

RAPIDES PARISH POLICE JURY

REGULAR SESSION
OCTOBER 10, 2005

The Police Jury of the Parish of Rapides, State of Louisiana, met in Regular Session at its regular meeting place, the Police Jury Room of the Parish Courthouse, 701 Murray Street, Alexandria, Louisiana, on Monday, October 10, 2005, at three (3:00) o'clock p.m. (Central Standard Time).

There were present: Honorable Ezra L. Reed, President; Jerry P. Wood Sr., Vice President; and Police Jurors Richard "Butch" Lindsay, Steve P. Bordelon, Theodore Fountaine Jr. Donald H. Wilmore, Richard W. Billings, and Scott Perry Jr.

Police Juror Joe Fuller was absent.

Also present were Mr. Tim Ware, Treasurer; Mr. Eric S. Duck, Public Works Director; Ms. Kay Smith, OEWD Director, Ms. Elaine Morace, WIA Operations Director; Ms. Donna Andries, Sales and Use Tax Director; Chief David Peart, Fire District No. 2; Mr. Robert Barr, Courthouse Building Superintendent; Mr. Thomas O. Wells, Legal Counsel; Ms. Linda Sanders, Civil Service Director; and Ms. Angie Richmond, Secretary.

The invocation was given by Mr. Richard Billings.

The Pledge of Allegiance was led by Mr. Don Wilmore.

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

After unanimous vote the following items were added to the agenda:

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings and Mr. Jerry Wood, to grant approval to Ashton Oaks RV Park and authorize to settle the litigation in the following manner:

Danny James, individually, and o/b/o Team Realty LLC, agrees to compromise the suit captioned as Team Realty LLC and Danny James v. Rapides Parish Police Jury et al., and docketed as 222,250 "C" on the Ninth Judicial District, as follows:

- 1) Payment of costs as agreed by the parties;
- 2) Unconditional approval of the project known as Ashton Oaks R.V. Park and more particularly described in the suit aforementioned, except that the Jury and James agree to the following:

James and the Jury mutually agree that a civil engineer, Mr. Thomas David given preference, or one mutually agreed upon, shall inspect the Ashton Oaks property on the 5th day of October, 2006, or reasonably thereafter but in no case after fourteen days from such date, to determine the fitness and reasonable soundness of the R.V. Park's internal roadways, and if in so doing, finding are made that modifications are required, James agrees to take reasonable steps to correct any deficiencies, reserving unto himself and Team Realty all right of judicial and jury review.

On vote the motion carried.

On motion by Mr. Jerry Wood, seconded by Mr. Don Wilmore, to go into Executive Session to discuss the pending litigation of Sean McGlothlin vs. Rapides Parish Police Jury. On vote the motion carried at 3:02 p.m.

EXECUTIVE SESSION

On motion by Mr. Jerry Wood, seconded by Mr. Don Wilmore, to return to open session. On vote the motion carried at 3:12 p.m.

After unanimous vote the following item was placed on the agenda:

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On motion by Mr. Jerry Wood, seconded by Mr. Richard Billings, to grant Mr. Steve Mansour the authority to offer and settle the pending litigation of Sean McGlothlin vs. Rapides Parish Police Jury.

A roll call vote was called on the motion and was as follows:

YES	NO	RECUSE	ABSENT
Ezra Reed		Steve Bordelon	Joe Fuller
Jerry Wood			
Butch Lindsay			
Theodore Fountaine			
Don Wilmore			
Richard Billings			
Scott Perry			

On roll call vote the motion carried 7-0.

The Police Jury then returned to the regular agenda.

On motion by Mr. Richard Billings, seconded by Mr. Jerry Wood, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on September 12, 2005, in Special Session on September 2, 2005, as published in the Official Journal. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Jerry Wood, that approved bills be paid. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Jerry Wood, 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. Reed laid over the appointment to the AICUZ Appeal Board for a three year term to fill the expired term of Mr. Phil M. Sleet, nominee of the Mayor of Alexandria, term expired on April 14, 2005, until a nomination is received from Mayor Randolph.

Mr. Wilmore laid over the appointment to the Esler Industrial Development Area Advisory Board for a five year term to fill the expired term of Mr. Willie W. Curry, representing District D, term expired on September 11, 2005.

On motion by Mr. Theodore Fountaine, seconded by Mr. Scott Perry, to appoint Ms. Susie Smith to the Library Board for a five year term, representing District D, term will expire on October 10, 2010. On vote the motion carried.

The next agenda item was the appointment to the Civil Service Board to fill a vacancy in an unexpired term created by the resignation of Ms. Debra Hunter, nominee of Louisiana College, term will expire on November 8, 2007. It was noted nominations had been received from Louisiana College for Dr. Cole Franklin, Dr. Terry Martin, and Mr. Jim Elder.

On motion by Mr. Butch Lindsay, seconded by Mr. Richard Billings, to appoint Mr. Jim Elder, nominee of Louisiana College, to the Civil Service Board to fill a vacancy in an unexpired term, term will expire on November 8, 2007. On vote the motion carried.

On motion by Mr. Jerry Wood, seconded by Mr. Richard Billings, to reappoint Mr. Rodney V. Noles to the Industrial Development Board for a six year, contingent upon Mr. Noles accepting the appointment, term will expire on October 10, 2011. On vote the motion carried.

Mr. Billings laid over the appointment to the Gas Utility District No. 2 Board for a five year term to fill the expired term of Mr. Glenn Peterson, term expired on October 9, 2005.

The next agenda item was the appointment to the Civil Service Board, Alexandria Bar Association nominee, for a three year term to fill the expiring term of Mr. Ellis G. Saybe, term will expire on October 14, 2005. It was noted nominations had been received from the Alexandria Bar Association for Mr. Greg Upton, Mr. Thomas Davenport, and Mr. John Brian Seeling.

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On motion by Mr. Jerry Wood, seconded by Mr. Scott Perry, to appoint Mr. John Brian Seeling to the Civil Service Board, Alexandria Bar Association nominee, for a three year term, term will expire on October 14, 2008. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Don Wilmore, to reappoint Mr. T. J. Speir to the Fire District No. 4 Civil Service Board, representing the Police Jury, for a three year term, term will expire on November 12, 2008. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Scott Perry, to submit to Governor Blanco the nomination of Mr. Bill E. Doolittle for reappointment to the Rapides Parish Hospital Service District, representing Police Jury District I, for a six year term beginning November 15, 2005, copy to be sent to Senator Joe McPherson. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Scott Perry, to submit to Governor Blanco the nomination of Mr. James Morgan for reappointment to the Rapides Parish Hospital Service District, representing Police Jury District C, for a six year term beginning November 15, 2005, copy to be sent to Senator Joe McPherson. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Scott Perry, to submit to Governor Blanco the nomination of Ms. Rosia Metoyer for reappointment to the Rapides Parish Hospital Service District, representing Police Jury District D, for a six year term beginning November 15, 2005, copy to be sent to Senator Joe McPherson. On vote the motion carried.

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

Alexandria Central Economic Development District for a four year term to fill the expiring term of Ms. Jeanie Sanders, term will expire on December 5, 2005;

Alexandria Central Economic Development District for a four year term to fill the expiring term of Ms. Opal Hudson, term will expire on December 5, 2005;

Ward 4 Recreation District for a five year term to fill the expiring term of Mr. Benton McNicoll, term will expire on December 9, 2005;

Coliseum Authority for a five year term to fill the expiring term of Mr. Jimbo Thiels, term will expire on December 13, 2005; and

Board on the Code of Ethics for one year term to fill the expiring term of Mr. James Arthur Williams, term will expire on December 14, 2005.

On motion by Mr. Richard Billings, seconded by Mr. Don Wilmore, to waive the thirty day announcement rule and reappoint Mr. Benton McNicoll to the Ward 4 Recreation District for a five year term, term will expire on December 9, 2010, and to reappoint Mr. Jimbo Thiels to the Coliseum Authority for a five year term, term will expire on December 13, 2010. On vote the motion carried.

Ms. Sonya Wiley-Gremillion, Director of Office of Homeland Security and Emergency Preparedness, gave an update on disaster recovery, that Rapides Parish had been declared a disaster on categories C-G (public assistance), but not yet for individual assistance, for which she was still in the process of gathering damage information. Ms. Wiley-Gremillion distributed a report on food/water/ice supplies distributed in Rapides Parish for Hurricane Katrina and Rita Operations.

Ms. Leeann Murphy, Chief Executive Officer of the American Red Cross, Central Louisiana Chapter, gave an update on shelters in Central Louisiana, five remaining in Rapides Parish at this time and plans are to consolidate into one until FEMA could complete temporary evacuee housing.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTIONS 18-4.2 (G) SPEED LIMITS SO AS TO SET A SPEED LIMIT ON WILLIS ROAD, WARD 6, DISTRICT H

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this 10th day of October, 2005, that Section 18-4.2 (g) of the Rapides Parish Code of Ordinances is hereby amended and reenacted to include a 25 mph speed limit on Willis Road as follows:

Chapter 18. MOTOR VEHICLES AND TRAFFIC

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

(g) Twenty-five (25) miles per hour. It shall be unlawful for any person to drive or operate a vehicle upon the following parish roads in Rapides Parish in excess of twenty-five miles per hour:

...

Willis Road, Ward 6

...

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

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

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

THUS DONE AND SIGNED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize to enter into an Intergovernmental Agreement, acting as Fire District No. 5, with the Communications District for lease of a portion of the Communications Tower at 1243 East River Road, Glenmora, for an antenna and repeater, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTIONS 18-4.2 (G) SPEED LIMITS SO AS TO SET A SPEED LIMIT ON MARINA ROAD, WARD 9

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this 10th day of October, 2005, that Section 18-4.2 (g) of the Rapides Parish Code of Ordinances is hereby amended and reenacted to include a 25 mph speed limit on Marina Road as follows:

Chapter 18. MOTOR VEHICLES AND TRAFFIC

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

(g) Twenty-five (25) miles per hour. It shall be unlawful for any person to drive or operate a vehicle upon the following parish roads in Rapides Parish in excess of twenty-five miles per hour:

...

Marina Road, Ward 9

...

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

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

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

THUS DONE AND SIGNED on this 10th day of October, 2005.

