

RAPIDES PARISH POLICE JURY

SPECIAL SESSION
SEPTEMBER 21, 2009

The Police Jury of the Parish of Rapides, State of Louisiana, met in Special Session at its regular meeting place, the Police Jury Room of the Parish Courthouse, 701 Murray Street, Alexandria, Louisiana, on Monday, September 21, 2009, at 3:00 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
July 28, 2009

NOTICE OF SPECIAL POLICE JURY MEETING

NOTICE IS HEREBY GIVEN that a special meeting of the Police Jury of the Parish of Rapides, State of Louisiana, has been ordered and called and will be held at its regular meeting place, the Police Jury Room of the Parish Courthouse, Alexandria, Louisiana, on Monday, September 21, 2009, at 3:00 p.m., for the following purposes to-wit:

1. Public Hearing for Rapides Parish Police Jury, sitting as the Board of Review, to receive any protests under a Request for Review of property tax assessments timely filed.
2. Any other business that may properly come before the Police Jury.

BY ORDER OF THE PRESIDENT

Angie Richmond, Secretary
Rapides Parish Police Jury

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

Also present were Mr. Cecil Raggio, Acting Public Works Director; Mr. Shannon Trapp, Courthouse and Jail Building Superintendent; Mr. Thomas O. Wells, Legal Counsel; and Ms. Angie Richmond, Parish Secretary.

The invocation was given by Mr. Jamie Floyd.

The Pledge of Allegiance was led by Mr. Ollie Overton.

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 transaction of business.

On motion by Mr. Richard Billings, seconded by Mr. Buck Lincecum, to sit as a Board of Review for hearing complaints on property assessment, as advertised. On vote the motion carried.

Mr. Ralph Gill, Rapides Parish Tax Assessor, presented the 2009 Assessments for Rapides Parish, as certified to the Police Jury on September 4, 2009:

Total Assessed value of all real and personal property	\$707,370,450
Assessed value of all homestead exempt property	\$172,984,319
Assessed value of all taxable real and personal property	\$534,386,131
Public Service assessed value	\$ 77,420,490
Total assessed value, including homestead exemption	\$784,790,940
Total Taxpayer assessed value	\$611,806,621

The President then opened to receive the protests for those requests for review timely filed:

There were none.

It was noted the following protests had been timely filed and withdrawn:

Realty Income Corporation, P.O. Box 460069, Escondido, CA 92046-0069, DBA Pier 1 Imports, 2235 MacArthur Drive, Alexandria, LA, represented by Duff and Phelps, Ward 1, Assessment No. 1011132650

Fair Market Value	Land	Improvement	Pers. Prop.
Assessor determined:	439,900	578,000	-
		Total 1,017,900	
Taxpayer's opinion:	439,900	400,000	-
		Total 839,900	

(Received 9/1/09 - Withdrawn September 16, 2009)

Realty Income Corporation, P.O. Box 460069, Escondido, CA 92046-0069, DBA Fire Mountain Restaurant, 3632 Highway 165 North, Pineville, LA, represented by Duff and Phelps, Ward 10, Assessment No. 1190053650

Fair Market Value	Land	Improvement	Pers. Prop.
Assessor determined:	550,000	2,100,000	-
		Total 2,650,000	
Taxpayer's opinion:	550,000	1,500,000	-
		Total 2,050,000	

(Received 9/1/09 - Withdrawn September 16, 2009)

Realty Income Corporation, P.O. Box 460069, Escondido, CA 92046-0069, DBA Fire Mountain Restaurant, 3024 MacArthur Drive, Alexandria, LA, represented by Duff and Phelps, Ward 1, Assessment No. 4010174595

Fair Market Value	Land	Improvement	Pers. Prop.
Assessor determined:	500,000	2,123,100	-
		Total 2,623,100	
Taxpayer's opinion:	500,000	1,500,000	-
		Total 2,000,000	

(Received 9/1/09 - Withdrawn September 16, 2009)

Murphy Oil USA Inc., 200 Peach Street, El Dorado, AR 71730, DBA Murphy Oil, 6201 Coliseum Blvd., Alexandria, LA, represented by Duff and Phelps, Ward 8, Assessment No. 1150063450

