

RAPIDES PARISH POLICE JURY

REGULAR SESSION

August 11, 2003

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, August 11, 2003, at three (3:00) o'clock p.m. (Central Standard Time).

There were present: Honorable Richard W. Billings, President; Ezra L. Reed, Vice President; and Police Jurors Davron "Bubba" Moreau, Steve P. Bordelon, Theodore Fountaine Jr., Donald H. Wilmore, Joe Fuller, Richard L. Nunnally, and Scott Perry Jr.

Also present were Mr. Tim Ware, Treasurer; Mr. Eric S. Duck, Public Works Director; Ms. Donna Andries, Sales Tax Administrator; Ms. Jan Haworth, OEWD Director; Mr. Felix Mouton, WIA Operations Director; Mr. Robert Barr, Courthouse Building Superintendent; Chief David Peart, Fire District No. 2; Ms. Candy Saucier, Civil Service Director; Mr. Tom Wells, Legal Counsel; and Ms. Angie Richmond, Secretary.

The invocation was given by Mr. Bubba Moreau.

The Pledge of Allegiance was led by Mr. Ezra Reed.

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

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on July 21, 2003, as published in the Official Journal. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Joe Fuller, that approved bills be paid. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Joe Fuller, to accept the Treasurer's Report. On vote the motion carried.

Mr. Reed laid over the appointment to the Ruby-Wise Recreation District to fill the vacancy in an unexpired term created by the death of the late Eddie Cannon, term will expire on February 18, 2006.

Mr. Wilmore laid over the appointment to the Ward 7 Recreation District for a five year term to fill the expired term of Mr. Edward Thomas, term expired on April 13, 2003.

Mr. Billings laid over the appointment to the Civil Service Board for five year term to fill the expiring term of Mr. Jerry Johnson, employee elected, term will expire on August 17, 2003.

Mr. Moreau laid over the appointment to the Mosquito Abatement District No. 1 to fill the vacancy in the unexpired term created by the resignation of Mr. Bubba Moreau, term will expire on September 9, 2005.

On motion by Mr. Steve Bordelon, seconded by Mr. Joe Fuller, to appoint Mr. William R. Morris to the Mosquito Abatement District No. 1, representing agricultural interests, to fill the vacancy in an expired term, term will expire on September 9, 2005. On vote the motion carried.

Mr. Billings laid over the appointment to the Civil Service Board for three year term to fill the expiring term of Mr. B. D. Douglas, nominated by LSUA, term will expire on September 11, 2003.

On motion by Mr. Ezra Reed, seconded by Mr. Joe Fuller, to reappoint Mr. E. C. Paul to the Buckeye Recreation District for a five year term, term will expire on September 13, 2008. On vote the motion carried.

Mr. Reed laid over the appointment to the Buckeye Recreation District for five year term to fill the expiring term of Mr. Ken Jenkins, term will expire on September 13, 2003.

Mr. Wilmore and Mr. Bordelon laid over the appointment to the England Economic and Industrial Development District, representing Rapides Parish Police Jury, for four year term to fill expiring term of Mr. Elwood Carroll, term will expire on September 13, 2003.

Mr. Fuller laid over the appointment to the Civil Service Board for three year term to fill expiring term of Mr. Leroy J. Landry, nominated by Grambling University, term will expire on September 17, 2003.

REGULAR SESSION  
AUGUST 11, 2003

On motion by Mr. Don Wilmore, seconded by Mr. Joe Fuller, to appoint Mr. Thomas R. Simpson Jr. to the Fire District No. 2 Civil Service Board, as nominated by LSUA, to fill the vacancy in an unexpired term, term will expire on July 29, 2004. On vote the motion carried.

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

Fire District No. 3 Civil Service Board, representing the Police Jury, for a three year term to fill the expiring term of Mr. A. Byron Johnson, term will expire on October 10, 2003;

Ward 4 Recreation District for a five year term to fill the expiring term of Mr. Parks W. Sansing, term will expire on October 12, 2003; and

Ward 7 Recreation District for five year term to fill the expiring term of Mr. Scott Emory, term will expire on October 12, 2003.

On motion by Mr. Don Wilmore, seconded by Mr. Joe Fuller, to waive the thirty day announcement rule and reappoint Mr. Scott Emory to the Ward 7 Recreation District for a five year term, term will expire on October 12, 2008. On vote the motion carried.

On motion by Mr. Ezra Reed, seconded by Mr. Don Wilmore, to accept the resignation of Mr. Brett Matens from the Communications District, representing Emergency Medical Services; waive the thirty day announcement rule; and appoint Mr. Terry Arceneaux to fill the vacancy in the unexpired term, term will expire on April 9, 2004. On vote the motion carried.

On motion by Mr. Joe Fuller, seconded by Mr. Ezra Reed, to waive the thirty day announcement rule and appoint Mr. Mike Polakovich to the Ward 4 Recreation District to fill the vacancy in the unexpired term created by the death of the late Parks Sansing, term will expire on October 12, 2003. On vote the motion carried.

On motion by Mr. Joe Fuller, seconded by Mr. Ezra Reed, to waive the thirty day announcement rule and reappoint Mr. Mike Polakovich to the Ward 4 Recreation District for a five year term, term will expire on October 12, 2008. On vote the motion carried.

On motion by Mr. Richard Nunnally, seconded by Mr. Joe Fuller, to accept the resignation of Mr. Bart Schmolke from the Fire District No. 2 Civil Service Board; waive the thirty day appointment rule, and appoint Mr. Martin Close to the Fire District No. 2 Civil Service Board to fill the vacancy in the unexpired term, term will expire on July 29, 2006. On vote the motion carried.

On motion by Mr. Joe Fuller, seconded by Mr. Scott Perry and all other Police Jurors, the following In Memoriam was presented and on vote unanimously adopted:

IN MEMORIAM

WHEREAS, Mr. Robert Harvey "Bob" Bolton Sr., who was a pillar of our community, was called by his Creator on Tuesday, July 15, 2003; and

WHEREAS, Mr. Bolton, as Chairman of the Board of Rapides Bank and Trust Company, placed an emphasis on Rapides Bank as a hometown bank and under his leadership, it was responsive and interested in needs of the citizens of Rapides Parish and parish governments; and

WHEREAS, throughout his life, Mr. Bolton was a great humanitarian and philanthropist, earning the respect, admiration and high regard of all those with whom he came into contact and the love and affection of all who were proud to call him friend; and

NOW, THEREFORE, BE IT RESOLVED that the Rapides Parish Police Jury does hereby order that this formal expression of honor for the deceased Mr. Bolton, and sympathy for his family be spread upon the minutes of this meeting;

BE IT FURTHER RESOLVED that a copy hereof be presented to his family as a lasting tribute to his public service.

THUS DONE AND SIGNED on this the 11th day of August, 2003.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize Ms. Joanne Walker, 90 Ed Miller Road, Elmer, as a Hardship Case, pending proper certification. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize Ms. Lucinda Shackelford, off the Clifton Road, as a Hardship Case, pending proper certification, to be paid out of Road District 7A Maintenance. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize Mr. Donald Johnson, 491 Blue Lake Rd, Forest Hill, as a Hardship Case, pending proper certification. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from the Highway Department Assets/Inventory Program Listing the following assets for reasons as listed:

Asset Description	Acquired	Disposal
4501 1973 Front End Loader	7-1-73	ins. totaled
2809 Ice Cuber	7-1-75	auctioned
5735 Radio Converter & Port.	9-12-89	scrap
5565 Radio, Mobile	12-21-88	scrap/parts

On vote the motion carried.