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

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTIONS 18-4.2 (G) SPEED LIMITS SO AS TO SET A SPEED LIMIT ON STAPLES ROAD, WARD 9

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this 10th day of October, 2005, that Section 18-4.2 (g) of the Rapides Parish Code of Ordinances is hereby amended and reenacted to include a 25 mph speed limit on Staples Road as follows:

Chapter 18. MOTOR VEHICLES AND TRAFFIC

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

(g) Twenty-five (25) miles per hour. It shall be unlawful for any person to drive or operate a vehicle upon the following parish roads in Rapides Parish in excess of twenty-five miles per hour:

...

Staples Road, Ward 9

...

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

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

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

THUS DONE AND SIGNED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to request our Louisiana Legislative Delegation and Louisiana Department of Transportation and Development to install a traffic light on LA 28 East at the intersection of LA 1207 and Hickory Grove Loop. On vote the motion carried.

On motion by Mr. Steve Bordelon, seconded by Mr. Scott Perry, to refer the request of the Holiday Village Volunteer Fire Association for an increase in the base salary of Fire Protection District No. 4 from \$1,575 per month to \$1,775 per month for consideration in the proposed 2006 Rapides Parish Police Jury Budget Hearings. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to accept an extension of Hays Road, Ward 4. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize the Treasurer to amend all budgets. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to accept the Secretary's Report. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to accept the Library Director's Report. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to adopt an amended Citizen Participation Plan for the Kelleyland, Walnut Grove and Airbase Road area sewer collection and treatment, FY 2002 LCDBG Public Facilities Program, Contract No. 588402, and for the FY 2004-2005 LCDBG Kelleyland, Walnut Grove and Airbase Road Area Sewer System Improvements, Phase II, Project, as recommended by the Consultant Administrator, as follows:

CITIZEN PARTICIPATION PLAN

The Rapides Parish Police Jury has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The Rapides Parish Police Jury is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Community Development Block Grant (LCDBG) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the Rapides Parish Police Jury shall:

- 1) Provide citizens with reasonable and timely access to local meetings, information and records relating to the State's proposed method of distribution, as required by the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- 2) Provide for public hearings to obtain views and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;

- 3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- 4) Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
- 5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
- 6) Provide for a formal written procedure which will accommodate a timely written response, within fifteen days where practicable, to written complaints and grievances.

Written minutes of the hearings and an attendance roster will be maintained by the Rapides Parish Police Jury.

PUBLIC HEARINGS

Notices informing citizens of any public hearings will appear in the official journal of the Rapides Parish Police Jury a minimum of five calendar days prior to the hearing. In addition, notices will also be posted at the Rapides Parish Courthouse and the hearing will be publicized through local community organizations, i.e., churches, clubs, etc., and/or dissemination of leaflets in the target area. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible these hearings will be held within or near the target areas, at times affording participation by the most affected residents.

I. APPLICATION:

First Notice/Public Hearing

1) The public hearing to address LCDBG application submittal will be held approximately 120 calendar days prior to the deadline for submission of the application for the current funding cycle. The Citizen Participation Plan will be available at the hearing. The public notice for this hearing will state that the following will be discussed:

- a) The amount of funds available for proposed community development;
- b) The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
- c) The plans of the Rapides Parish Police Jury for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the Rapides Parish Police Jury to persons actually displaced as a result of such activities; and
- d) The Rapides Parish Police Jury's prior performance of LCDBG programs funded by the State of Louisiana.

In addition, the notice shall state that all citizens, particularly low and moderate income residents of slum and blighted areas, are encouraged to submit their views and proposals regarding community development and housing needs. Those citizens unable to attend this hearing may submit their views and proposals to:

Rapides Parish Police Jury
P. O. Box 1150
Alexandria, LA 71309-1150

The notice will also state that accommodations will be made for disabled and non-English speaking individuals provided a day notice is received by the Rapides Parish Police Jury.

Second Notice

1) Seven calendar days, at a minimum, prior to the deadline for submittal of the application, a second notice shall appear in the official journal informing the citizens of the following:

- a) Proposed submittal date of the application;

- b) Proposed objectives;
- c) Proposed activities;
- d) Location of proposed activities;
- e) Dollar amount of proposed activities; and
- f) Location and hours available for application review.

In addition, the notice shall state "all citizens, particularly those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:"

Rapides Parish Police Jury
P. O. Box 1150
Alexandria, LA 71309-1150

Negative comments received will be forwarded immediately to the State Division of Administration or the application will be withdrawn if necessary.

II. AMENDMENTS

Program amendments, which substantially alter the LCDBG project from that approved in the original application, shall not be submitted to the State without holding one public hearing in accordance with the procedures outlined within this Citizen Participation Plan. Minutes of the hearing will be submitted with the request for the amendment. All interested citizens, particularly the low and moderate income, elderly, handicapped, and residents of the project area, shall be made aware and have the opportunity to comment on proposed amendments and/or submit alternative measures.

III. GRANTEE PERFORMANCE

The Rapides Parish Police Jury will hold one performance hearing to solicit the public's opinion of the effectiveness of the LCDBG Program. The manner of notification will be the same as previously described for all public hearings. Notification will be made in the official journal approximately 30 calendar days prior to the anticipated submittal of close-out documents to the State, and will indicate the date, time, and place of the performance hearing, and invite comments and opinions on the LCDBG activities implemented under the Rapides Parish Police Jury's LCDBG Program being closed out. The notice will also state that accommodations will be made for disabled and non-English speaking persons provided a 3 day notice is received by the Rapides Parish Police Jury.

This notice shall invite all interested parties, particularly those low to moderate income residents in the target area to attend.

The hearing will be held no sooner than five calendar days from the publication date of said notice.

CONSIDERATION OF OBJECTION TO APPLICATION

Persons wishing to object to approval of an application by the State may make such objection known to:

Office of Community Development
Division of Administration
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The State will consider objections made only on the following grounds:

- 1) The application description of needs and objectives is plainly inconsistent with available facts and data;
- 2) The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
- 3) The application does not comply with the requirements set forth in the Final Statement or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (1) above, the complainant must supply the data upon which he/she relied upon to support his/her objection.

BILINGUAL

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the Rapides Parish Police Jury will provide an interpreter for dissemination of information to them providing the Rapides Parish Police Jury is given sufficient notification of 3 day(s).

TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the Rapides Parish Police Jury to any citizen, particularly to low and moderate income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the LCDBG Program. The local officials, administrator and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the Rapides Parish Police Jury with at least a one week notification. The persons who conduct the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

TIMELY ACCESS AND ADEQUATE INFORMATION

The Rapides Parish Police Jury shall provide timely disclosure of records, information and documents related to the LCDBG program activities. Documents will be made available for copying upon request at the Rapides Parish Police Jury, Monday through Friday, 8:30 a.m. to 4:30 p.m. Such documents may include the following:

- 1) All meetings and promotional materials.
- 2) Records of hearings and meetings.
- 3) All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications.
- 4) Copies of the regulations (final statements) concerning the program.
- 5) Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions and Environmental Procedures.

CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the Rapides Parish Police Jury to review all complaints received by the Rapides Parish Police Jury.

SECTION 2

The following procedures will be followed on all complaints received by the Rapides Parish Police Jury:

- 1) The complainant shall notify the Secretary of the complaint. The initial complaint may be expressed orally or by written correspondence.
- 2) The Secretary will notify the President or designated representative of the complaint within 5 working days.
- 3) The President or designated representative will investigate the complaint and will report the findings to the Secretary within 5 working days.
- 4) The Secretary will notify the complainant of the findings of the President or designated representative in writing or by telephone within 5 working days.
- 5) If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the Secretary who will forward the complaint and all actions taken by the President or designated representative to the appropriate police jury committee for their review. This will be accomplished within 5 working days of receipt of the written complaint.
- 6) The reviewing council committee will have 5 working days to review the complaint and forward their decision to the complainant in writing.

7) If the complainant is aggrieved with the decision of the Committee, he must notify the Secretary in writing that he desires to be afforded a hearing by the Rapides Parish Police Jury. The complainant will be placed on the next regularly scheduled council meeting agenda. The Secretary will notify the complainant in writing of the date of the hearing.

8) The complainant must bring all relevant data, witnesses, etc., to the hearing. The Rapides Parish Police Jury, at the hearing, will review the complaint and forward within 5 days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the Rapides Parish Police Jury will inform complainant of an appropriate date to expect a response. Within 5 working days of reaching a decision, the complainant will be notified in writing of the decision.

Complaints concerning the general administration of the LCDBG Program may be submitted in writing directly to the:

Division of Administration
Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Louisiana Department of Justice
Public Protection Division
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The complainant will be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to the Louisiana Department of Justice.

or

Complainant may contact the Louisiana Department of Justice Division directly at the Toll Free Telephone number 1-800-273-5718 or 504-342-7900.

SECTION 4

The Secretary will maintain a file for the purpose of keeping reports of complaints.

SECTION 5

This policy does not invalidate nor supersede the personnel or other policies of the Rapides Parish Police Jury which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6

This policy may be amended by a majority vote at any of the Rapides Parish Police Jury's regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan is hereby adopted by the Rapides Parish Police Jury in regular session on this 10th day of October, 2005. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented and on vote unanimously adopted:

RESOLUTION

A RESOLUTION COMMITTING THE RAPIDES PARISH POLICE JURY TO PAY \$31,500.00 FOR ADMINISTRATIVE SERVICES FOR THE 2006/2007 COMMUNITY DEVELOPMENT BLOCK GRANT (LCDBG) PROJECT.

WHEREAS, the Rapides Parish Police Jury has decided to submit a 2006-2007 LCDBG public facilities application for sewer system improvements for the Walnut Grove Subdivision; and

WHEREAS, the Rapides Parish Police Jury intends to utilize local funds (in order to gain an additional point) to pay for administrative costs up to and including pre-agreement costs, administrative consultant fees, and any other administrative costs incurred by the local governing body associated with the 2006-2007 LCDBG application; and

WHEREAS, the Rapides Parish Police Jury has agreed for Frye-Magee and Associates, Inc., to perform all administrative consulting services

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associated with the application which includes developing the grant application at no cost to the Rapides Parish Police Jury and then performing all administrative consulting duties following Grant award at a cost not to exceed \$31,500.00;

NOW, THEREFORE, BE IT RESOLVED, by the Rapides Parish Police Jury, State of Louisiana, in regular session convened on this 10th day of October, 2005, that the Rapides Parish Police Jury does hereby commit up to \$31,500.00 for administrative services to enter into an agreement with Frye-Magee and Associates, Inc., to develop the application and to perform administrative consulting services for the fee of \$31,500.00, with the understanding that the local funds committed will not be used unless the grant application is awarded.

