by Mr. Joe Bishop, seconded by Mr. Scott Perry, that Mr. Tim Ware be appointed Treasurer. On vote the motion carried. TREASURER ELECT

Mr. Overton presented a plaque to Mr. Richard Billings for his service as President of the Rapides Parish Police Jury for 2011. Mr. Overton presented a plaque to Mr. Jamie Floyd for his service as Vice President of the Rapides Parish Police Jury for 2011. PLAQUES TO 2011 PRES 2011 VP

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Mr. Overton also presented a plaque to Mr. Jamie Floyd for his service as Police Juror and stated there were plaques for Mr. Buck Lincecum and Mr. Steve Coco. PLAQUES

On motion by Mr. Richard Vanderlick, seconded by Mr. Scott Perry, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on December 12, 2011, as published in the Official Journal. On vote the motion carried. ADOPT MINUTES

On motion by Mr. Bubba Moreau, seconded by Mr. Richard Billings, that approved bills be paid. On vote the motion carried. PAY BILLS

On motion by Mr. Bubba Moreau, seconded by Mr. Richard Billings, to approve the Treasurer's Report. On vote the motion carried. ACCEPT TREAS REPORT

On motion by Mr. Bubba Moreau, seconded by Mr. Richard Billings, to approve the Secretary's Report. On vote the motion carried. ACCEPT SEC REPORT

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

Mr. Bubba Moreau laid over the appointment to the Coliseum Authority for a five year term to fill the expiring term of Mr. D Walton Williams, Representing District A, term expired December 13, 2011. LAY OVER COLISEUM AUTHORITY

Mr. Oliver Overton laid over the appointment to the Board on the Code of Ethics, to fill the expired term of Mr. James Williams, for a one year term, term expired September 13, 2011. LAY OVER ETHICS

Mr. Theodore Fontaine laid over the appointment to the Board on the Code of Ethics, for a one year term, to fill the expired term of Mr. Robert Perry, term expired November 14, 2011. LAY OVER ETHICS

Mr. Richard Billings laid over the appointment to the Fire District No. 7 Civil Service Board to fill the expiring term of Mr. Jason Cannon for a three year term, term expired January 7, 2012. LAY OVER FD 7

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On motion by Mr. Bubba Moreau, seconded by Mr. Joe Bishop, to reappoint Mr. Kevin Vanek to the Ward 10 Recreation District, for a five year term, term will expire January 14, 2017. On vote the motion carried.

REAPPOINT
WARD 10 REC
K. VANEK

Mr. Richard Billings laid over the reappointment of Mr. Moses Barfield to the Cheneyville Recreation District, for a five year term, term will expire February 13, 2012.

LAY OVER
CHENEYVILLE

On motion by Mr. Richard Billings, seconded by Mr. Richard Vanderlick, to send a letter of appreciation to Mr. Steve Ayers for his sponsorship of the refreshments for the Inauguration Ceremony Reception. On vote the motion carried.

APPRECIATION
LETTER
RECEPTION

On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings, to waive the thirty (30) day announcement rule and appoint Mr. Billy Norris, Sr. to the Rapides Housing Authority, to fill a vacancy in an unexpired term created by the resignation of Mr. Lamar Joffrion, term will expire on November 9, 2016. On vote the motion carried.

APPOINT
HOUSING
AUTHORITY
BISHOP

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to reappoint Mr. Henry Corley to the Cocodrie Game and Fish Commission for term concurrent with Police Jury. Term will expire January 14, 2013. On vote the motion carried.

REAPPOINT
COCODRIE
GAME & FISH
H. CORLEY

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to reappoint Mr. John Barton to the Cocodrie Game and Fish Commission for term concurrent with Police Jury. Term will expire January 14, 2013. On vote the motion carried.

REAPPOINT
COCODRIE
GAME & FISH
J. BARTON

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, to reappoint Mr. Joe Sepulvado, representing Cleco, to the Cocodrie Game and Fish Commission for term concurrent with Police Jury. Term will expire January 14, 2013. On vote the motion carried.

REAPPOINT
COCODRIE
CLECO
J. SEPULVADO

On motion by Mr. Oliver Overton, seconded by Mr. Scott Perry, to appoint Mr. Sean McGlothlin to the Rapides Area Planning Commission for a four year term concurrent with the term of the Rapides Parish Police Jury. Term will expire on January 11, 2016. On vote the motion carried.