REGULAR SESSION  
AUGUST 11, 2003

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the Parish Highway Department to install three speed humps on Dottie Lane, as per petition received, to be paid out of Road District No. 36. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to grant approval to Woodlake Subdivision, Phase IV, as recommended by the Rapides Area Planning Commission, subject to the approval of Legal Counsel, and authorize signing of the plat. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize Ms. Lula Mae Edwards, 590 Bush Coleman Road, Boyce, as a Hardship Case, pending proper certification. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the purchase of two bushhogs when funds become available. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to accept an existing road within an existing fiftyfoot right-of-way, to be known as "Beagle Run" in Bayou Oaks Subdivision, District E, Ward 1. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize to hire an inspector on a temporary basis for the 2003 road construction program at a rate of \$11/hour plus \$0.21/mile, as recommended by the Public Works Director. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to request the State of Louisiana to accept ownership of Rapides Station Road under I-49 from the service road on the north to the service road on the south, copy of this resolution to be sent to our Louisiana Legislative Delegation. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to accept the Secretary's Report. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize to advertise for qualification statements for professional services for the sewer collection and treatment for the Kelleyland, Walnut Grove and Airbase Road Area, Phase II, Project to be funded under CDBG grant. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize to advertise for qualification statements for professional services for the Fire Protection Improvements (water) between the Village of Woodworth and the Town of Glenmora Project to be funded under CDBG grant. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the President to enter into an agreement with the Rapides Finance Authority to provide economic development funds in the total amount of \$300,000 (\$100,000 per year for three years). On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to send a letter to all Hospital Service Commission members to move forward on a replacement facility for the Huey P. Long Hospital and to have the Chairman of the Hospital Service Commission give an update to the Police Jury. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize a change order to the contract for the Health Unit/Motor Vehicle Buildings construction in the decreased amount of \$1,883.20 for deleting data voice and adding electrical backflow preventer and deck mounted eye wash, as recommended by the Architect, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to accept the Health Unit/Office of Motor Vehicles construction project as substantially complete, as recommended by Barron, Heinberg and Brocato, Architects and Engineers, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete the following assets from Fire District No. 8 Asset/Inventory Program as scrap no longer suitable for public use:

Asset Description	Acquired	Disposal
5299 Radio, Mobile	3-25-86	scrap
5181 Pager	4-17-85	scrap
5172 Pager	4-17-85	scrap
5170 Pager	4-17-85	scrap
5146 Pager	4-17-85	scrap
9271 Radio, Hand Held	4-1-02	scrap/destroy
8783 Monitor	3-27-01	scrap
8718 Foam System	4-17-01	scrap

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize to reimburse the expenses of Mr. James Turnage who attended the

Twin Valley RC&D Meeting in Natchitoches, LA on July 29, 2003, to be paid from the General Fund. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the President to submit and sign an application for the Pre-Disaster Mitigation Competitive FY 2003 Grant Program and to utilize AEGIS Innovative Solutions LLC for the grant preparation. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following resolution was presented and on vote unanimously adopted:

PROCLAMATION

WHEREAS, the Parish of Rapides has an interest in the health and well being of our children; and

WHEREAS, the Louisiana Children's Health Insurance Program provides access to health care services for children, from birth through age nineteen, offering health insurance for children in families with incomes up to two hundred percent of the federal poverty level; and

WHEREAS, meeting the health care needs of uninsured adolescents increases their ability to focus and learn; and

WHEREAS, health care provided by Louisiana Children's Health Insurance Program is an essential key to improving the health of our Parish; and

NOW, THEREFORE, BE IT RESOLVED that the Rapides Parish Police Jury does hereby proclaim the 27th day of August, 2003,

LaCHIP DAY

in the Parish of Rapides, Louisiana, and all citizens of Rapides Parish are urged to recognize this special observance.

THUS DONE AND SIGNED on this the 11th day of August, 2003.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following Rapides Parish Litter Reduction Ordinance was presented by Legal Counsel and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE TO AMEND THE RAPIDES CODE OF ORDINANCES AND ENACT A RAPIDES PARISH LITTER REDUCTION ORDINANCE

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this 11th day of August, 2003, that the Rapides Parish Code of Ordinances is hereby amended and reenacted to include the following Rapides Parish Litter Reduction Ordinance:

RAPIDES PARISH LITTER REDUCTION ORDINANCE

This article shall be known and may be cited as "Rapides Parish Litter Reduction Ordinance."

For the purpose of this article, the following definitions shall apply:

**Dispose** shall mean to throw, discard, place, deposit, discharge, burn, dump, drop, eject, or allow the escape of a substance.

**Litter** shall mean all waste material except as provided and defined in LA-R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture or appliances, automotive parts including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, and building materials, or discarded materials of any kind and description. Litter shall not include agricultural products that are being transported from the harvest or collection-site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicle. Litter shall also not include recyclable cardboard being transported in compressed bundles to processing facilities. Agricultural products, as used in this definition, means all crops, livestock, poultry, and forestry; and all aquacultural, floricultural, horticultural, silvicultural, and viticultural products.

**Local governing authority** shall mean the Rapides Parish Police Jury.

**Parish** shall mean the jurisdictional area where the offense was committed.

**Public or private property** shall mean the right-of-way of any road or highway, levees, any body of water or watercourse or the shores or beaches thereof, any park, playground, building, refuge, or conservation or recreational area, and residential or farm properties, timberlands, or forests.

Intentional littering prohibited; criminal penalties.

(a) No person shall intentionally dispose or permit the disposal of litter upon any public place in the parish, upon private property in the parish not owned by him, upon property located in rural areas in the parish not owned by him, or in or on the waters of the parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except

when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.

(b) If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in LA-R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

When litter disposed in violation of this section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings which display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be an inference that such person has violated this section.

(c) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

(d) Whoever violates the provisions of this section shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) and sentenced to serve four (4) hours of community service in a litter abatement work program as approved by the court. The judge may require an individual convicted of a violation of this section to remove litter from parish highways, public rights-of-way, public playgrounds, public parks or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.

(e) A person may be found guilty and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

(f) For the purposes of this section, each occurrence shall constitute a separate violation.

(g) In addition to penalties otherwise provided, a person convicted under this section shall:

(1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.

(2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

Gross littering prohibited; criminal penalties.

(a) No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts including but not limited to tires and engines, trailers, boats and boating accessories, tools and equipment, building materials, and bags or boxes of household or office garbage or refuse upon any public place in the parish, upon private property in the parish not owned by him, upon property located in rural areas in the parish not owned by him, or in or on the waters of the parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley; except, when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

(b) If the litter listed in subsection (a) is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA-R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

When litter disposed in violation of this section discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings which display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be an inference that such person has violated this section.

(c) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

(d) Whoever violates the provisions of this section shall, upon first conviction, be fined not less than five hundred dollars (\$500.00) and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the court. The judge may require an individual convicted of a violation of this section to remove litter from state highways, public rights-of-way, public playgrounds, public parks or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.

(e) A person may be found guilty and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

(f) For the purpose of this section, each occurrence shall constitute a separate violation.