Said Resolution having been read and considered by a quorum of the Rapides Parish Police Jury, on motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to adopt the Resolution, a record vote was taken and the following result was:

Yeas: Ezra L. Reed, Jerry P. Wood Sr., Richard "Butch" Lindsay, Steve P. Bordelon, Theodore Fountaine Jr. Donald H. Wilmore, Richard W. Billings, and Scott Perry Jr.

Nays: none

Absent: Joe Fuller

WHEREUPON, the presiding officer declared the above resolution duly adopted in full on the 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented and on vote unanimously adopted:

RESOLUTION

A RESOLUTION COMMITTING THE RAPIDES PARISH POLICE JURY TO PAY \$31,500.00 FOR ADMINISTRATIVE SERVICES FOR THE 2006/2007 COMMUNITY DEVELOPMENT BLOCK GRANT (LCDBG) PROJECT.

WHEREAS, the Rapides Parish Police Jury has decided to assist the Village of McNary in a Street Application under the 2006-2007 LCDBG public facilities application; and

WHEREAS, the Rapides Parish Police Jury intends to utilize local funds (in order to gain an additional point) to pay for administrative costs up to and including pre-agreement costs, administrative consultant fees, and any other administrative costs incurred by the local governing body associated with the Village of McNary's 2006-2007 LCDBG application; and

WHEREAS, the Village of McNary intends to utilize local funds (in order to gain an additional point) to pay for 10% of Construction Costs associated with the Village of McNary's 2006-2007 LCDBG application; and

WHEREAS, the Rapides Parish Police Jury and the Village of McNary has agreed for Frye-Magee and Associates, Inc., to perform all administrative consulting services associated with the application which includes developing the grant application at no cost to the Rapides Parish Police Jury and the Village of McNary and then performing all administrative consulting duties following Grant award at a cost not to exceed \$31,500.00;

NOW, THEREFORE, BE IT RESOLVED, by the Rapides Parish Police Jury, State of Louisiana, in regular session convened on this 10th day of October, 2005, that the Rapides Parish Police Jury does hereby commit up to \$31,500.00 for administrative services to enter into an agreement with Frye-Magee and Associates, Inc., to develop the application and to perform administrative consulting services for the fee of \$31,500.00, with the understanding that the local funds committed will not be used unless the grant application is awarded.

Said Resolution having been read and considered by a quorum of the Rapides Parish Police Jury, on motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to adopt the Resolution, a record vote was taken and the following result was:

Yeas: Ezra L. Reed, Jerry P. Wood Sr., Richard "Butch" Lindsay, Steve P. Bordelon, Theodore Fountaine Jr. Donald H. Wilmore, Richard W. Billings, and Scott Perry Jr.

Nays: none

Absent: Joe Fuller

WHEREUPON, the presiding officer declared the above resolution duly adopted in full on the 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to ratify the disaster declaration signed by the President on September 20, 2005 due to the emergency of Hurricane Rita:

STATE OF EMERGENCY
RAPIDES PARISH

WHEREAS, the Parish of Rapides is currently faced with a emergency due to Hurricane Katrina and a pending emergency due to Hurricane Rita,

WHEREAS, a definite threat to property and lives, for the Citizens of Rapides Parish exists due to the impact of Hurricane Katrina and the impending impact of Hurricane Rita,

WHEREAS, the potential to exhaust local resources due to reception of additional evacuees from southern parishes coupled with the direct affect of the torrential rains and severe storms exists, as well as the possibility of flooding and danger to private property, public facilities and the safety and security of the citizens of Rapides;

THEREFORE, I, Ezra Reed, President of the Rapides Parish Police Jury by authority vested in me by the Parish Charter and the Louisiana Disaster Act of 1993, do hereby proclaim;

A State of Emergency exists within the Parish of Rapides and that all Emergency Preparedness Plans and the Parish All Hazard Emergency Operations Plan be activated, if necessary.

Issued on this 20th day of September, 2005 and effective at time of issuance (0900 hrs).

s/Ezra L. Reed, President

On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry, that the Rapides Parish Police Jury does hereby support a declaration of Rapides Parish as a disaster area, including for individual assistance. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Jerry Wood, Mr. Scott Perry and all other Police Jurors, to commend all Parish employees and firefighters, and other public employees, for their work in the Disaster of Hurricane Rita. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to receive the report of the Parish Inspector recommending an abandoned, dilapidated house located at 1411 Randolph Boulevard, Lot 6 and Part of Lot 7 of England Acres, Section 78, T4N-R1W, Ward 8, District I, Rapides Parish, be condemned and demolished or removed, due to being in dangerous condition which endangers the public health or welfare, and it be referred to Legal Counsel for proper action. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to receive the report of the Parish Inspector recommending an abandoned, dilapidated house located at 2314 Linwood Lane, Lot 20, Greenway Park, Section 23, T3N-R1W, Ward 1, District G, Rapides Parish, be condemned and demolished or removed, due to being in dangerous condition which endangers the public health or welfare, and it be referred to Legal Counsel for proper action. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to receive the report of the Parish Inspector recommending an abandoned, dilapidated house located at 2421 Linwood Lane, part of Lot 33, Greenway Park, Section 23, T3N-R1W, Ward 1, District G, Rapides Parish, be condemned and demolished or removed, due to being in dangerous condition which endangers the public health or welfare, and it be referred to Legal Counsel for proper action. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to receive the report of the Parish Inspector recommending an abandoned, dilapidated house located at 2436 Dogwood Lane, Lot 76 of Sherwood Park No. 3, Section 23, T3N-R1W, Ward 1, District G, Rapides Parish, be condemned and demolished or removed, due to being in dangerous condition which endangers the public health or welfare, and it be referred to Legal Counsel for proper action. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following ordinance was presented, to amend the Air Installation Compatibility Use Zone, as recommended by the England Authority, subject to approval of Legal Counsel:

AN ORDINANCE ESTABLISHING PROVISIONS
REGULATING THE LOCATION AND USE OF THE LAND

IN THE VICINITY OF THE ALEXANDRIA INTERNATIONAL AIRPORT
AND AMENDING CHAPTER 3 AIRPORTS OF THE
RAPIDES PARISH CODE OF ORDINANCES

BE IT ORDAINED by the Rapides Parish Police Jury in meeting duly assembled that Chapter 3 of the Rapides Parish Code of Ordinances is hereby amended and re-enacted as follows:

CHAPTER 3 AIRPORTS

ARTICLE III. ALEXANDRIA INTERNATIONAL AIRPORT
(FORMERLY ALEXANDRIA AIRFIELD)
(FORMERLY ENGLAND AIRFORCE BASE)

DIVISION 1. RESERVED

Section 3-81--3-90. Reserved

DIVISION 2. ALEXANDRIA AIRPORT LANDING DISTRICT

Section 3-91. Findings of fact; purpose.

By virtue of the authority granted to Rapides Parish by Revised Statutes of the State of Louisiana, as amended, and due to the fact that the Rapides Parish Police Jury finds it necessary to enact this division in order to protect and promote the general health, safety, economy and welfare of the inhabitants of Rapides Parish, Louisiana, by preventing incompatible uses or the creation or establishment of flight hazards; and providing for the protection of property in the vicinity of Alexandria International Airport by creating obstruction clearance and compatible use zones and establishing boundaries thereof; providing for changes in restrictions encompassing in such zones; defining certain terms used herein; providing for enforcement; amendment; and imposing penalties for violations thereof; and to prevent the destruction or impairment of the utility of Alexandria International Airport, Alexandria, Louisiana, and the public investment therein and the enhancement of the quality of life and safety of individuals residing in areas affected, the provisions of this division shall amend the Rapides Parish Zoning Ordinances as adopted and will be an addition to that ordinance to become Chapter 3, Article III, Division 2 "Alexandria Airport Landing District."

Section 3-92. Short Title.

This division shall be known and may be cited as the "Alexandria International Airport Landing District Ordinance" for the area adjacent to Alexandria International Airport, Rapides Parish, Louisiana.

Section 3-93. Definitions.

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

Airport Protection, Zone 1 or APZ I: This refers to the zoning designation with the Alexandria Airport landing district of those parcels of land situated within a rectangular area, three thousand (3,000) feet wide, measured one thousand five hundred (1,500) feet to either side of the centerline of the ends of each active runway; this rectangular area begins at the outer end of the CZ and from these points extends outward to a distance of eight thousand (8,000) feet from the runway threshold.

Airport Protection, Zone 2 or APZ II: This refers to the zoning designation within the Alexandria Airport landing district of those parcels of land situated within a rectangular area, three thousand (3,000) feet wide, measured one thousand five hundred (1,500) feet to either side of the centerline of the ends of each active runway; this rectangular area begins at the outer end of APZ I or eight thousand (8,000) feet from the runway threshold and from these points extend outward for a distance of seven thousand (7,000) feet.

Administrative Agency: Rapides Parish Police Jury or designated person or agency.

Airport: In this division, airport means Alexandria International Airport, Alexandria, Rapides Parish, Louisiana.

Alexandria Airport landing district: This shall mean the parcel(s) of land described and defined further in Section 3-94.

Clear Zone: This refers to the zoning designation within the Alexandria Airport landing district of those parcels of land situated within a rectangular area, two thousand (2,000) feet wide, measured one thousand (1,000) feet to either side of the centerline of the ends of each active runway. This rectangular area begins at each runway threshold and extends outward from each runway for a distance as specified below:

- Runway 18 - four thousand (4,000) feet.
- Runway 36 - four thousand (4,000) feet.
- Runway 32 - four thousand (4,000) feet, and Runway 18 - six thousand (6,000) feet.

Nonconforming use: Any structure, natural growth or use or land which does not conform to a regulation prescribed in this division or an amendment thereto, as of the effective date of such regulations.