APPOINT
RAPIDES
PLANNING
MCGLOTHLIN

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On motion by Mr. Oliver Overton, seconded by Mr. Scott Perry, to reappoint Mr. Joe Bishop to the Rapides Area Planning Commission for a four year term concurrent with the term of the Rapides Parish Police Jury. Term will expire on January 11, 2016. On vote the motion carried.

REAPPOINT
RAPIDES
PLANNING
BISHOP

On motion by Mr. Oliver Overton, seconded by Mr. Scott Perry, to reappoint Mr. Richard Vanderlick to the Transportation Policy Committee for four year term concurrent with the four year term of the Rapides Parish Police Jury. Term will expire on January 11, 2016. On vote the motion carried.

REAPPOINT
TRANSPORT
VANDERLICK

It was noted that Mr. Oliver Overton was the representative of the Rapides Parish Police Jury on the Chamber of Commerce for one year term concurrent with the term of the Presidency. Term will expire on January 14, 2013.

APPOINT
CHAMBER OF
COMMERCE
OVERTON

It was noted that Mr. Oliver Overton was the representative of the Rapides Parish Police Jury on the Regional Infrastructure Beltway for one year term concurrent with the term of the Presidency. Term will expire on January 14, 2013.

APPOINT
REGIONAL
INFRASTRUCT
BELTWAY
OVERTON

On motion by Mr. Oliver Overton, seconded by Mr. Scott Perry, to appoint Mr. Sean McGlothlin to the Kisatchie-Delta Regional Planning to fill a vacancy in an unexpired three year term. Term will expire July 15, 2014. On vote the motion carried.

APPOINT
KISATCHIE-
DELTA
MCGLOTHLIN

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

Ms. Judith Rozier to the Children & Youth Planning Board, for a two year term, representing the Education Community, term will expire February 11, 2012.

Ms. Christy Kelley to the Children & Youth Planning Board, for a two year term, representing the Criminal Justice Community, term will expire February 14, 2012.

Mr. Cotrell Wrenn to the Children & Youth Planning Board, for a two year term, representing the Education Community, term will expire February 14, 2012.

On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings, to authorize the expenses of interested Police Jurors, designated Police Jury employees and Legal Counsel to attend the 2012 NACo Legislative Conference to be held on March 3 – 7, 2012 in Washington, D.C. On vote the motion carried.

AUTHORIZE
EXPENSES
NACO
WASH DC

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On motion by Mr. Richard Billings, seconded by Mr. Richard Vanderlick, to authorize the expenses of interested Police Jurors, designated Police Jury employees and Legal Counsel to attend the 2012 NACo Annual Conference to be held on July 13 – 17, 2012 in Allegheny County, Pittsburgh, PA. On vote the motion carried.

AUTHORIZE
EXPENSES
NACO
PITTSBURGH

On motion by Mr. Richard Billings, seconded by Mr. Joe Bishop, to adopt Notice of Intent of Sale through the Abandoned/Adjudicated Property Procedures the properties listed below:

ADJ.
PROPERTY

<u>Tax Debtor</u>	<u>Description</u>
Lydia Ann Richard, Estate	The Rear 44.5 feet of Lots nine (9), Ten (10), Eleven (11) and Twelve (12) of the Block Three (3) Welch Addition, fronting 44.5 feet on Fourteenth Street Bearing the municipal address of: 116 North 14 th , Alexandria
ACC Tax Sale Properties	Parts of Lot Eleven (11) and Twelve (12) of Square Fourteen (14) South Alexandria Land Company's Limited's Addition Bearing the municipal address of: 1942 Mason Street, Alexandria

On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Joe Bishop, to authorize the President to sign certifications to the Legislative Auditor certifying on behalf of the Governing Body that funds made available during the year from January 1, 2011 to December 31, 2011 pursuant to LSA-R.S. 48-751-760 have been expended in accordance with the provisions of those statutes and other standards established by law. On vote the motion carried.

LEGISLATIVE
AUDITOR

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

ACCEPT
PWD
REPORT

On motion by Mr. Theodore Fontaine, seconded by Mr. Bubba Moreau, to adopt a resolution that the Rapides Parish Police Jury supports spraying herbicide and stocking carp in the Indian Creek Lake Management Area as recommended by Ricky Moses, Wildlife & Fisheries. On vote the motion carried.