Fair Market Value	Land	Improvement	Pers. Prop.
Assessor determined:	710,000	317,500	-
		Total 1,027,500	
Taxpayer's opinion:	710,000	200,000	-
		Total 910,000	

(Received 9/1/09 - Withdrawn September 16, 2009)

There being no property tax assessment protests to be considered, the hearing was declared closed at 3:11 p.m.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry and Mr. Steve Coco, to add the following items to the agenda, which were added because not received prior to closing of business on Friday:

A roll call vote was called and was as follows:

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

On roll call vote the motion carried unanimously 9-0.

On motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum, to award the Request for Proposals for an Administrative Consultant for the Airbase Road Sewer Improvements, Phase II, FY 2010-2011 LCDBG Public Facilities Grant, to Frye-Magee LLC and authorize to enter into an agreement with Frye-Magee LLC to develop the grant application for an amount of \$1,400 and to perform administrative consultant services for an amount of up to \$34,500 with the understanding that the administrative consulting services will not proceed until the grant is awarded, as recommended by the CDBG Administrative Consultant and Engineer Selection Committee. On vote the motion carried. Mr. Richard Vanderlick objected.

On motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum, to award the Request for Proposals for a Consultant Engineer for the Airbase Road Sewer Improvements, Phase II, FY 2010-2011 LCDBG Public Facilities Grant, to Meyer, Meyer, LaCroix & Hixson Inc. and authorize to enter into an agreement with Meyer, Meyer, LaCroix & Hixson Inc. to perform engineering services with the understanding that the project will not proceed until the grant is awarded, as recommended by the CDBG Administrative Consultant and Engineer Selection Committee. On vote the motion carried. Mr. Richard Vanderlick objected.

On motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum, to award the Request for Proposals

for an Administrative Consultant for the Kelleyland Sewer Improvements, Phase III, FY 2010-2011 LCDBG Public Facilities Grant, to Frye-Magee LLC and authorize to enter into an agreement with Frye-Magee LLC to develop the grant application for an amount of \$1,400 and to perform administrative consultant services for an amount of up to \$34,500 with the understanding that the administrative consulting services will not proceed until the grant is awarded, as recommended by the CDBG Administrative Consultant and Engineer Selection Committee. On vote the motion carried. Mr. Richard Vanderlick objected.

On motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum, to award the Request for Proposals for a Consultant Engineer for the Kelleyland Sewer Improvements, Phase III, FY 2010-2011 LCDBG Public Facilities Grant, to Meyer, Meyer, LaCroix & Hixson Inc. and authorize to enter into an agreement with Meyer, Meyer, LaCroix & Hixson Inc. to perform engineering services with the understanding that the project will not proceed until the grant is awarded, as recommended by the CDBG Administrative Consultant and Engineer Selection Committee. On vote the motion carried. Mr. Richard Vanderlick objected.

ORDINANCE

AN ORDINANCE AUTHORIZING THE PARISH ATTORNEY TO PROCEED WITH THE EXPROPRIATION PROCEEDINGS PURSUANT TO STATE LAW BY THE RAPIDES PARISH POLICE JURY AGAINST THE PROPERTY SHOWN AS A 0.831 ACRE TRACT ON A CERTIFICATE OF SURVEY DATED JULY 8, 2008 BY FRANK L. WILLIS AND DESCRIBED ON EXHIBIT "A" IN CONNECTION WITH THE DEVELOPMENT OF A 0.388 ACRE TRACT DONATED TO THE RAPIDES PARISH POLICE JURY AS THE "JUDGE B. DEXTER RYLAND LANDING"

WHEREAS, the Rapides Parish Police Jury is in the process of clarifying public ownership of Stock Landing Road as access to Catahoula Lake; and,

WHEREAS, public necessity dictates that this property be owned by and subject to use by the Rapides Parish Police Jury, the property identified as a 0.831 tract on a Certificate of Survey dated July 8 2008 by Frank L. Willis; and,