Person: Any individual, firm, partnership, copartnership, corporation, company, association, joint stock association, or political body, also any trustee, receiver, executor, assignee or other similar representative thereof.

Structure: Any object constructed or installed in any manner, including, but not limited to: buildings, towers, smokestacks, signs and irrigation systems.

Subzone: Refers to all APZ and clear zones within the described Alexandria Airport landing district.

Section 3-94. District boundaries.

The Alexandria Airport landing district shall consist of all land that falls within all or part of Sections 10, 11, 12, 16, 17, 18, 19, 20, 40, 41, 42, 45, 52, 53, 54, 55, 73, 74, 76, and 77, of Township 4 North, Range 2 West of Rapides Parish; Sections 26 and 85, Township 4 North, Range 1 West, of Rapides Parish; Sections 9, 10, 11, 13, 14, 22, 23, 27, and 28 of Township 5 North, Range 2 West of Rapides Parish, south of the Red River; and Sections 26, 31, 35, 37 of Township 5 North, Range 2 West of Rapides Parish, north of the Red River.

Section 3-95. Compliance with land use restrictions.

Land zoned APZ I, APZ II or clear zone may not be used for any purpose other than those described on Table I in section 3-96 as permissible and compatible with the zoning designations carried by that parcel of land. Property owners or land users should consult the administrative agency to determine the locations of property and limitations imposed thereon by this division.

Section 3-96. Land use table.

- (a) Permissible uses: All uses indicated by a "yes" in the applicable column of Table I are allowed.
- (b) Prohibited uses: All uses indicated by a 'no' in the applicable sub-zone column of Table I are expressly prohibited.
- (c) Land Use Table:

Table 1

LAND USE COMPATIBILITY IN ALEXANDRIA AIRPORT PROTECTION ZONES AND CLEAR ZONES			
Land Use	>75 DNL CZ	70-75 DNL APZ-1	65-70 DNL APZ-II
<u>Residential</u>			
<u>Single-family Dwellings</u>	No	No	<u>Yes(1)</u>
<u>Multi-family Dwellings</u>	No	No	<u>Yes(1)</u>
<u>Permanent Residence</u>			
<u>Mobile Homes</u>	No	No	No
<u>Transient Lodging-</u>			
<u>Hotels, Motels</u>	No	No	<u>Yes(1)</u>

Transportation, Communications and Utilities

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Railroad	Yes(2,9,10)	Yes(2,9,10)	<u>Yes</u>
Motor Vehicle			
Transportation	No	Yes(2,9,10)	<u>Yes</u>
Aircraft Transportation	No	Yes(2,9,10)	<u>Yes</u>
Highway and Street ROW	Yes(2,9,10)	Yes(2,9,10)	Yes
Auto Parking	No	Yes(2,9,10)	Yes
Communications	Yes(2,9,10)	<u>Yes(2,9)</u>	Yes(9)
Utilities	Yes(2,9,10)	Yes(9,10)	Yes
Landfills and Hazardous			
Waste Facilities	No	No	No
<hr/>			
Commercial and Retail Trade			
<hr/>			
Wholesale Trade	No	<u>Yes(1,9,10)</u>	Yes
Building Materials -			
Retail	No	<u>Yes(9,10)</u>	Yes
General Merchandise-			
Retail	No	<u>Yes(9,10)</u>	Yes
Food Retail-Groceries	No	<u>Yes(9,10)</u>	Yes
Other Food Retail	No	<u>Yes(9,10)</u>	Yes
Automotive, Marine,			
Aviation - Retail	No	<u>Yes(9,10)</u>	Yes
Apparel and Accessories			
Retail	No	<u>Yes(1,9,10)</u>	Yes
Furniture, Home			
Furnishings-Retail	No	<u>Yes(1,9,10)</u>	Yes
Eating and Drinking			
Places	No	<u>Yes(9,10)</u>	Yes
Other Retail	No	<u>Yes(9,10)</u>	Yes
Mobile Home Sales	No	<u>Yes(9,10)</u>	Yes
<hr/>			
Industrial and Manufacturing			
<hr/>			
Food and Kindred			
Products	No	<u>Yes(9,10)</u>	Yes
Textile Mill Products	No	<u>Yes(9,10)</u>	Yes
Apparel	No	<u>Yes(9,10)</u>	Yes
Lumber and Wood			
Products	No	<u>Yes(9,10)</u>	Yes
Furniture and Fixtures	No	<u>Yes(9,10)</u>	Yes
Paper and Allied			
Products	No	<u>Yes(9,10)</u>	Yes
Printing and Publishing	No	<u>Yes(9,10)</u>	Yes
Chemicals and Allied			
Products	No	<u>Yes(7,9,10)</u>	Yes(7)
Petroleum Refining and			
Related Industries	No	No	No
Rubber and Miscellaneous			
Plastic	No	<u>Yes(9,10)</u>	Yes
Stone, Clay and Glass			
Products	No	<u>Yes(9,10)</u>	Yes
Primary Metal			
Industries	No	<u>Yes(9,10)</u>	Yes
Fabricated Metal			
Industries	No	<u>Yes(9,10)</u>	Yes
Professional, Scientific			
and Controlling			
Instruments	No	<u>Yes(9,10)</u>	Yes
Miscellaneous			
Manufacturing	No	<u>Yes(9,10)</u>	Yes
<hr/>			
Services			
<hr/>			
Finance, Insurance			
and Real Estate	No	<u>Yes(10)</u>	Yes
Personal Services	No	<u>Yes(10)</u>	Yes
Cemeteries	No	<u>Yes(3,10)</u>	Yes
Business Services	No	<u>Yes(10)</u>	Yes
Warehousing and			
Storage Services	No	<u>Yes(10)</u>	Yes
Explosives Storage	No	No	No
Repair Services	No	<u>Yes(10)</u>	Yes
Medical and Other Health			
Services	No	No	<u>Yes(1)</u>
Hospital	No	No	No
Legal Services	No	<u>Yes(10)</u>	Yes
Other Professional			
Services	No	<u>Yes(10)</u>	Yes

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Contract Construction Services	No	<u>Yes(10)</u>	<u>Yes</u>
Government Services	No	<u>Yes(10)</u>	<u>Yes</u>
Educational Facilities	No	No	No
Religious Facilities	No	No	<u>Yes(1)</u>

Cultural, Entertainment and Recreation

Cultural Activities	No	No	<u>Yes(1)</u>
Nature Exhibitions and Zoos	No	<u>No</u>	<u>Yes</u>
Entertainment Assembly	No	No	<u>Yes(1)</u>
Miscellaneous Public Assembly	No	No	<u>Yes(1)</u>
Fairgrounds and Amusement Parks	No	No	<u>Yes(9)</u>
Outdoor Sports Activities	No	<u>Yes(8,9,10)</u>	<u>Yes(9)</u>
Indoor Sports Activities	No	No	<u>Yes</u>
Playground and Athletic Areas	No	<u>Yes(9,10)</u>	<u>Yes(9)</u>
Water-based Recreation Areas	No	<u>No</u>	<u>Yes(9)</u>
Other Recreation	No	<u>Yes(9,10)</u>	<u>Yes(9)</u>
Resort and Group Camps	No	No	<u>Yes</u>
Parks	No	<u>Yes(9,10)</u>	<u>Yes(9)</u>

Resource Production, Extraction and Open Land

Agriculture(4)	Yes(10)	Yes(10)	Yes
Dairy and Livestock Farms(5)	No	Yes(10)	Yes
Forestry Activities	No	Yes(10)	Yes
Fishing Activities and Related Services(6)	No	<u>No</u>	Yes
Mining Activities	No	<u>No</u>	Yes
Undeveloped and Unused Land	Yes	Yes	Yes
Manmade Water Areas	<u>No</u>	<u>No</u>	Yes
Permanent Open Space	Yes	Yes	Yes

Yes: Permissible uses.
No : Prohibited uses.

Notes:

- 1) Use compatible only if measures to achieve outdoor to indoor Noise Level Reduction (NLR) of at least 25 dB (within 65-70 DNL) or 30 dB (within 70-75 DNL) are incorporated into the design and construction of the interior portions of the building.
- 2) No passenger terminals and no major aboveground transmission lines.
- 3) Meeting places, auditoriums, chapels, etc., not allowed.
- 4) Includes livestock grazing but excludes feedlots and intensive animal husbandry.
- 5) Includes feedlots and intensive animal husbandry.
- 6) Includes hunting and fishing.
- 7) Excludes products with explosive or flammable characteristics.
- 8) Facilities must be low intensity, e.g., golf courses, soccer fields, baseball fields, etc.
- 9) Facilities must not create electronic interference, conflicting light, vapor, smoke, etc. which might cause interference with aircraft navigation, as specified in Sec. 3-96.10.
- 10) Facilities, structures, or trees must not exceed height restrictions as specified in Sec. 3-96.10.

- (a) The regulations prescribed in Section 3-95 and 3-96 shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to the regulations as of the effective date hereof, or otherwise interfere with the construction or alteration of any structure which has begun prior to the effective date of this division.
 - (b) Any use of land, building or structure lawfully existing at the time this division or amendments hereto become effective shall be allowed to continue even though such use does not conform with the regulations of this division or amendments hereto for the Alexandria Airport landing district in which it is located.
- (1) Discontinuance of legal nonconforming uses.
 - a. In the event that a legal nonconforming, nonresidential use of a land, building or structure is discontinued for a period of thirty-six (36) consecutive months, any future use thereof shall be in conformity with the regulations of this division.
 - b. In the event that a legal nonconforming use of buildings or structures is destroyed to any extent by fire, explosion, act of God or act of the public enemy, it may be reconstructed. Such reconstruction shall be commenced within thirty-six (36) months of the destruction and shall be limited to one hundred (100) percent of the destroyed structure's floor area.
 - (2) Expansion of a legal nonconforming use.

A nonresidential legal nonconforming use of land, building or structure shall not be enlarged, extended, or structurally altered unless such enlargement, extension, or structural alteration, and further use of such property conforms with the regulations of this Alexandria Airport landing district division in which such property is located. In the event that the above described nonconformity involves a building or structure, said building or structure shall not be permitted to be relocated elsewhere on property or enlarged or extended by separate and detached construction.

Section 3-96.2. Administration and enforcement.