(g) In addition to penalties otherwise provided, a person convicted under this section shall:

(1) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.

(2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

Commercial littering prohibited; civil penalties; special court costs.

(a) No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the parish, upon private property in the parish not owned by him, upon property located in rural areas in the parish not owned by him, or in or on the waters of the parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley; except, when such property is designated by the parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

(b) No person shall operate any truck or other vehicle on any highway in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.

(c) If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA-R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.

When litter disposed in violation of this section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings which display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this section.

(d) A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this section by any agent, officers, and directors for any violation of this section by any agent, officer, or director in the course and scope of his employment or duties.

(e) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

(f) Any person found liable under the provisions of this sections shall:

(1) Pay a civil penalty of one hundred dollars (\$100.00).

(2) Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.

(3) Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

(4) Pay for the cleanup of the litter unlawfully discarded by the defendant.

(g) Any person found liable under the provisions of this Section shall pay special court costs of fifty dollars (\$50.00) in lieu of other costs of court which shall be directed to the Rapides Parish Beautification Fund as set forth in section \_\_\_\_\_ of this article.

(h) A person may be held liable and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

(i) For the purposes of this section each occurrence shall constitute a separate violation.

Littering prohibited; civil penalties; special court costs.

(a) No person shall dispose or permit the disposal of litter upon any public place in the parish, upon private property in the parish not owned by him, upon property located in rural areas in the parish not owned by him, or in or on the waters of the parish whether from a vehicle or otherwise including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.

No person shall operate a motor vehicle on any highway or a boat on any waters in such a manner or condition that the contents can blow or fall out of such vehicle or boat.

No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon any parts of said public or private property or waters.

(b) If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA-R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed or permitted the act of disposing.

When litter disposed in violation of this section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings which display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this section.

(c) The offender shall be cited for the offense by means of a citation, summons, or other means provided by law.

(d) Persons found liable under the provisions of this section shall be assessed the following penalties:

(1) For a first violation, such person shall be either fined fifty dollars (\$50.00), or given the option to perform eight (8) hours of community service in a litter abatement work program in lieu of the assessed fifty dollar (\$50.00) fine.

(2) For a second and each subsequent violation, such person shall either be fined one hundred dollars (\$100.00) or be given the option to perform eight hours of community service in a litter abatement work program in lieu of the one hundred dollar (\$100.00) fine.

(e) Persons found liable under the provisions of this section shall pay special court costs of fifty dollars (\$50.00) in lieu of other costs of court and the special court costs shall be disbursed as follows:

(1) Twenty dollars (\$20.00) shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.

(2) Twenty dollars (\$20.00) shall be paid to the office of the district attorney, or to the constable or to the municipal prosecuting attorney, as the case may be.

(3) Ten dollars (\$10.00) shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.

(f) A person may be held liable and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

(g) Persons found liable under the provisions of this section shall pay special court costs of fifty dollars in lieu of other costs of court which shall be directed to the Rapides Parish Beautification Fund as set forth in section \_\_\_\_\_ of this article.

Community service litter abatement work program and indemnification.

(a) A "court approved community service litter abatement program" may be created by the police jury. If such program is not created, a fee schedule shall be established by the court having jurisdiction over the matter.

(b) If a community service program is established a person who participates in a community service litter abatement work program shall have no cause of action for damages against the entity conducting the program or supervising his participation therein, nor against any employee or agent of such entity, for any injury or loss suffered by him during or arising out of his participation in the program, unless the injury or loss was caused by the intentional or grossly negligent act or omission of the entity or its employee or agent. The entity shall not be liable for any

injury caused by the individual participating in the program unless the gross negligence or intentional act of the entity or its employee or agent was substantial factor in causing the injury. No provision hereof shall negate the requirement to provide an offender with necessary medical treatment as statutorily required.

Distribution of fines; Rapides Parish Beautification Fund and establishment of a litter control section.

(a) All fines, either civil or criminal, collected pursuant to this article or any applicable state law shall be deposited in a beautification fund administered by the police jury for the purpose of encouraging, organizing, and coordinating volunteer local anti-littering campaigns, to pay expenses for litter clean-up, collection, enforcement, prosecution and prevention, and to purchase and operate equipment in connection thereof, all in accordance with LA-R.S. 33:1236.2 and LA-R.S. 33:1236(54).

(b) The police jury may establish a litter control section within the parish to enforce the provisions of this section.

Jurisdiction and procedure--Justice of the peace; constable.

A justice of the peace shall have concurrent jurisdiction over the litter violations occurring in the parish. In addition, a constable may issue summons and serve subpoenas anywhere in the parish all in accordance with LA--R.S. 13:2586. Prosecution of litter violations and compensation in criminal cases of a justice of the peace and constable shall be in accordance with LA--R.S. 13:2587.1 and LA--R.S. 13:2589.

Adopt-a-road program.

(a) In order to fulfill the obligations and responsibilities assigned to it under LA-R.S. 30:2521, the parish has developed a program to be known as "adopt-a-road" whereby a business or a private civic organization may adopt a section of parish roadway or parks for the sole purpose of controlling litter along that section of road. Included in the responsibilities of any business or private civic organization which chooses to participate in the program shall be the following:

(1) Development of a functional plan to influence and encourage the public to improve the appearance of the road or park.

(2) A general clean-up of the area at least twice a year.

(b) The parish shall also develop a program whereby a business, private civic organization, or individual may adopt the neutral ground of a portion of a parish-maintained road outside a municipality. The business, private civic organization, or individual shall control litter, cut grass, maintain existing shrubs and trees, and trim curbs, and may also plant flowers and additional plants. The adoption of these areas shall be for periods of one (1) year.

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

THUS DONE, PASSED AND APPROVED on this 11th day of August 2003.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from the Courthouse Asset/Inventory Program the following assets, which were stolen and a police report has been filed:

Asset Description	Acquired	Disposal
9184 Mower	2-11-02	stolen
9185 Trimmer	2-11-02	stolen
9186 Blower	2-11-02	stolen

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from the Court Reporters Asset/Inventory Program the following asset:

Asset Description	Acquired	Disposal
4683 Transcriber	7-1-77	scrap

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the transfer of \$5,000 from District F Economic Development Funds in the General Fund to District E Economic Development Funds in the General Fund; to authorize to enter into an Intergovernmental Agreement with the Town of Boyce for reimbursement in an amount not to exceed \$5,000 for economic development activities, to be paid out of District E Economic Development Funds, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following resolution was presented to endorse Home Depot U.S.A. Inc. as a participant in the benefits of the Louisiana Enterprise/Economic Development Zone Program in Tract 124 Block Group 2 (1990) in Rapides Parish with rebate from the 1% Rapides Parish Police Jury Sales and Use Tax, as recommended by the Reviewing Agencies:

ENDORSEMENT RESOLUTION

REGULAR SESSION  
AUGUST 11, 2003

RESOLUTION STATING THE RAPIDES PARISH POLICE JURY'S ENDORSEMENT OF HOME DEPOT U.S.A., INC TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995 and Act 647 of 1997; and,

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the Parish of Rapides; and,

WHEREAS, the Louisiana Department of Economic Development designated Census Tract 124 Block Group 2 (1990) in Rapides Parish, as an "Enterprise Zone" eligible based on enabling legislation (R.S. 51:1781-1791); and,

WHEREAS, the Rapides Parish Police Jury states this endorsement is in agreement with the Overall Economic Development Plan for Rapides Parish; and,

WHEREAS, the attached Enterprise Zone map is marked showing the location of the business being endorsed; and,

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements, the Rapides Parish Police Jury agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction.
3. To REBATE all applicable (applicable sales/use taxes are defined as all local sales/use taxes except those that are dedicated to the repayment of a Bond issue or dedicated to any public school) local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business permanently on that site.

THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury in due, regular and legal session convened this 11th day of August, 2003, that HOME DEPOT U.S.A., INC and their project STORE #374 ALEXANDRIA, Enterprise Zone Application No. 20030131, is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of the resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

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

THUS PASSED AND APPROVED on this 11th day of August, 2003.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following resolution was presented to endorse Perforex Forest Services, L.P. as a participant in the benefits of the Louisiana Enterprise/Economic Development Zone Program in Tract 132 Block Group 4 (1990) in Rapides Parish with rebate from the 1% Rapides Parish Police Jury Sales and Use Tax, as recommended by the Reviewing Agencies:

ENDORSEMENT RESOLUTION

RESOLUTION STATING THE RAPIDES PARISH POLICE JURY'S ENDORSEMENT OF PERFOREX FOREST SERVICES, L.P. TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995 and Act 647 of 1997; and,

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the Parish of Rapides; and,

WHEREAS, the Louisiana Department of Economic Development designated Census Tract 132 Block Group 4 (1990) in Rapides Parish, as an "Enterprise Zone" eligible based on enabling legislation (R.S. 51:1781-1791); and,

WHEREAS, the Rapides Parish Police Jury states this endorsement is in agreement with the Overall Economic Development Plan for Rapides Parish; and,

WHEREAS, the attached Enterprise Zone map is marked showing the location of the business being endorsed; and,

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements, the Rapides Parish Police Jury agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction.

3. To REBATE all applicable (applicable sales/use taxes are defined as all local sales/use taxes except those that are dedicated to the repayment of a Bond issue or dedicated to any public school) local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business permanently on that site.

THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury in due, regular and legal session convened this 11th day of August, 2003, that PERFOREX FOREST SERVICES, L.P. and their project NEW LOGGING COMPANY, Enterprise Zone Application No. 20030173, is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of the resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

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

THUS PASSED AND APPROVED on this 11th day of August, 2003.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following resolution was presented to endorse Randy Wiggins State Farm Agency as a participant in the benefits of the Louisiana Enterprise/Economic Development Zone Program in Tract 126 Block Group 4 (1990) in Rapides Parish with rebate from the 1% Rapides Parish Police Jury Sales and Use Tax, as recommended by the Reviewing Agencies:

ENDORSEMENT RESOLUTION

RESOLUTION STATING THE RAPIDES PARISH POLICE JURY'S ENDORSEMENT OF RANDY WIGGINS STATE FARM AGENCY TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995 and Act 647 of 1997; and,

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the Parish of Rapides; and,

WHEREAS, the Louisiana Department of Economic Development designated Census Tract 126 Block Group 4 (1990) in Rapides Parish, as an "Enterprise Zone" eligible based on enabling legislation (R.S. 51:1781-1791); and,

WHEREAS, the Rapides Parish Police Jury states this endorsement is in agreement with the Overall Economic Development Plan for Rapides Parish; and,

WHEREAS, the attached Enterprise Zone map is marked showing the location of the business being endorsed; and,

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements, the Rapides Parish Police Jury agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction.
3. To REBATE all applicable (applicable sales/use taxes are defined as all local sales/use taxes except those that are dedicated to the repayment of a Bond issue or dedicated to any public school) local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business permanently on that site.

THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury in due, regular and legal session convened this 11th day of August, 2003, that RANDY WIGGINS STATE FARM AGENCY and their project OFFICE BUILDING, Enterprise Zone Application No. 2003-0033, is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of the resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

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

THUS PASSED AND APPROVED on this 11th day of August, 2003.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from the Coliseum Asset/Inventory Program Listing the following assets as scrap no longer suitable for public use:

Asset Description	Acquired	Disposal
7170 Cooler, Vulcan	1-1-68	scrap

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following was presented, to adopt a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, to ensure disadvantaged business enterprises as defined in Part 26 have an equal opportunity to receive and participate in DOT-assisted contracts and to name Ms. Pam Poole, Assistant Esler Airport Manager, as the DBE Liaison Office responsible for implementation of all aspects of the DBE Program, and on vote unanimously adopted:

RAPIDES PARISH POLICE JURY  
**DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**  
PURSUANT TO  
**TITLE 49, CODE OF FEDERAL REGULATIONS, PART 26**

**SUBPART A - GENERAL REQUIREMENTS**

**Section 26.1 Objectives**

The Rapides Parish Police Jury has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26 which is made a part of this program as Attachment 1. The Rapides Parish Police Jury has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Rapides Parish Police Jury has signed an assurance that it will comply with 49 CFR Part 26.

The objectives of the Rapides Parish Police Jury are stated on page 1 of this program.

**Section 26.3 Applicability**

The Rapides Parish Police Jury is the recipient of federal airport funds authorized by 49 U.S.C. 47101, et seq.

**Section 26.5 Definitions**

The Rapides Parish Police Jury will use terms in this program that have the meaning defined in Section 26.5.

**Section 26.7 Non-discrimination Requirements**

The Rapides Parish Police Jury will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program the Rapides Parish Police Jury will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

**Section 26.11 Record Keeping Requirements**

**Reporting to DOT: 26.11(b)**

We will report DBE participation to DOT annually utilizing the Uniform Report of DBE Awards or Commitments and Payments form.

**Bidders List: 26.11(c)**

The Rapides Parish Police Jury will create and maintain a bidders list consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts for the airport. The purpose of this requirement is to provide the Rapides Parish Police Jury with the most accurate data possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on the airports Federally assisted contracts and for use of the bidders list approach to calculating overall goals.

The bidders list will include the firm's name, address, DBE or non-DBE status, age of the firm, and annual gross receipts and type(s) of work bidders are qualified to perform. A sample Bidders List Form is included as Attachment 10 to this program.

We will collect this information in the following ways:

1. Require prime bidders to report firm's names, address, DBE or non-DBE status, age of the firm, and annual gross receipts and type(s) of work bidders are qualified to perform, of all firms bidding and/or quoting subcontracts on DOT-assisted projects.
2. Review previous bids of FAA projects for list of contractors, both DBE and non-DBE, who bid on similar projects on this airport and on airports in surrounding parishes.
3. Review the LA DOTD directory for DBEs in the area.

**Section 26.13 Federal Financial Assistance Agreement**

The Rapides Parish Police Jury has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26:13(a)

The Rapides Parish Police Jury shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipients DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Rapides Parish Police Jury of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C.3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

Section 26.13(b) - Contract Assurance

We will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.

**SUBPART B - ADMINISTRATIVE REQUIREMENTS**

**Section 26.21 DBE Program Updates**

Since the Rapides Parish Police Jury has received a grant of \$250,000 or more for airport planning or development, we will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program. We will submit an updated goal annually on August 1, if we plan to award contracts exceeding \$250,000 in FAA funds in that Federal fiscal year.