WHEREAS, this taking is necessary for road purposes; and,

WHEREAS all attempts to amicably acquire title to said properties have failed; and,

WHEREAS, the Rapides Parish Police Jury has filed suit Rapides Parish Police Jury vs. Catahoula Duck Club & Lodge, LLC, et al, Civil Suit No. 231,119, Ninth JDC; and

WHEREAS, the Rapides Parish Police Jury in regular session convened on January 12, 2009 authorized the institution of expropriation proceedings against property on the Stock Landing Road and named the law firm of Provosty, Sadler, DeLaunay, Fiorenza & Sobel to assist the Parish Attorney with the expropriation proceeding;

WHEREAS, upon information and belief the current record owners of the property are as follows:

Richard E. Lee
Betty Dent
Catahoula Boys Hunting Club
Dr. Thomas Reich

WHEREAS, the Rapides Parish Police Jury received two appraisals for the properties to be expropriated; and,

WHEREAS, there are funds in the current 2009 general fund for the acquisition of the property; and,

WHEREAS, just and adequate compensation for the taking of the subject property is set forth as follows:

Richard E. Lee	\$ 3,254.50
Betty Dent	\$ 3,254.50
Catahoula Boys Hunting Club	\$ 2,729.00
Dr. Thomas Reich	\$10,351.00

NOW, THEREFORE, BE IT ORDAINED by the Police Jury of Rapides Parish, in special session convened, that the expropriation of this property is necessary for the public interest and the Parish Attorney is hereby authorized to proceed with expropriation proceedings against the owner or owners of record as they might be at the time of the filing, of the property more particularly described in Exhibit "A" attached hereto.

BE IT FURTHER ORDAINED that formal offers of expropriation on Stock Landing Road based on appraisals is hereby authorized, as recommended by Mr. Ricky Sooter, Special Counsel, to be paid out of the General Fund, to:

Richard E. Lee	\$ 3,254.50
Betty Dent	\$ 3,254.50
Catahoula Boys Hunting Club	\$ 2,729.00
Dr. Thomas Reich	\$10,351.00

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or application thereof is invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof of ordinances or resolutions in conflict herewith are hereby repealed.

The ordinance was offered by Mr. Buck Lincecum, seconded by Mr. Ollie Overton, upon unanimous

vote, it was duly adopted on this 21st day of September, 2009.

Exhibit "A"

A right of way in Township 5 North, Range 3 East, Rapides Parish Louisiana, being more particularly described as follows:

Commence at 2-inch iron pipe marking the northwest corner of the northeast quarter of the northwest quarter of Section 4, Township 5 North Range 3 East.

Then run South 02 degrees 07 minutes 28 seconds West a distance of 415.84 feet to an iron rod in the center of a gravel road, said point marking the point of beginning. The following courses describe the center line of the proposed right of way. The right of way is proposed to be 50 feet wide, and the sides of the servitude are intended to project to the property line at each end of the servitude.

From the point of beginning, run North 76 degrees 13 minutes 34 seconds East a distance of 368.14 feet along the center of a gravel road.

Then run North 71 degrees 12 minutes 36 seconds East a distance of 64.94 feet along the center of a gravel road.

Then run North 61 degrees 54 minutes 27 seconds East a distance of 58.56 feet along the center of a gravel road.

Then run North 51 degrees 50 minutes 53 seconds East a distance of 88.29 feet along the center of a gravel road.

Then run north 53 degrees 33 minutes 24 seconds East a distance of 58.61 feet along the center of a gravel road.

Then run North 63 degrees 24 minutes 00 seconds East a distance of 78.98 feet along the center of a gravel road.

Then run North 52 degrees 57 minutes 50 seconds East a distance of 48.58 feet along the center of a gravel road.

Then run North 38 degrees 55 minutes 22 seconds East a distance of 152.08 feet along the center of a gravel road to a 3/8" iron rod by Stephen Gremillion on the section line common to Sections 4 and 33.

Then run South 89 degrees 34 minutes 55 seconds East a distance of 33.39 feet to a 1/2 inch iron rod marking the terminus of the center line of the servitude.