- (a) An administrative agency designated by the police jury shall administer and enforce this division. It may be provided with the assistance of such other persons as the police jury may direct.
- (b) If the administrative agency should find that any of the provisions of this division are being violated, it shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. It shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this division to ensure compliance with or to prevent violation of its provisions.

Section 3-96.3. Permits.

Development permits shall be required for all construction within the Alexandria Airport landing district. In addition, a site plan showing building, sign and parking locations shall accompany commercial and industrial use building permit preapplications.

- (1) Future uses: No material changes shall be made in the use of land and no structure shall be erected, altered, reconstructed or otherwise established in any of the zones herein specifically listed unless a permit therefor shall have been applied for and granted. Each such application shall indicate the purpose for which the permit is desired, with sufficient particularity to be determined whether the resulting use, structure would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit applied for shall be granted.
- (2) Existing uses: Procedure described under section 3-96.1, nonconforming land uses.

Section 3-96.4. Board of adjustment and appeals - Established; organization; conduct.

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- (a) Creation; composition; terms; vacancies; officers. A board of adjustment and appeals is hereby established, which shall consist of five (5) members to be appointed by the police jury, who shall be freeholders and qualified voters of Rapides Parish, but not parish employees, all to serve without compensation. The initial terms of the members to be appointed to the board of adjustment and appeals shall be initially staggered terms with two (2) members serving an initial term of one (1) year, two (2) members serving an initial term of two (2) years, and one (1) member serving an initial term of three (3) years; each subsequent term of appointment shall be for a term of three (3) years. All members shall be removable for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The board shall elect its own chairman who shall serve for one (1) year. The secretary of the administrative agency shall serve as the secretary of the board of adjustment and appeals but shall not be considered as a voting member of the board. It shall be the duty of the secretary to cause a true and correct record of all proceedings of the board to be kept.
- (b) Rules; meetings. The board of adjustment and appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this division. Meetings shall be held at the call of the chairman and at such other times the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.
- (c) Appeals procedure. Appeals to the board of adjustment and appeals may be taken by any person aggrieved of by any officer, department, board or bureau of the Parish affected by any decision of the administrative agency. Appeals shall be taken within fifteen (15) days, as provided by the rules of the board, by filing with the administrative agency from whom the appeal is taken, and with the board of adjustment and appeals, a notice of appeal specifying the grounds thereof. The agency from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

The board of adjustment and appeals shall fix a reasonable time for the hearing of appeal, not to exceed ninety (90) days, and decide same within a reasonable period of time not to exceed thirty (30) days, give public notice thereof and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

The district attorney shall be the legal advisor to the board of adjustment and appeals and shall represent the parish and the board in connection with any appeals therefrom.

- (d) Stay of proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the administrative agency from whom the appeal is taken certifies to the board of adjustment and appeals after the notice is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment and appeals or by a court of record on application, on notice to the administrative agency from whom the appeal is taken and on due cause known.

Section 3-96.5. Same -- powers and duties.

- (a) Appeal procedure, generally. The board of adjustment and appeals shall have the power and duty to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative agency in the enforcement of this division.
- (b) Reversing decision of administrative agency. In exercising the above mentioned powers, the board of adjustment and appeals may, so long as such action is in conformity with the terms of this division, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the administrative agency from whom the appeal is taken.

The concurring vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination of the

administrative agency, or to decide in favor of the applicant on any matter upon which is required to pass under the division or to effect any variation in the application of this division.

Section 3-96.6. Appeals to district court.

Any person or persons or any officer, department, commission, board, bureau or any other agency of the parish jointly or severally aggrieved by any decision of the board may apply for appellate review in the Ninth Judicial District Court in accordance with Louisiana R.S. 2:387.

Section 3-96.7. Intent as to appeals and police jury function.

Duties of administrative agency, board of adjustments and appeals, police jury and courts on matters of appeal:

- (1) It is the intent of this division that all questions of interpretation and enforcement shall be first presented to the administration agency, and that such question shall be presented to the board of adjustment and appeals only on appeal from the decisions of the administrative agency, and that recourse from the decisions of the board of adjustment and appeals shall be to the district court of the Parish of Rapides as provided by law.
- (2) It is further the intent of this division that the duties of the parish in connection with this chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this division. Under this division the police jury shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this division, as provided by law.

Section 3-96.8. Variance and temporary use permit procedure.

- (a) Authority. The administrative agency, designed in accordance with section 3-96.2, shall have the power to grant variances as described herein and to authorize the issuance of variance permits therefor with the provision that the Executive Director of the England Authority, or his designee, shall be notified of any variances being requested and shall be asked for comments on such requests.
- (b) Application for a variance or temporary use permit. Application for variance to the regulations of this division or for any temporary use permit shall be made to the administrative agency.

Permitted variances or temporary use permits may be granted only upon a specific finding that the purpose of military airport compatibility and of this division is preserved. Applications shall be made on forms prescribed by the administrative agency, shall be filed with the director, and shall be accompanied by:

- (1) Accurate plot plans and description of the property involved, description of the proposed uses, preliminary floor plans and elevations of all proposed buildings, and an estimate of the valuation of the proposed construction.
- (2) Evidence satisfactory to the administrative agency of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within one hundred twenty (120) days after allowing any variance or granting of any temporary use permit.
- (3) Reasons for requesting the variance or temporary use permit.

Section 3-96.9 Notification of buyers

No person shall sell any property within the subzones of the Alexandria Airport landing district unless the prospective buyer has been notified in writing of the fact that the property is within the subzones of the Alexandria Airport landing district.

Section 3-96.10 Height and obstruction criteria.

- (a) Prohibited uses. The following uses shall be prohibited within the designated clear zones and accident potential zones:
 - (1) Uses that release into the air any structure that would impair visibility or interfere with the operation of aircraft.

- (2) Uses that produce light emissions, either direct or indirect, that would interfere with pilot vision.
 - (3) Uses that produce emissions that would interfere with aircraft communications systems or navigational equipment.
 - (4) Uses that would attract birds or waterfowl, such as operation of sanitary landfills, maintenance of feeding stations, or growth of certain vegetation.
- (b) Zones established. In order to carry out the provisions of this division, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Alexandria International Airport. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:
- (1) Approach-Departure clearance zone: The inner edge of this zone coincides with the width of the primary surface and is two thousand (2,000) feet wide. Beginning two hundred (200) feet beyond each end of the primary surface at the centerline elevation of the runway end and extends for fifty thousand (50,000) feet from point of beginning, it flares uniformly with a width of sixteen thousand (16,000) feet.
 - (2) Transitional zones: The transitional zones are the areas beneath the transitional surfaces.
 - (3) Inner horizontal zone: A plane, oval in shape, constructed by scribing an arc with a radius of seven thousand five hundred (7,500) feet above the centerline at the end of each runway and interconnecting these arcs with tangents.
 - (4) Outer horizontal zone: A plane, oval in shape, extending outward from the outer periphery of the conical surface for a horizontal distance of thirty thousand (30,000) feet.
 - (5) Conical zone: A surface extending from the periphery of the inner horizontal surface outward and upward for a horizontal distance of seven thousand (7,000) feet.
 - (6) Clear zone: A surface located on the ground or water at each end of the primary surface.
- (c) Height limitations. Except as otherwise provided in this division, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this division to a height in excess of the applicable height therein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:
- (1) Approach-department clearance zones: The slope of the approach clearance surface is fifty to one (50:1) along the runway centerline extended until it reaches an elevation of five hundred (500) feet above the established airfield elevation. It then continues horizontally at this elevation to a point of fifty thousand (50,000) feet from the point of beginning.
 - (2) Transitional zones: These surfaces connect the primary surfaces, the first two hundred (200) feet of the clear zone surfaces, and the approach clearance surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces. The slope of the transitional surface is seven to one (7:1) outward and upward at right angles to the runway centerline.
 - (3) Inner horizontal surface: A plane established one hundred fifty (150) feet above the airfield elevation.
 - (4) Outer horizontal surface: A plane established five hundred (500) feet above the airfield elevation.
 - (5) Conical surface: Slopes outward and upward at a slope of seven to one (7:1) for a horizontal distance of seven thousand (7,000) feet to a height of five hundred (500) feet above the established airfield elevation.

- (d) Excepted height limitations: Nothing in this division shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to fifty feet (50) above the surface of the land. Any construction above fifty (50) feet must first be approved by the administrative agency.
- (e) AICUZ study. The several height and obstruction zones herein established are shown in the air installation compatible use (AICUZ) study as produced by the United States Air Force and dated 1983 and on file with the administrative agency.

Section 3-96.11. Enforcement

This division shall be enforced in accordance with the procedures set forth in Section 3-96.2.

Section 3-96.12. Penalties for Violation.

- (a) Violations of the provisions of this chapter or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this division and fails to comply with any of its requirements shall, upon conviction thereof be fined not more than five hundred (\$500.00) dollars or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- (b) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, surveyors, contractor, agent, or other person who commits, participates in, assist in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- (c) Nothing herein contained shall prevent the parish from taking such other lawful action as is necessary to prevent or remedy any violation.

Other Ordinances.

Adoption of this Ordinance shall not validate any existing ordinance, and shall be used in addition to such ordinances.

Conflicting Ordinances Repealed.

All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Validity.

If any of the provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Adoption.

This Ordinance shall be in full force and effect from and after its adoption by the Rapides Parish Police Jury and shall be an addition to any other ordinances adopted by the Rapides Parish Police Jury in reference to zoning as amended or adopted in the future.

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

YEAS: Ezra L. Reed, Jerry P. Wood Sr., Richard "Butch" Lindsay, Steve P. Bordelon, Theodore Fountaine Jr., Donald H. Wilmore, Richard W. Billings, and Scott Perry Jr.

NAYS: None.

ABSENT: Joe Fuller.