**Section 26.23 Policy Statement**

The Rapides Parish Police Jury has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26 which is made a part of this program as Attachment 1. The Rapides Parish Police Jury has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Rapides Parish Police Jury has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Rapides Parish Police Jury to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

To ensure nondiscrimination in the award and administration of DOT assisted contracts;

To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;

To ensure that the DBE Program is narrowly tailored in accordance with applicable law;

To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;

To help remove barriers to the participation of DBEs in DOT assisted contracts;

To assist the development of firms that can complete successfully in the market place outside the DBE program.

Ms. Pam Poole, Assistant Airport Manager, has been delegated as the DBE Liaison Officer and will be responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Rapides Parish Police Jury in its financial assistance agreements with the Department of Transportation.

The DBE Liaison Officer has disseminated this policy to the Rapides Parish Police Jury and all components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work

for us on DOT-assisted contracts. This was accomplished with an advertising campaign in the legal journal of our region.

**Section 26.25 DBE Liaison Officer (DBELO)**

We have designated the following individual as our DBE Liaison Officer (DBELO):

Ms. Pam Poole, Assistant Airport Manager  
Esler Airport  
7625 Esler Field Road  
Pineville, LA 71360  
Phone: 318-767-2536 Fax: 318-767-2537  
E-mail: PooleP@la-arng.ngb.army.mil

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Rapides Parish Police Jury complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to Mr. Richard Billings, President, Rapides Parish Police Jury, concerning DBE program matters. The DBELO staff is two (2) facility engineers at Camp Beauregard. An organization chart displaying the DBELO's position in the organization is found as Attachment 2 to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and monitors results.
6. Analyzes the Rapides Parish Police Jury's progress toward goal attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the Esler Airport Advisory Board and Tim Ware (Rapides Parish Police Jury Treasurer) on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.
10. Participates on the committee to determine contractor compliance with good faith efforts.
11. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
12. Plans and participates in DBE training seminars.
13. Certifies DBEs according to the criteria set by DOT and acts as liaison to the Uniform Certification Process in Louisiana.
14. Provides outreach to DBEs and community organizations to advise them of opportunities.
15. Maintains the updated edition of the State of Louisiana DOTD directory of certified DBEs.

**Section 26.27 DBE Financial Institutions**

It is the policy of the Rapides Parish Police Jury to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Currently there are no socially or economically disadvantaged banks in the area, but there are two minority owned banks located in New Orleans. They are as follows:

Liberty Bank, 9820 Lake Forest Blvd #Z, New Orleans, LA 701  
(504) 240-5100 and  
United Bank, 2714 Canal Street, New Orleans, LA 70119, (504) 827-  
0060.

Information on the availability of such institutions can be obtained from the DBE Liaison Officer.

**Section 26.29 Prompt Payment Mechanisms**

The Rapides Parish Police Jury will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from the Rapides Parish Police Jury. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed as required by law. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Rapides Parish Police Jury. This clause applies to both DBE and non-DBE subcontractors.

**Section 26.31 Directory**

The Rapides Parish Police Jury maintains a directory identifying all firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. A copy of the directory is available at Esler Airport Terminal Building, Esler Airport, 7625 Esler Field Road, Pineville, LA 71360, 318-767-2536. The Rapides Parish Police Jury will update its directory at least annually. The directory is included as Attachment 3 to this program document.

**Section 26.33 Over-concentration**

The Rapides Parish Police Jury has not determined that over-concentration exists in the types of work that DBEs perform.

**Section 26.35 Business Development Programs**

The Rapides Parish Police Jury has not established a business development program.

**Section 26.37 Monitoring and Enforcement Mechanisms**

The Rapides Parish Police Jury will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in §26.107.

2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts. Attachment 4 lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our procurement activities.

3. We will also implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award is actually performed by the DBEs. This mechanism will provide for a running tally of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments. This will be accomplished by the following means:

The Rapides Parish Police Jury will require that the contractor provide progress records of payments made by the prime contractors to the DBEs, including change orders and new scope of work, on a monthly basis. These records will be verified by obtaining certified statements from DBE subcontractors.

The Rapides Parish Police Jury, through the DBE Liaison Officer, his designate, or the project manager, may also request information from the contractor as to any and all payments made by the contractor to DBEs, and the contractor shall promptly respond. DBE participation in a particular contract or project is credited towards the overall or contract goals only when payments are actually made to the DBE firms.

4. In our reports of DBE participation to DOT, we will show both commitments and attainments, as required by the DOT reporting form.

**SUBPART C - GOALS, GOOD FAITH EFFORTS, AND COUNTING**

**Section 26.43 Set-asides or Quotas**

The Rapides Parish Police Jury does not use quotas in any way in the administration of this DBE program.

**Section 26.45 Overall Goals**

The Rapides Parish Police Jury will annually establish goals if we anticipate that we will award prime contracts exceeding \$250,000 in FAA funds in a Federal fiscal year in accordance with the 2-Step Process as specified in 49 CFR Part 26.45. If the Rapides Parish Police Jury does not anticipate awarding more than \$250,000 in FAA funds in prime contracts

within the Federal fiscal year, we will not develop an overall goal; however the existing DBE program will remain in effect and the Rapides Parish Police Jury will need to fulfill the objectives outlined in 49 CFR Part 26.1 (see page 1 for the objectives of the DBE program).

The Rapides Parish Police Jury will annually establish overall goals in accordance with the 2-Step Process as specified in 49 CFR Part 26.45. The first step is to determine the relative availability of DBEs in the market area, base figure. The second step is to adjust the base figure percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination based on past participation, a disparity study and/or information about barriers to entry or past competitiveness of DBEs on projects.

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 5 to this program.

In accordance with Section 26.45(f) the Rapides Parish Police Jury will submit its overall goal to DOT on August 1 of each year. Before establishing the overall goal, the Rapides Parish Police Jury will consult with businesses, available minority/women contractors groups, and local, state, and Federal minority/women business assistance offices to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal office for thirty (30) days following the date of the notice, and informing the public that the Rapides Parish Police Jury and DOT will accept comments on the goals for 45 days from the date of the notice. The notice will be published in the following papers: Alexandria News Weekly, Alexandria Town Talk, Daily Journal of Commerce (New Orleans). Normally, we will issue this notice by June 1 of each year. The notice will include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed. A sample notice is included as Attachment 6 to this program.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses.

We will begin using our overall goal on October 1 of each year, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project.

**Section 26.51(a-c) Breakout of Estimated Race-Neutral & Race-Conscious Participation Transit**

The breakout of estimated race-neutral and race-conscious participation can be found in Attachment 5 to this program. This section of the program will be updated annually when the goal calculation is updated.

**Section 26.51(d-g) Contract Goals**

The Rapides Parish Police Jury will use contract goals to meet any portion of the overall goal the Rapides Parish Police Jury does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

We will establish contract goals on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work).

We will express our contract goals as a percentage of the total amount of a DOT-assisted contract.

**Section 26.53 Good Faith Efforts Procedures**

Demonstration of Good Faith Efforts [26.53(a) & (c)]

The obligation of the bidder/offeree is to make good faith efforts. The bidder/offeree can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts, which are found in Appendix A to part 26, are also listed in Attachment 7. The following forms for demonstrating good faith efforts are also included in Attachment 7: The Disadvantaged Business Enterprise (DBE) Utilization form and the Letter of Intent form.