On motion by Mr. Joe Bishop, seconded by Mr. Richard Billings and Mr. Ollie Overton, the following resolution was presented and on vote unanimously adopted:

RESOLUTION

WHEREAS, the Rapides Parish Police Jury desires to protect the citizens of Rapides Parish from dangerous dogs; however current laws do not grant this authority to the Jury. Therefore, the jury desires that it be granted the power/authority to define and regulate dangerous animals; and,

NOW, THEREFORE, BE IT RESOLVED that the Rapides Parish Police Jury in special session convened on this 21st day of September, 2009, does hereby urge our Louisiana Legislative Delegation to introduce and support in the 2010 Regular Legislative Session an amendment of LARS 33:1236 for the power/authority to define and regulate dangerous animals and to provide for the general authority to regulate public safety,

BE IT FURTHER RESOLVED a copy of this resolution also be sent to all parish governing authorities and the Police Jury Association of Louisiana requesting their support of this proposed legislation.

THUS PASSED AND APPROVED on this 21st day of September, 2009.

On motion by Mr. Richard Billings, seconded by Mr. Steve Coco, to add the following item to the agenda, which was added because not received prior to closing of business on Friday:

A roll call vote was called and was as follows:

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

On roll call vote the motion carried unanimously 9-0.

On motion by Mr. Richard Billings, seconded by Mr. Buck Lincecum, that the Rapides Parish Police Jury does hereby go on record to the Eighth Region of the Police Jury Association supporting the candidacy of Mr. Joe Bishop for election as Vice President of the Eighth Region of the Police Jury Association, copies of this resolution to be sent to the other Parishes in the Eighth Region requesting their support of Mr. Bishop's candidacy. On vote the motion carried.

Mr. Coco briefly discussed the Energy Grant allocation to Rapides Parish.

On motion by Mr. Jamie Floyd, seconded by Mr. Steve Coco, to add the following item to the agenda, which was added because not received prior to closing of business on Friday:

A roll call vote was called and was as follows:

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

On roll call vote the motion carried unanimously 9-0.

On motion by Mr. Jamie Floyd, seconded by Mr. Ollie Overton, the following resolution was presented and on vote unanimously adopted:

RESOLUTION

WHEREAS, the Rapides Parish Police Jury has received notice from the Kisatchie National Forest, US Forest Service, of a public comment period on a proposal to prohibit the use of dogs to hunt deer within Kisatchie National Forest beginning with the 2010-2011 season; and,

WHEREAS, the Kisatchie National Forest, US Forest Service, is proposing to amend the Kisatchie National Forest Revised Forest Plan by adding this new standard; and,

WHEREAS, the public comment period is open for comments until October 1, 2009; and,

WHEREAS, the constituents of the Rapides Parish Police Jury have always respected and participated in the tradition of hunting with dogs; and,

WHEREAS, most hunters hunt on public lands because more and more private lands have been posted against trespassing; and

WHEREAS, one of the missions of the Kisatchie National Forest is recreation, such as hunting;

NOW, THEREFORE, BE IT RESOLVED that the Rapides Parish Police Jury does hereby continue to support the right of hunters to be able to hunt with dogs in Kisatchie National Forest;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the US Forest Service urging it to reconsider the issue;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to our Congressional Delegation asking they support deer hunters with dogs in Kisatchie National Forest.

THUS PASSED AND APPROVED on this 21st day of September, 2009.

The President asked if there was any Public Comment on any Agenda Item.

Mr. Vanderlick suggested encouraging other engineering firms to apply for grant funded projects. Mr. Fountaine noted two engineering firms had submitted qualifications for the CDBG grants. Discussion ensued.

As a point of order, Mr. Coco noted Rapides Parish had been allocated \$320,000 for an energy efficiency grant with a November 20, 2009 deadline for the grant application. Mr. Overton advised they had attended the recent workshop and discussed some problems in the grant criteria.

There being no further business, the meeting was declared adjourned at 3:36 p.m.

Angie Richmond, Secretary
Rapides Parish Police Jury

Theodore Fountaine Jr., President
Rapides Parish Police Jury