And the ordinance was declared adopted on this, the 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize Mr. Robert Barr, Courthouse and Jail Building Superintendent, to replace the center front doors on the Murray Street side of the Courthouse and the rear entrance on the Foisy Street side of the Courthouse with ADA approved automatic sliding doors to give the handicapped and elderly

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persons easier access, in an amount not to exceed \$12,587 to be paid from the Courthouse and Jail budget. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to amend that certain motion of the Police Jury adopted on March 21, 2005 granting approval to Trustland Subdivision so as to change the name to Latanier Estates. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to grant approval to Shadow Woods Subdivision, revised plat and resubmission, as recommended by the Rapides Area Planning Commission, and authorize signing of the plat. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to thank Mayor Clarence Fields, Pineville Fire Chief Edward LaBorde, and Fire District 2 Chief David Peart for their support with over 18,000 gallons of water to the Courthouse and Jail when the City of Alexandria lost their water pressure beginning on September 25, 2005. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented and on vote unanimously adopted:

RESOLUTION

WHEREAS, Police Juries in Louisiana elect their members every four years at the same election at which the Governor, Lt. Governor, Secretary of State, Commissioner of Agriculture, Treasurer, Commissioner of Insurance, Members of the Louisiana State Senate, and Members of the Louisiana State House of Representatives are elected; and

WHEREAS, the next such election is scheduled to be held in November of 2007; and

WHEREAS, this election is expected to cost the State and local governments approximately \$6,500,000.00; and

WHEREAS, the next election for President and Vice President of the United States of America is scheduled to held in November of 2008; and

WHEREAS, this election is also expected to cost the State approximately \$6,500,000.00; and

WHEREAS, many states elect their State officials on the same election cycle as the President and Vice President of the United States; and

WHEREAS, if Louisiana were to change its State and local government election schedule to coincide with the election cycle for President and Vice President of the United States, Louisiana would save the \$6,500,000.00 expected cost of the November 2007 election; and

WHEREAS, this cost savings would be realized every four years by avoiding state-wide elections in 2011, 2015, and every four years thereafter; and

WHEREAS, this cost savings will be in the tens of millions of dollars in the future and will help to ease the fiscal difficulties faced by the State and local governments in Louisiana.

THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury that the Louisiana Legislature be urged to pass a Constitutional Amendment in the 2006 Regular Session, or sooner, to change the State and local election cycle in Louisiana to coincide with the election cycle for President and Vice President of the United States of America, and to submit that Constitutional Amendment to the votes of Louisiana at the election scheduled in November of 2006.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to our Louisiana Legislative Delegation for their consideration and support.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Eighth Police Jury Region for consideration of adoption and presented to the membership of the Police Jury Association of Louisiana at its 2006 Annual Convention.

THUS PASSED AND APPROVED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize the expenses of interested Police Jurors, designated Police Jury employees and Legal Counsel to attend the 2006 NACo Legislative Conference to be held on March 4-8, 2006 in Washington, DC. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented, authorizing the President to execute an agreement with LDOTD for the match of \$29,704 for the Rehabilitate Storm Drainage at Esler Airport Project, FAA Grant No. 3-22-0021-022-2005, in the amount of \$564,357, and on vote unanimously adopted:

RESOLUTION

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A RESOLUTION AUTHORIZING THE PRESIDENT TO EXECUTE AN AGREEMENT WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LA DOTD) FOR IMPROVEMENTS AT THE ESLER REGIONAL AIRPORT

WHEREAS, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorized the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund; and,

WHEREAS, the Rapides Parish Police Jury has requested funding assistance from the LA DOTD to improve airport drainage; and,

WHEREAS, the stated project has been approved by the Louisiana Legislature and the LA DOTD is agreeable to the implementation of this project and desires to cooperate with the Rapides Parish Police Jury according to the terms and conditions identified in that certain Agreement as on file in the Police Jury Office; and,

WHEREAS, the FAA will provide up to 95% of the necessary funding and the LDOTD will provide up to 5% of the necessary funding.

NOW, THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury that it does hereby authorize Mr. Ezra L. Reed, President, to execute an Agreement for the project identified as AIP No. 3-22-0021-022-2005 and SPN 940-01-0026, more fully identified in the above referenced Agreement.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect from and after its adoption.

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

Yeas: Ezra L. Reed, Jerry P. Wood Sr., Richard "Butch" Lindsay, Steve P. Bordelon, Theodore Fountaine Jr. Donald H. Wilmore, Richard W. Billings, and Scott Perry Jr.

Nays: none

Absent: Joe Fuller

WHEREUPON, the resolution was declared adopted on the 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to request the Purchasing Department to contact the private firm for a cost to include the Office of Motor Vehicles and Health Unit in the grounds maintenance and a report be given back to the Police Jury. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following ordinance was presented, to authorize the private sale of an abandoned (adjudicated) property pursuant to R.S. 33:4711-12, R.S. 33:2861 et seq., R.S. 33:4720.11 - 33:4720.19, or as otherwise provided by law, as recommended by Attorney Bob Bussey, and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE TO AMEND THE RAPIDES PARISH CODE OF ORDINANCES TO ENACT A NEW SECTION TO AUTHORIZE THE PRIVATE SALE OF AN ABANDONED (ADJUDICATED) PROPERTY PURSUANT TO R.S. 33:4711-12, R.S. 33:2861 ET SEQ, R.S. 33:4720.11-33:4720.19, OR AS OTHERWISE PROVIDED BY LAW.

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this the 10th day of October, 2005, that the Rapides Parish Code of Ordinances be and is hereby amended and re-enacted to include the following new section as follows:

Section ____ Sale of an abandoned (adjudicated) property by private sale.

(A) Sale of abandoned (adjudicated) properties may be made by private sale, and in order to establish a fair and equitable policy, which shall have uniform application, for determining the sale price, all properties sold pursuant to this Section shall be sold to the highest bidder, free and clear of all liens and privileges for taxes, interest, penalties, paving, and other assessments due the State, Parish or Municipality thereof;

(B) In addition to the aforementioned statutes, the initial application by a prospective purchaser shall include the following:

1. Legal description of property (lot, square and subdivision name);
2. Municipal address of property;
3. Name of the owner(s) of record of the property at time of adjudication and the year of the tax sale;

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4. Affidavit certifying the prospective purchaser is not a member of immediate family of property owner or entity in which owner has a substantial economic interest;
5. A copy of tax sale deed evidencing the recordation in excess of three (3) years;
6. A copy of current tax bill;
7. A non-refundable administrative fee of \$75.00; and,
8. An executed offer letter to purchase the property.

(C) BID PHASE

- 1) The Purchasing Department shall send a memo attaching the above documents in Section (B) (1-8) to the Police Jury Committee, which will review the documents and shall request an advertisement for bidding;
- 2) If neither opposition nor higher offer is received in response to the advertisement, the Committee will recommend that the offer be accepted or rejected when it is referred to the full Police Jury for action;
- 3) If there is opposition or higher offer received, then the following shall occur:
 - a. Party must file the written opposition or higher offer with the Police Jury Committee prior to hearing of ordinance;
 - b. If higher offer(s), then said new offeror(s) shall deposit a cashier's check amounting to the total of all costs advanced by prospective purchaser, including the application fee, appraisal fee (if any), plus the prospective purchaser's attorney fees (if any, up to \$1,500.00), which will be used to reimburse prospective purchaser in the event the prospective purchaser is not the highest bidder;
 - c. If more than one (1) offer for any particular piece of property is received, all parties (i.e., the original applicant/prospective purchaser and subsequent offerors) who have submitted an offer with the required deposit shall be allowed to submit additional verbal bids immediately at the Police Jury Committee meeting, and a recommendation shall be made to the full Police Jury;
 - d. The results of the bidding process and the recommendation of the Committee to sell the property to the highest bidder will then be submitted to the full Police Jury for adoption at the following meeting.

(D) The Police Jury will adopt an Ordinance to sell the property to the highest bidder (hereinafter referred to as "purchaser"). Said Ordinance shall include the following requirements:

1. A requirement that the purchaser certify in writing to the Purchasing Department of the Rapides Parish Police Jury that he/she, or agent, has examined the mortgage and conveyance records of Rapides Parish and that attached to this certification is a written list of names and last known addresses of all owners, mortgages, and any other person(s) or entities who may have a vested or contingent interest in the property, or anyone who has filed a request for notice as provided in LSA-R.S. 47:2261 as indicated in those records;
2. A requirement that the purchaser submit the required notifications to the Purchasing Department for their signature, and then notify those persons identified in accordance with LSA-R.S. 47:2261, i.e. certified mail, publication and/or service of process;
3. A requirement that, once notice is given, the purchaser record proof of notice in the conveyance records of

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Rapides Parish and provide the Purchasing Department with stamped copies of the recorded proof of notice;

4. A requirement that purchaser certify in writing at the time of the closing, to the Purchasing Department that at least sixty (60) days has elapsed since the above required notice was made or attempted and that the owner has not redeemed the property by paying the taxes;
 5. An authorization for the President of the Police Jury to execute an act of sale of the property at least sixty (60) days after notice, as required above; however, the President shall not execute the act of sale until the District Attorney's office has certified in writing to the President, that purchaser has complied with items 1-4 above;
 6. A requirement that the sale instrument be approved by the District Attorney's office and that the sales price be paid by cashier's check, or money order at the time of the sale. The sale form shall include a reservation of all mineral rights to the City and/or Parish, but shall convey all surface rights to the prospective purchaser;
 7. A requirement that the sale will be without warranty, even as to the return of the purchase price; and,
 8. A provision that if the purchaser fails to complete the requirements of Section 2 (a) and (b) of the adopted ordinance to sell the abandoned (adjudicated) property within one hundred and twenty (120) days of its adoption, the President of the Police Jury is authorized to execute an act of cash sale in which the Parish of Rapides conveys the above described property to anyone who shall complete the requirements of Section 2 of the adopted ordinance; and that if all of the requirements of that Section are not completed within six (6) months from the date of the adoption, the President of the Police Jury's authority to execute an act of cash sale for this property shall cease and any and all rights of the prospective purchaser to this property shall terminate;
- (E) The initial application fee of \$75.00 and the cost of the appraisal shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.
- (F) Any redemption by persons mentioned in the aforementioned statutes shall be cast with all taxes, interest, penalties, liens, and all costs and fees advanced by the prospective purchaser, plus the purchaser's attorney fees (if any, up to \$1,500.00), all to be collected by the sheriff prior to issuance of the redemption certificate.