A committee will be responsible for determining whether a bidder/offeree who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive (i.e., DBE information is required

from all bidders at the time of bid). This committee will be comprised of the following: Esler Airport Advisory Board.

The Rapides Parish Police Jury will ensure that all information is complete and accurate and adequately documents the bidder/offers good faith efforts before we commit to the performance of the contract by the bidder/offerer.

#### Information to be Submitted

The Rapides Parish Police Jury treats bidders/offers compliance with good faith efforts requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offers to submit the following information with their bids on each project at the time of bid:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participation;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment; and
6. If the contract goal is not met, evidence of good faith efforts.

#### Administrative Reconsideration

Within five (5) days of being informed by the Rapides Parish Police Jury that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offerer may request administrative reconsideration. Bidder/offerer should make this request in writing to the following reconsideration official: General Brod Veillon, Esler Airport Manager, 304 F Street, Camp Beauregard, Pineville, LA 71360. The reconsideration official will not have played any role in the original determination that the bidder/offerer did not document sufficient good faith efforts.

As part of the reconsideration, the bidder/offerer will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or make adequate good faith efforts to do so. The bidder/offerer will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. We will send the bidder/offerer a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

#### Good Faith Efforts when a DBE is Replaced on a Contract

We will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison Officer immediately of the DBEs inability or unwillingness to perform and provide reasonable documentation.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontractors, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

#### Sample Bid Specification

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the Rapides Parish Police Jury to practice non-discrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offers, including those who qualify as a DBE. A DBE contract goal of \_\_\_ percent has been established for this contract. The bidder/offerer shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offerer will be required to submit the following information: (1) The names and addresses of DBE firms that will participate in the contract; (2) A description of the work that each DBE firm will perform; (3) The dollar amount of the participation of each DBE firm participation; (4) Written documentation of the bidder/offerers commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; (5) Written confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment made under (4); and (6) If the contract goal is not met, evidence of good faith efforts.

#### **Section 26.55 Counting DBE Participation**

The Rapides Parish Police Jury will count DBE participation toward overall and contract goals as provided in 49 CFR §26.55. We will not count the participation of a DBE subcontractor toward a contractors final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

### SUBPART D - CERTIFICATION STANDARDS

#### **Section 26.61-26.73 Certification Process**

##### Certification

The Rapides Parish Police Jury utilizes the Certification Program of the State of Louisiana, Department of Transportation and Development (LA DOTD) for all certifications and re-certifications. LA DOTD uses the certification standards of Subpart D of Part 26 and the certification procedures of Subpart E of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. Certification decisions are based on the facts as a whole.

For information about the certification or re-certification process, to apply for certification or re-certification, or for a copy of the Procedures Manual, firms should contact:

Louisiana Department of Transportation and Development (DOTD)  
Compliance Programs Section  
Post Office Box 94245  
Baton Rouge, LA 70804-9245  
Phone: (225) 379-1382 Fax: (225) 379-1865  
Email: smessina@dotdmail.dotd.state.la.us

Certification Application forms and documentation requirements are found in Attachment 8 to this program.

### SUBPART E - CERTIFICATION PROCEDURES

#### **Section 26.81 Unified Certification Program**

The Rapides Parish Police Jury is aware of the obligation to participate in a statewide Uniform Certification Program (UCP). The program has been submitted to Washington for approval. Once the program is finalized, we will participate in the program.

#### **Section 26.83 Procedures for Certification Decisions**

##### Re-certifications

The eligibility of DBEs that are certified by LA DOTD under former Part 23 will be reviewed to make sure that they meet the standards of Subpart E of Part 26. This review by LA DOTD will be completed no later than three years from the most recent certification date of each firm.

Firms that are certified or reviewed and found eligible under Part 26 will again be reviewed for their eligibility. Current LA DOTD certification procedures provide that certification is valid for three (3) years, with an annual affidavit stating that no changes have been made. Proof of gross receipts must accompany the annual submission.

These reviews will include the following components:

1. No Change Affidavit Notice of Change
  - a. All DBEs are required to provide, in a written affidavit, any change of circumstances affecting their ability to meet size, disadvantaged status, ownership or control criteria of 49 CFR Part 26 or of any material changes in the information provided with DBEs application for certification. The text of the affidavit is the following:

I swear (or affirm) that there have been no changes in the circumstances of [name the DBE firm] affecting its ability to meet the size, disadvantaged status, ownership or control requirements of 49 CFR Part 26. There have been no material changes in the information provided with [name the DBE]s application for certification, except for the changes about which you have provided written notice to the LA DOTD under 26.83 (I). [Name of DBE] meets

all Small Business Administration (SBA) criteria for being a small business concern and its average annual gross receipts (as defined by SBA rules) over the firm's previous three fiscal years do not exceed \$17.42 million.

b. Owners of certified DBE firms are required to submit, on the anniversary date of certification, a no change affidavit meeting the requirements of 49 CFR 26.83 (j).

2. Documentation to the firm's size and gross receipts must be submitted with the affidavit.

3. All currently certified DBE firms will be notified by letter of these obligations four weeks prior to the anniversary date. This notification will inform DBEs that when submitting the no change affidavit, the owners must swear or affirm that all regulatory requirements of Part 26 are met, including personal net worth. Likewise, if a firm's owner knows or should know that he or she, or the firm, fails to meet a Part 26 eligibility requirement (e.g., personal net worth), the obligation to submit a notice of change applies.

4. Personal Net Worth

All disadvantaged owners of applicant firms and of currently-certified DBEs whose eligibility under Part 26 is reviewed are required to submit a statement of personal net worth. Attachment 9 sets forth the Personal Net Worth form (SBA Form 413) which must be submitted by respondents.

#### **Section 26.85 Denials or Initial Requests for Certification**

If a firm's application is denied or the firm is de-certified, it may not reapply until 12 months have passed from our action.

#### **Section 26.87 Removal of a DBEs Eligibility**

In the event we propose to remove a DBEs certification, we will follow procedures consistent with 49 CFR Part 26.87. LA DOTD will ensure separation of functions in a de-certification, and has established an administrative firewall to ensure that same official will not have participated in any way in the de-certification proceedings against the firm (including the decision to initiate such a proceeding). LA DOTD has established a DBE Certification Committee to handle certification appeals. No one on this committee is involved with the initial certification process.

#### **Section 26.89 Certification Appeals**

Any firm or complainant may appeal LA DOTD's decision in a certification matter to DOT. Such appeals may be sent to:

Department of Transportation  
Office of Civil Rights  
Certification Appeals Branch  
400 7<sup>th</sup> St., SW, Room 5414  
Washington, DC 20590

Any DOT certification appeal decisions affecting the eligibility of DBEs for DOT-assisted contracting will be promptly implemented (e.g., certify a firm if DOT has determined that LA DOTD's denial of its application was erroneous).

#### **SUBPART F - COMPLIANCE AND ENFORCEMENT**

#### **Section 26.109 Information, Confidentiality, Cooperation**

##### Confidentiality

We will safeguard from disclosure to third parties information that may be reasonably regarded as confidential business information, consistent with Federal, State, and Local law.

Notwithstanding, any contrary provisions of state or local law, we will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT), without written consent of the submitter.

##### Monitoring Payments to DBEs

We will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the Rapides Parish Police Jury or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We will keep a running tally of actual payments to DBE firms for work committed to them at the time of the contract award.