INDIAN CREEK

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On motion by Mr. Theodore Fountaine, seconded by Mr. Bubba Moreau, to authorize the President to sign certifications in accordance with R.S. 15:855.4 that the institution of the Inmate Maintenance Groups through the LA Department of Corrections does not displace any civilian employees. On vote the motion carried.

INMATE
MAINT
GROUPS

On motion by Mr. Theodore Fountaine, seconded by Mr. Bubba Moreau, to ratify a certain motion on the December 12, 2011 meeting minutes to reflect the correct election dates for the Constable, Ward 7, First Court, to be held on November 6, 2012 and December 1, 2012. On vote the motion carried.

RATIFY
MOTION
DEC 2011
MINUTES

On motion by Mr. Theodore Fountaine, seconded by Mr. Bubba Moreau, to authorize to advertise for bids for the lease of approximately 1600 square feet of office space at the Coliseum Office Building Complex and set the minimum monthly rental amount at \$2,500, as recommended by the WOD Director, Treasurer and Purchasing Agent. On vote the motion carried.

AUTHORIZE
LEASE BIDS
COLISEUM OFC
SPACE RENTAL

On motion by Mr. Theodore Fountaine, seconded by Mr. Bubba Moreau, the following ordinance was presented and on vote unanimously adopted:

ADJ
PROPERTY

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

A certain lot of ground, together with all rights, ways and privileges thereto belonging, situated in the City of Pineville, Rapides Parish, Louisiana, and being more particularly described as Lot Seven (7) of Square Five (5) of the Sunnyside Addition to the City of Pineville, Rapides Parish, Louisiana, in Section Twenty-One (21), Township Four (4), North, Range One (1) West, district north of Red River, all as per plat of said Addition, duly of record among the records of Rapides Parish, Louisiana.

Municipal Address of the Property: 108 Holloman Street, Pineville, LA

TO: RODNEY JONES,
Married to an living in community with Megan Jones
FOR THE
CONSIDERATION OF \$3,098.45 CASH

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

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A certain lot of ground together with all rights, ways and privileges thereto belonging, situated in the City of Pineville, Rapides Parish, Louisiana, and more being particularly described as Lot Seven (7) of Square Five (5) of the Sunnyside Addition to the City of Pineville, Rapides Parish, Louisiana, in Section Twenty-One (21), Township Four (4), North, Range One (1) West, district north of Red River, all as per plat of said Addition, duly of record among the records of Rapides Parish, Louisiana.

Municipal Address of the Property: 108 Holloman Street, Pineville, 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 RODNEY JONES, married to and living in community with Megan Jones to purchase said property for the consideration of \$3,098.45 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 RODNEY JONES, married to and living in community with Megan Jones, for the offered consideration.

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

Section 1. A certain lot of ground, together with all rights, ways and privileges thereto belonging, situated in the City of Pineville, Rapides Parish, Louisiana, and being more particularly described as Lot Seven (7) of Square Five (5) of the Sunnyside Addition to the City of Pineville, Rapides Parish, Louisiana, in Section Twenty-One (21), Township Four (4), North, Range One (1) West, district north of Red River, all as per plat of said Addition, duly of record among the records of Rapides Parish, Louisiana.

Municipal Address of the Property: 108 Holloman Street, Pineville, LA

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

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- the mortgage and conveyance records of Rapides Parish,
- the current telephone book,
- any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities.

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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 "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 in this Subsection.
- (b) The filing of the sale or donation transferring the property.
- (c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

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

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the

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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 sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.
- (b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.
- (c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

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

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

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

- (a) The affidavit may also contain a statement of the interest to which the purchaser or done takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.
- (b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- (c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- (d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- (e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.
- (f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

THUS PASSED, APPROVED AND ADOPTED on this 9th day of January, 2012.

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Theodore Fontaine
Richard Vanderlick
Oliver Overton
Sean McGlothlin
Scott Perry

On roll call vote the motion carried 9-0.

On motion by Mr. Richard Billings, seconded by Mr. APPOINT
Scott Perry, to waive the thirty (30) day announcement rule FPD 12
and appoint Mr. Elvin McCann to the Fire Protection District E. MCCANN
#12 Board to fill the unexpired term of Mr. John Ray due to
medical conditions. Term will expire August 14, 2012. On
vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Bubba Moreau, that
there being no further business, the meeting be declared adjourned. On vote the
motion carried at 3:37 p.m.

Angela T. Voss, Secretary
Rapides Parish Police Jury

Oliver Overton, President
Rapides Parish Police Jury