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

THUS PASSED, APPROVED AND SIGNED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following ordinance was presented, to authorize the donation of an abandoned (adjudicated) property to a non-profit entity pursuant to R.S. 33:4711-12, R.S. 33:2861 et seq., R.S. 33:4720.25 - 33:4720.33, or as otherwise provided by law, as recommended by Attorney Bob Bussey, and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE TO AMEND THE RAPIDES PARISH CODE OF ORDINANCES TO ENACT A NEW SECTION TO AUTHORIZE THE DONATION OF AN ABANDONED (ADJUDICATED) PROPERTY TO A NON-PROFIT ENTITY PURSUANT TO R.S. 33:4711-12, R.S. 33:2861 ET SEQ, R.S. 33:4720.25-33:4720.33, OR AS OTHERWISE PROVIDED BY LAW.

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this the 10th day of October, 2005, that the Rapides Parish Code of Ordinances be and is hereby amended and re-enacted to include the following new section as follows:

Section ____ Donation of an abandoned (adjudicated) property to a non-profit entity.

- (A) Donation of abandoned (adjudicated) properties may be by private act, and all properties donated pursuant to this Section shall be donated free and clear of all liens and privileges for taxes, interest, penalties, paving, and other assessments due the State, Parish or Municipality thereof;
- (B) In addition to the aforementioned statutes, the application for donation of property by a non-profit entity shall include the following:
 - 1. Legal description of property (lot, square and subdivision name);
 - 2. Municipal address of property;
 - 3. Name of the owner(s) of record of the property at time of adjudication and the year of the tax sale;
 - 4. Affidavit certifying no member of the non-profit entity is a member of immediate family of property owner or non-profit entity in which owner has a substantial economic interest;
 - 5. A copy of tax sale deed evidencing the recordation in excess of three years;
 - 6. A copy of current tax sale bill;
 - 7. A non-refundable administrative fee of \$75.00;
 - 8. Proof of the non-profit status including the
- (C) Upon receipt of the written request and items in Section (B) (1-8) listed above, a Request for Determination shall be sent from the Purchasing Department to the Director of Public Works;
- (D) Director of Public Works shall forward a property determination to the Purchasing Department, which shall indicate a current appraisal is necessary;
- (E) Purchasing Department shall send letter to non-profit entity regarding status of property, i.e. whether or not it is needed for a public purpose and that if not so needed, a current appraisal is required under this Section, procured and paid for by the non-profit entity, performed by a state certified appraiser;
- (F) If the property is available for donation, the non-profit entity shall complete and execute an offer letter (hereinafter, known as a Request For Donation Of Property), attaching the current appraisal, which shall be submitted to the Purchasing Department.
- (G) When the Request For Donation Of Property is received by Purchasing Department, a memo shall be sent to Police Jury Committee regarding the proposed donation of property with a copy of the Request For Donation Of Property, the required attachments listed in Section (B) above, and the attached current appraisal.
- (H) Upon recommendation by the Police Jury Committee, the Police Jury will adopt an Ordinance declaring the property as surplus, not needed for a public purpose, and approving the donation of the property to the non-profit entity. Said Ordinance shall include the following:
 - 1. A requirement that the non-profit entity certify in writing to the Purchasing Department that it or its agent has examined the mortgage and conveyance records of Rapides Parish and that attached to this certification is a written list of names and last known addresses of all owners, mortgages, and any other person(s) or entitles who may have a vested or contingent interest in the property, or anyone who has filed a request for notice as provided in LSA-R.S. 47:2261, as indicated in those records;

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2. A requirement that the non-profit entity submit the required notifications to the Purchasing Department for their signature, and then notify those persons identified therein in accordance with LSA-R.S. 47:2261, i.e. certified mail, publication and/or service of process;
 3. A requirement that, once notice is given, the non-profit entity record proof of notice in the conveyance records of Rapides Parish and provide the Purchasing Department with stamped copies of the recorded proof of notice. (The clerk of court will charge to record proof of notice);
 4. A requirement that the non-profit entity, at the time of the closing, certify in writing to the Purchasing Department that at least sixty (60) days has elapsed since the above required notice was made or attempted and that the owner has not redeemed the property by paying the taxes;
 5. An authorization for the President of the Police Jury to execute a donation of the property at least sixty (60) days after notice, as required above; however, the President shall not execute the act of donation until the District Attorney's office has certified in writing to the President, that donee has complied with items 1-4 above;
 6. A requirement that the donation instrument be subject to the requirements of LA R.S. 33:4720.29(C), be approved by the District Attorney's office and that the donation shall include a reservation of all mineral rights to the City and/or Parish, but shall convey all surface rights to the donee;
 7. A requirement that the donation will be without warranty; and,
 8. A provision that if the non-profit entity fails to complete the requirements of Section 2 A) and B) of the adopted ordinance to donate the property within one hundred twenty (120) days of its adoption, the President of the Police Jury is authorized to execute an act of donation in which the Parish of Rapides donates the above described property to anyone who shall complete the requirements of Section 2 of the adopted ordinance; and that if all of the requirements of that Section are not completed within six (6) months from the date of the adoption, the President of the Police Jury's authority to execute an act of donation for this property shall cease and any and all rights of the donee to this property shall terminate.
- (I) The initial application fee of \$75.00 and the cost of the appraisal shall not be refundable if the non-profit entity elects not to complete the process.
- (J) Any redemption by persons mentioned in the aforementioned statutes shall be cast will all taxes, interest, penalties, liens, and all costs and fees advanced by the donee, plus the donee's attorney fees (if any, up to \$1,500.00), all to be collected by the sheriff prior to the issuance of the redemption certificate.

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

THUS PASSED, APPROVED AND SIGNED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following ordinance was presented, to authorize the private sale of an adjudicated vacant lot to an adjoining landowner who has maintained the lot pursuant to R.S. 33:4711-12, R.S. 33:4720.41 - 33:4720.49, or as otherwise provided by law, as recommended by Attorney Bob Bussey, and on vote unanimously adopted:

ORDINANCE

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AN ORDINANCE TO AMEND THE RAPIDES PARISH CODE OF ORDINANCES TO ENACT A NEW SECTION TO AUTHORIZE THE PRIVATE SALE OF AN ADJUDICATED VACANT LOT TO AN ADJOINING LANDOWNER WHO HAS MAINTAINED THE LOT PURSUANT TO R.S. 33:4711-12, R.S. 33:4720.11-33:4720.19, OR AS OTHERWISE PROVIDED BY LAW.

BE IT ORDAINED by the Rapides Parish Police Jury in Regular Session convened on this the 10th day of October, 2005, that the Rapides Parish Code of Ordinances be and is hereby amended and re-enacted to include the following new section as follows:

Section ____ Sale of an adjudicated vacant lot to an adjoining landowner who has maintained the lot for one year, and other conditions, mandated by the prevailing statutes.

- (A) In order to establish a fair and equitable policy, which shall have uniform application for determining the sale price, all properties sold pursuant to this Section shall be sold for one-half (1/2) of the appraised value of said property, free and clear of all liens and privileges for taxes, interest, penalties, paving, and other assessments due the State, Parish or Municipality thereof;
- (B) In addition to the aforementioned statutes, the initial application submitted to the Purchasing Department for said private sale shall be as follows:
 - 1. Legal description of property (lot, square and subdivision name);
 - 2. Municipal address of property;
 - 3. Name of the owner(s) of record of the property at time of adjudication and the year of the tax sale;
 - 4. An affidavit that prospective purchaser is not a member of the immediate family of the tax debtor or entity owning a substantial interest in the property;
 - 5. A copy of the tax sale deed evidencing the recordation in excess of three (3) years;
 - 6. A copy of the current tax bill;
 - 7. A non-refundable administrative fee of \$75.00;
 - 8. Affidavits as required by the statute concerning the maintenance of the property;
 - 9. A current appraisal, procured and paid for by the prospective purchaser, performed by a state certified appraiser;
 - 10. Prospective purchaser shall submit a written offer letter to purchase the property;
- (C) The Purchasing Department shall send a memo attaching the above documents in Section (B) (1-7) to the Police Jury Committee, which will review the documents and make a recommendation to the Police Jury to adopt an Ordinance to sell the property to the prospective purchaser for one-half (1/2) of the appraised value. Said Ordinance shall include the following requirements:
 - 1. A requirement that the prospective purchaser certify in writing to the Purchasing Department of the Rapides Parish Police Jury that he/she, or agent, has examined the mortgage and conveyance records of Rapides Parish and that attached to this certification is a written list of names and last known addresses of all owners, mortgages, and any other person(s) or entities who may have a vested or contingent interest in the property, or anyone who has filed a request for notice as provided in LSA-R.S. 47:2261, as indicated in those records;
 - 2. A requirement that the prospective purchaser submit the required notifications to the Purchasing Department for their signature, and then notify those persons identified

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in accordance with LSA-R.S. 47:2261, i.e. certified mail, publication and/or service of process;

3. A requirement that, once notice is given, the prospective purchaser record proof of notice in the conveyance records of Rapides Parish and provide the Purchasing Department with stamped copies of the recorded proof of notice;
 4. A requirement that the prospective purchaser certify in writing at the time of the closing, to the Purchasing Department that at least sixty (60) days has elapsed since the above required notice was made or attempted and that the owner has not redeemed the property by paying the taxes;
 5. An authorization for the President of the Police Jury to execute a sale of the property at least sixty (6) days after notice, as required above; however, the President shall not execute the act of sale until the District Attorney's office has certified in writing to the president, that the prospective purchaser has complied with times 1-4 above;
 6. A requirement that the sale instrument be approved by the District Attorney's office and that the sales price be paid by cashier's check, or money order at the time of the sale. The sale form shall include a reservation of all mineral rights to the City and/or Parish, but shall convey all surface rights to the prospective purchaser;
 7. A requirement that the sale will be without warranty, even as to the return of the purchase price; and,
 8. A provision that if the prospective purchaser fails to complete the requirements of Section 2 of the adopted ordinance to sell the adjacent lot within six (6) months from the date of the adoption, the President of the Police Jury's authority to execute an act of cash sale for this property shall cease and any and all rights of the prospective purchaser to this property shall terminate.
- (D) The initial application fee of \$75.00 and the cost of the appraisal shall not be applied to the purchase price and shall not be refundable if the prospective purchaser elects not to complete the process.
- (E) Any redemption by persons mentioned in the aforementioned statutes shall be cast will all taxes, interest, penalties, liens, and all costs and fees advanced by the prospective purchaser, plus the prospective purchaser's attorney fees (if any, up to \$1,500.00), all to be collected by the Sheriff prior to issuance of the redemption certificate.