We will perform interim audits of contract payments to DBEs. This audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

THUS PASSED AND APPROVED on this 11th day of August, 2003.

REGULAR SESSION  
AUGUST 11, 2003

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the expenses of interested Police Jurors to attend the annual conference of the Black Caucus of the Police Jury Association to be held on August 22-23, 2003 in Baton Rouge. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to award Bid 1866 Purchase One New Fire Pumper with trades (Asset No. 6292 - 1983 GMC and Asset No. 8105 - 1968 Chevrolet) for Fire District No. 5 to the low bidder Central State Fire Inc. in the amount of \$130,538 and authorize the Treasurer to secure financing, as recommended by the Oak Hill Volunteer Fire Association Board of Directors, Treasurer and Purchasing Agent. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from the Fire District No. 7 Asset/Inventory Program the following asset:

Asset Description	Acquired	Disposal
6399 Vacuum Wet/Dry	9-10-92	scrap

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to receive the required report from Acadian Ambulance under the Contract for June 2003:

Response Zone	Number	Required	Compliance
Zone	Responses	%	%
Alexandria - 8 minute	348	80%	91.38%
Pineville - 8 minute	88	80%	94.32%
Rapides - 12 minute	113	80%	97.35%
Rapides - 20 minute	150	80%	88.67%

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, for the Rapides Parish Police Jury to recommend to the Rapides Parish Civil Service Board an amendment to Rule XI, Section 2,2.4 wherein notification of layoffs for grant programs coordinate with the 30 day notification of grant termination. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to adopt the following safety/accident review policy for use of Parish vehicles and amend the Parish Highway Department Operations Manual:

SAFETY COMMITTEE

PURPOSE:

The committee activities should be reserved for the only most usual problems, and the Department Heads should not feel that every loss prevention difficulty that confronts them is referable to the Safety Committee for solutions. It is not intended that the Safety Committee shall attempt to take the responsibility for accident prevention away from the Supervisors, but assist them in problems that are beyond their authority.

DUTIES:

1. Review accident reports; for cause of accidents, could accident be avoided, unsafe conditions, unsafe acts on the part of someone.
2. Compare employee present record with the past record.
3. Obtain from Supervisors as much information as possible about employees involved in accidents, their behavior and attitude, and what their job consists of, so committee will not be misled in recommending disciplinary and corrective action to the Department Heads.
4. To assist Safety Director in Safety Meetings and Training Courses when needed.
5. To assist in reviewing safety records of each employee once a year.
6. To perform any other duties in lieu of Safety when requested by Department Heads or Safety Director.

MAINTAINING YOUR EQUIPMENT

GENERAL POLICY

It is your responsibility to see that the equipment you operate is maintained in good operating condition at all times, meeting the requirements of both the law and good operating practice. You are required to observe all applicable laws in operating the vehicle or equipment assigned to you. Further, you are required to immediately advise your Supervisor of any personal, physical or medical conditions that might, in any way, interfere with your driving ability, including prescription drugs or other medication which may affect your work.

PERFORMANCE EVALUATION

Your record of violations, accidents and equipment maintenance is a clear indicator of the quality of your driving habits and performance. You should report all traffic violations to your supervisor within forty-eight (48) hours, if not in Parish vehicles. Accordingly, these records will be reviewed periodically and discussed with you and your Supervisor as necessary. Disciplinary action may be taken as a result of these reviews. Specific penalties are detailed on the attached summary of applicable items taken from the Highway Department Personnel Manual.

VEHICLE EQUIPMENT MAINTENANCE AND CONDITION REPORT

The Rapides Parish Police Jury policy requires the operator of vehicles or equipment to report to the appropriate Supervisor all repairs necessary and they will check with the Shop Superintendent about fixing them. In case of emergency repair and an employee is unable to contact their Supervisor, then he shall go ahead and contact the Shop Superintendent. Each operator of any piece of equipment or vehicle shall fill out a daily check list provided by the Supervisor to Operator. The operator shall turn a check list in each day to the Supervisor who will check the list and turn it in to the appropriate Department Head. Employees are not to go into the shop to look around or perform any repairs on equipment or vehicles without authorization from the Shop Superintendent or their Supervisor.

The following are Rules and Regulations applying to vehicle and equipment operations, maintenance and penalties to be charged for violations.

<u>VIOLATION</u>	<u>OFFENSE</u>	<u>ACTION</u>	<u>ACCIDENTS</u>
a.	Preventable accidents	1st	3 day lay off w/o pay
		2nd	Layoff w/o pay or subject
b.	Failure to report all accidents promptly & personal injury or major accidents immediately	1st	Layoff w/o pay or subject to discharge
2. <u>EQUIPMENT</u>			
a.	Failure to report mechanically defective condition of equipment	1st	5 day layoff w/o pay
		2nd	Subject to discharge
b.	Unauthorized use of eqt.	1st	Subject to discharge
c.	Failure to cover properly	1st	Reprimand
d.	and/or securely load equipment	2nd	2 day layoff w/o pay
		3rd	Subject to discharge
d.	Failure to keep inside of windows, windshields and lights clean and/or failure to keep inside of truck neat and clean and in good condition	1st.	Reprimand
		2nd	3 day layoff w/o pay
		3rd	Subject to discharge
e.	Willful damage to equipment		Subject to discharge
(a)	Usage or possession of drugs or alcoholic beverages on duty or on company property	1st.	Subject to discharge
(b)	Reporting for duty while under the influence of alcohol or other intoxication where employees' condition is such that it may affect the proper performance of his duties.	1st	Subject to discharge
(c)	Any report or complaint of unsatisfactory driver performance will be investigated.	1st.	Reprimand
		2nd.	5 day layoff or
(d)	All driver's records will be reviewed yearly		

ACCIDENT REVIEW BOARD

All vehicle collisions should be analyzed, and a written report submitted to management for review. A determination of accident preventability should be made. Where the collisions were preventable by the parish driver, the driver should be counseled, given additional training, given time off without pay, placed on probation, transferred to non-driving duties, disciplined in other ways, or employment terminated according to governmental guidelines.

However, this does not absolve management from improving safety of the work and living environment. The Vehicle Safety Coordinator, drivers and parish personnel should each participate in the analysis. Management deficiencies and/or lack of management action should also be part of the accident review. Management has the legal obligation not only for driver safety but the safety of the general public as well.

To determine preventability an accident review board has been established. Members consists of both management and field personnel. The committee will meet quarterly. The main charge, of the review board, is to determine whether the fleet accident was preventable or nonpreventable and whether or not it is chargeable to the driver.

The National Safety Council's "Guide for Preventable and Non preventable Accidents", will be used as a guide for this determination. Majority vote rules.

The committee will meet quarterly and will report to the Vehicle Safety Coordinator within 3 working days the results of their review. The Vehicle Safety Coordinator will take the appropriate steps and communicate the results to the affected driver and supervisor.  
On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to adopt a minimum driver eligibility criteria:

DRIVING CRITERIA AND GUIDELINES

The following listing is the minimum qualifications and/or guidelines to be met in order to operate a parish owned vehicle.

1. Two (2) years of driving experience.
2. Current and valid driver's license.
3. Negative results to drug test.
4. No motor vehicle record of reckless driving, reckless homicide, or involuntary manslaughter.
5. No convictions for driving under the influence of drugs and/or alcohol within the past three (3) years.
6. No record of more than three (3) moving violations during the past three (3) years.
7. Personal use of a parish/commercial vehicle must be approved by the department manager.