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

THUS PASSED, APPROVED AND SIGNED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize to enter into an Intergovernmental Agreement with the Rapides Parish School Board for the Parish Highway Department to remove bricks and debris and to fill in a large hole at the rear of the Glenmora Elementary School, the cost of the dirt to be reimbursed by the School Board, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to award Bid No. 1946 Sale of Structure and Property located at 600 Louise Street, Alexandria, the former Fire District No. 2 Fire Station, to the sole bidder 3-H Investments (Robert Hughes) in the amount of \$75,333.13. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to ratify authorization for the President to sign an intergovernmental agreement with the Town of Lecompte for Hurricane Rita disaster debris removal as requested by Mayor Rosa Jones, and to authorize this type of work in any other municipality that requires the assistance, including Cheneyville, Boyce, Glenmora, Forest Hill, Woodworth. On vote the motion carried.

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On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to receive the required report from Acadian Ambulance under the Contract for August 2004:

Response Zone	Number Responses	Required %	Compliance %
Alexandria - 8 minute	413	80%	90.07%
Pineville - 8 minute	73	80%	95.89%
Rapides - 12 minute	119	80%	98.32%
Rapides - 20 minute	164	80%	93.90%

On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to approve the release of the Courthouse Building Superintendent from the Civil Service System, which was approved by the Civil Service Board on September 15, 2005, subject to two-thirds vote of approval by the Police Jury. On vote the motion unanimously carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, that each Department Head is to work through their Committee Chairs before going to the President for decisions. On vote the motion carried.

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

The President opened for the Final Public Hearing on the Lena Water Project Grant.

Mr. Jeff Martin, of TRC-Willis Engineering, advised the project was complete, all punch list items completed.

On motion by Mr. Don Wilmore, seconded by Mr. Jerry Wood, to authorize the President to sign the Certificate of Project Acceptance on the Lena Water System Improvement Project, FY 2000, LCDBG Project No. 565131, as recommended by the Consultant Engineer, accept the extended eighteen month warranty from Meyers Water Well Drilling and Service Inc., and waive the liquidated damages from the Contractor. On vote the motion carried.

On the Grundy Cooper Sewer Improvement Project Grant/Loan application, Mr. Martin advised he would be submitting additional information to USDA in the near future.

The President next opened to receive an update on the Kelleyland Sewer Project Grant.

Mr. Greg Whittington, of Meyer Meyer LaCroix and Hixson, gave an update, advised the project was substantially complete, acceptance would give the Contractor 45 days to complete all remaining items.

Ms. Katherine B. Brown, resident of Kelleyland, asked her driveway be repaired from damage during the construction.

On motion by Mr. Scott Perry, seconded by Mr. Steve Bordelon, to accept the Kelleyland Sewer Improvement Project as Substantially Complete, as recommended by the Consultant Engineer, and authorize the President to sign same. On vote the motion carried.

On motion by Mr. Butch Lindsay, seconded by Mr. Richard Billings, Mr. Jerry Wood and all other Police Jurors, to express appreciation to the Louisiana National Guard for their assistance with debris removal to the State of Louisiana during Hurricane Katrina and Hurricane Rita Disasters. On vote the motion carried.

Mr. Joel Angelle, Regional Manager for Angelle Concrete Mix, explained he had an industrial building permit for the location of 2329 North Bolton Avenue and had met with the Sheriff in response to a complaint from a neighbor, but it did not appear that there was a violation. Mr. Tom Wells, Legal Counsel, suggested Mr. Angelle secure an opinion from his attorney that he could rely upon on the application of the noise ordinance. Mr. and Mrs. Tim Danforth expressed their complaint to the Police Jury of the noise and dust from the business operation. Mr. Wells explained the Rapides Parish Police Jury does not have the power to zone, it appears to be a civil matter, for which the Danforths should consult an attorney.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize to lease/purchase two fire trucks under the Louisiana State Contract bid pricing for Fire Protection District No. 10 and to authorize the Treasurer to secure financing, as recommended by the Plainview

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Volunteer Fire Department Board of Directors, to be paid from funds as budgeted. On vote the motion carried.

Mr. Perry introduced discussion on the possibility of looking into purchase of a limb shredder for the Parish Highway Department. After discussion, Mr. Billings requested the Public Works Director to look into the possibility of rental during emergency situations.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented and on vote unanimously adopted:

RESOLUTION

A RESOLUTION TO EXPRESS TO MR. JON GRAFTON OF THE ENGLAND AUTHORITY A RECOMMENDATION FOR THE ENGLAND AUTHORITY TO COORDINATE WITH THE RAPIDES PARISH POLICE JURY AND ITS APPROPRIATE DEPARTMENTS ON UPCOMING GRANTS FOR JOB CREATION AND TRAINING FOR EVACUEES

BE IT RESOLVED that the Rapides Parish Police Jury does hereby authorize its President, Ezra L. Reed, to express on behalf of the entire local governing authority, the Rapides Parish Police Jury, by written statement, a request that the England Authority coordinate with the Rapides Parish Police Jury and its appropriate departments to co-sponsor grant applications for employment-focused services for Hurricane Katrina and Rita evacuees that are to be housed in temporary housing in collaboration with the England Authority;

BE IT FURTHER RESOLVED that the Rapides Parish Police Jury and grant recipient of Workforce Investment Act Funds for the local Workforce Investment Area No. 61 are concerned that dislocated workers and/or citizens residing in Rapides Parish be afforded the opportunities to prepare for gainful employment through collaborative efforts between local entities including the Rapides Parish One-Stop, the Rapides Parish Workforce Investment Board, the England Authority and the Rapides Parish Police Jury.

THUS PASSED AND APPROVED on this 10th day of October, 2005.

Mr. Billings, Mr. Reed and Mr. Bordelon presented a plaque to Ms. Helen Bruce, Courthouse Receptionist, for over thirty-three years of service.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to change the date of the regular Police Jury meeting in March 2006 from Monday, March 13, 2006 to Monday, March 20, 2006, the March standing committee meetings to be on Monday, March 13, 2005 to eliminate the conflict with the NACo Legislative Conference to be held on March 4-8, 2006 in Washington, DC. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to change the date of the August Standing Committees in August 2006 from August 7, 2006 to July 31, 2006 in order to eliminate the conflict with the NACo Annual Legislative Conference to be held on August 4-8, 2006, the Regular Police Jury meeting will remain on August 14, 2006. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize to advertise for bids to purchase Bunker Gear for Fire District No. 4, as recommended by the Holiday Village Volunteer Fire Association Board of Directors, to be paid from Fire District No. 4 Funds as budgeted. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize to advertise to purchase Portable Radios and Pagers for Fire District No. 3, as recommended by the Alpine Volunteer Fire Department Board of Directors, to be paid from FEMA and Fire District No. 3 Funds. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented, to authorize the President to sign the renewal of the professional services contract with Louisiana State University for TASC (Implement the Truancy Assessment and Services Program), Contract No. C192123, for funding in the maximum amount of \$158,546 for the period of July 1, 2005 through June 30, 2006, as recommended by the Treasurer, and on vote unanimously adopted:

RESOLUTION

BE IT RESOLVED that the Rapides Parish Police Jury does hereby authorize Ezra L. Reed, its President, and his/her successors in office to negotiate, on terms and conditions that he/she may deem advisable, a contract or contracts with the Louisiana State University and Agricultural and Mechanical College, with the effective date of July 1, 2005, and to execute said documents on behalf of this governing body, and further, we do

hereby give him/her the power and authority to do all things necessary to implement, maintain, amend or renew said document.

THUS PASSED AND APPROVED on this 10th day of October, 2005.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to revoke the Marie Acres Phase I cul-de-sac, but leave the right of ways as per all plats, as recommended by the Rapides Area Planning Commission. On vote the motion carried.

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

On motion by Mr. Steve Bordelon, seconded by Mr. Richard Billings, to authorize to advertise to overlay various roads in District B:

Ward 9

Staples Road

Staples Extension

Rebel Run

On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to accept for Parish maintenance Rebel Run, approximately 1,200 feet. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to create a part time paid secretary position for Fire District No. 8 at the rate of \$8.00/hour, not to exceed twentyeight hours per week, as recommended by the Cotile Volunteer Fire Department Board of Directors, to be paid out of Fire District No. 8 Funds, and authorized filling of the slot. On vote the motion carried.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, the following resolution was presented, approving the Annual Certificate of Compliance with the State of Louisiana, Off System Bridge Replacement Program, as recommended by the Public Works Director, and on vote unanimously adopted:

RESOLUTION

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

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

THEREFORE, BE IT RESOLVED by the governing authority of Rapides Parish (herein referred to as the Parish) that the Parish in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for the period October 1, 2005 through September 30, 2006:

1. The Parish will continue to perform all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. All bridges owned or maintained by the Parish will continue to be structurally analyzed and rated by the Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above will be critically reviewed by the Parish. Load posting information will be updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.
3. All Parish owned or maintained bridges which require load posting or closing shall be load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge shall be critically reviewed by the Parish Engineer prior to load posting.

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

REGULAR SESSION
OCTOBER 10, 2005

This resolution was considered section by section and as a whole and upon motion of Mr. Don Wilmore, being seconded by Mr. Richard Billings, was adopted by the following vote on this the 10th day of October, 2005.

YEAS: Ezra L. Reed, Jerry P. Wood Sr., Richard "Butch" Lindsay, Steve P. Bordelon, Theodore Fountaine Jr., Donald H. Wilmore, Richard W. Billings, and Scott Perry Jr.

NAYS: none

ABSENT: Joe Fuller

And the resolution was declared adopted on this the 10th day of October, 2003.

On motion by Mr. Don Wilmore, seconded by Mr. Richard Billings, to authorize the expenses of interested Police Jurors, designated Police Jury employees and Legal Counsel to attend the 2006 NACo Annual Conference to be held on August 4-8, 2006 in Chicago, IL. 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 4:55 p.m.

Angie Richmond, Secretary
Rapides Parish Police Jury

Ezra L. Reed, President
Rapides Parish Police Jury