Failure to meet the above criteria will serve to prohibit new hires from being assigned the use of company vehicles. Current approved drivers who violate this criteria will be subject to disciplinary action, including having to complete a Department of Motor Vehicle approved Defensive Driver Training course within sixty days and/or suspension of driving privileges.  
On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to adopt a driver training program:

DRIVER TRAINING

1. Drivers hired by the Rapides Parish Police Jury to operate a motor vehicle will have the basic skills and credentials necessary to perform this function as confirmed through the driver selection process.
2. New employees, contractors, and temporary hires will receive a copy of this program as part of their initial orientation. A formal orientation program is established to help assure all drivers are presented with the company policy, understand their responsibilities and are familiarized with their vehicle. Areas that must be addressed, with the driver, include:
  - a. Understand, review and given a copy of the Fleet Safety Program.
  - b. Understand and sign the Vehicle Assign Agreement
  - c. Review individual Motor Vehicle Report (MVR)
  - d. Understand accident reporting & emergency procedures.
  - e. Review operation and controls of vehicle being assigned.
  - f. Inspect vehicle using Vehicle Inspection Form.

A copy of this program will be kept in the vehicle.

3. License Suspension  
Drivers must notify the Vehicle Safety Coordinator if their license is suspended or revoked.
4. Remedial Training  
Drivers may be required to attend a safe driving school (National Safety Council Defensive Driving school( (National Safety Council Defensive Driving course or equivalent) or an alcohol/drug abuse program on their own time and at their own expense if a review of the driver's MVR indicates:
  - A. One or more violation convictions within any one-year period, or
  - B. A conviction for driving while under the influence of alcohol or drugs.Also, depending on the severity of the conviction, the employee's driving privileges may be revoked and/or may result in employment termination.

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the President to sign an addendum agreement for the Memorandum of Understanding between the Chief Elected Official of Rapides Parish, the Workforce Investment Board and Local Workforce Area One-Stop Partners and a Memorandum of Understanding for the OEWD One-Stop Partnership. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delay any action on the land for a landfill offer from Mr. Howard Desselle until a community meeting on the proposal can be held. On vote the motion carried.

After unanimous vote the following items were placed on the agenda:

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following proclamation was presented and on vote unanimously adopted:

PROCLAMATION

WHEREAS, the Rapides Parish Council on Aging celebrated 36 years of service to the elderly of our Parish on August 1, 2003; and,

WHEREAS, Gov. John J. McKeithen signed the Charter that created the Council in 1967 and the Council has provided elderly services under contract to the State of Louisiana since that time; and,

WHEREAS, this is the 36th anniversary of the Rapides Council on Aging; and,

NOW, THEREFORE, BE IT RESOLVED that the Rapides Parish Police Jury does hereby proclaim the 1st day of August, 2003, as

RAPIDES PARISH COUNCIL ON AGING DAY

in the Parish of Rapides, Louisiana, and urge all citizens to recognize this special observance.

THUS DONE AND SIGNED on this the 11th day of August, 2003

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, the following proclamation was presented and on vote unanimously adopted:

PROCLAMATION

BE IT RESOLVED that the Rapides Parish Police Jury does hereby proclaim the Week of September 21-27, 2003, as

NATIONAL EMPLOY THE OLDER WORKER WEEK

in the Parish of Rapides, Louisiana, and urge all citizens to recognize this special observance.

THUS DONE AND SIGNED on this the 11th day of August, 2003

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to issue a Notice of Election to Be Held for employee member to the Civil Service Board, qualifying deadline on August 25th, absentee voting on September 15th and election on September 16th in the Registrar of Voters Office, promulgation of election at Special Jury on September 22nd. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize a continuance of the LACE program for the upcoming fiscal year and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize a change order to Bid No. 1847 Design and Build Hip Roof (Fire District No. 2, Ransbottom Drive Station) in the increased amount of \$4,064.00 for relocating electrical service (\$1,354); adding upgrade to 200 amp/3 phase (\$1,846) and installing two louvers for venting the attic (\$864), as recommended by the Fire Chief and Treasurer, to be paid from Fire District No. 2 Funds. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the President to sign a lease for 0.86 acre tract to Tunk's Cypress Inn Inc. for a fifty year term. On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to authorize the submittal for supplemental capital outlay funds for the Dean Lee Research Station, Planning and Construction, FP&C supp 50-J40-02-01 of a Request for a Line of Credit and Cooperative Endeavor Agreement Data Form to the Commissioner of Administration with duplicate copies to the State Bond Commission and Office of Attorney General and to authorize the President to sign these documents. On vote the motion carried.

Mr. Scott Lohman, of Wildlife and Fisheries, advised the Indian Creek Reservoir has a hydrilla problem, being found at 11 to 12 feet in depth. Their recommendation was that the Police Jury draw down Indian Creek 8 feet from the first Monday in September and ending on the first Monday in December, action to be taken consecutively for 5 years to control obnoxious plants. Mr. Billings said he would rather Wildlife and Fisheries come back each year requesting a draw down instead of approving action for a 5 year period today.

On motion by Mr. Don Wilmore, seconded by Mr. Ezra Reed and Mr. Scott Perry, to authorize a draw down of Indian Creek by eight feet beginning the first Monday in September and ending on the first Monday in December, as requested by Wildlife and Fisheries to control obnoxious plants. On vote the motion carried.

REGULAR SESSION  
AUGUST 11, 2003

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from Fire District No. 2 Fixed Asset/Inventory Program the following as it is not compatible with the new radio system:

Asset	Description	Acquired	Disposal
5710	Radio, Converta Com	7-12-89	scrap, auction

On vote the motion carried.

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to delete from the Highway Department Fixed Asset/Inventory Program the following as they are not compatible with the new radio system:

Asset	Description	Acquired	Disposal
5575	Radio, STX	1-1-89	scrap, auction
5586	Radio, STX	12-21-88	scrap, auction
6335	Radio, STX	6-20-90	scrap, auction
5735	Radio, STX	9-12-89	scrap, auction
6886	Radio, amplifier	7-26-94	scrap, auction
5582	Radio, desk set	1-1-89	scrap, auction
5584	Radio, base	1-1-89	scrap, auction
5578	Radio, desk set	1-1-89	scrap, auction

On vote the motion carried.

The next agenda item was to recognize Mr. Gene French to present a property damage claim from the project of spraying to eliminate vegetation in Bayou Rapides; however, no one was present to be heard.

On motion by Mr. Don Wilmore, seconded by Mr. Joe Fuller, to request Legal Counsel to investigate the damage claim of Mr. Gene French and determine what liability there is and whom with. On vote the motion carried.

After unanimous vote the following items were placed on the agenda:

On motion by Mr. Bubba Moreau, seconded by Mr. Scott Perry, to accept for maintenance an extension of the Johnson Cemetery Road, approximately 0.3 mile in length, subject to proper dedication by the property owners. On vote the motion carried.

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

There being no further business, the meeting was declared adjourned at 3:20 p.m.

\_\_\_\_\_  
Angie Richmond, Secretary  
Rapides Parish Police Jury

\_\_\_\_\_  
Richard Billings, President  
Rapides Parish Police Jury