

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION
HELD ON THE 8th DAY OF JANUARY, 2009

The Caddo Parish Commission met in legal and regular session on the above date at 3:30 p.m. in the Government Chamber with Mr. David Cox, President, presiding, and the following members in attendance, constituting a quorum: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). ABSENT: None.

The invocation was given by Mr. Pierson, and Mr. Cox led the Commission in the Pledge of Allegiance.

Selection of Commission Officers for 2009

President Cox stated that the first order of business for this meeting would be the selection of officers for the year 2009. He said that it had been his privilege and honor to have served the Commission as its President during 2008. Overall it was great year, he said, the highlight of the year being the revelation about the Haynesville Shale natural gas deposit in the Parish, plus the windfall the Parish received when it leased some Parish lands.

He said that issues that arose during the year were handled in a straightforward manner, and the business of the citizens of Caddo Parish could not have been in the hands of a better group than those in this meeting room. He thanked each one for their support and help, thus making his job much easier.

At this time he stated that the floor was open for nominations for the office of President, and that he would begin that process by nominating Ms. Stephanie Lynch. His nomination was seconded by Mr. Jenkins.

It was **moved by Mr. Pierson**, seconded by Mr. Dominick, *that the nominations be closed and that Commissioner Lynch be elected by acclamation.* Motion carried.

Mr. Cox vacated the chair and Ms. Lynch assumed office.

She then stated that the floor was open for nominations for the office of Vice-President.

Mr. Cox nominated Mr. Escude, and his nomination was seconded by Mr. Smith.

It was **moved by Mr. Pierson**, seconded by Mr. Thibodeaux, *that the nominations be closed and that Mr. Escude be elected by acclamation.* Motion carried.

President Lynch then stated that the floor was open for nominations for the office of Parliamentarian.

It was **moved by Mrs. Baker**, seconded by Mr. Linn, *that Mr. Epperson be nominated.*

It was **moved by Mr. Dominick**, seconded by Mr. Pierson, *that the nominations be closed and that Mr. Epperson be elected by acclamation.* Motion carried.

At this time President Lynch asked Mr. Cox to come forward. She said that on behalf of all incoming officers, as well as the remainder of the Commission, she wished to thank Mr. Cox for his exemplary performance as president during the year 2008. It was in many ways a difficult year and it placed some heavy demands on the President, she said. She then presented a gavel plaque to Mr. Cox signifying his term of office.

It was **moved by Mr. Thibodeaux**, seconded by Mr. Jenkins, *that the Minutes of the Regular Meeting held on December 18, 2008, be adopted.* Motion carried.

It was **moved by Mr. Pierson**, seconded by Mr. Dominick, *that the Minutes of the Special Meeting held on December 19, 2008, be adopted.* Motion carried.

COMMUNIQUES AND REPORTS

Administrator Woodrow Wilson came forward. He congratulated President Lynch on her election and stated that he looks forward to working with her over the coming year.

He then reminded the Commission that the following day there would be another meeting of the Intergovernmental Committee consisting of the Shreveport City Council, the Caddo Parish School Board and the Commission. He said he had provided each Commissioner a copy of the meeting agenda.

He then announced that the Commission had received an announcement from Louisiana Secretary of Economic Development Stephen Moret inviting the Parish to take part in an economic

development summit which will be convening on Wednesday, January 14. Any Commissioner who would like to attend should let him know, he said. Secretary Moret will also meet briefly with local leaders to discuss the future of the General Motors plant, he said.

□ Mr. Wilson then said that Commissioners have perhaps heard about President-elect Obama's proposed infrastructure initiative. The State has sent Caddo Parish a copy of what it will present to the plan from the Department of Transportation and Development perspective. Caddo Parish is also preparing its own list, he said, and it will be presented at the Commission's next meeting.

□ An e-mail was received from Senator Lydia Jackson regarding the Governor's budget cuts. Caddo Parish sustained a cut in one area—the Star Boot Camp program budget was reduced by five percent, which amounts to \$15,000. It will not adversely affect the Parish's ability to provide that program, he said, but he has discussed with Senator Jackson the possibilities that will come in the future with regard to State funding. However, she offered little encouragement, he said; as the State tightens its belt the things for which the Parish relies upon the State may not be forthcoming. Even so, the Parish will meet with the Legislative delegation prior to the start of the next session to solicit help with Parish needs.

□ At this time Commissioner Escude, chairman of the Personnel Policies Committee, reported that the committee had met earlier in the day to conduct annual evaluations of the Administrator and the Commission Clerk. The committee made a recommendation that each of those individuals receive a 4.5 percent salary adjustment. He said he will propose that in a motion under New Business.

□ At this time Commissioner Baker announced that she will be seeking election to complete the full Commission term for District 6. That election will be held in April, she said, and she solicits the Commission's prayers and support.

PUBLIC HEARING ON ZONING CASES

ZONING CASE APPEAL:

□ ZONING CASE APPEAL BAP-24-08 (property located on the west side of Tammy 350 feet south of Shattalon (FLORENCE THERESA GRUMMER, APPLICANT/ APPELLANTS.) Request for a Special Exception Use in an R-1D District for three mobile homes on three separate lots. The Zoning Board of Appeals denied the applicant's request. The applicant is appealing that decision.

The President asked if there was anyone present to speak in support of or in opposition to the foregoing zoning case appeal, and Mr. Jim Dobson came forward and stated that his aunt, Teresa Grummer, owns the property in question. He said that his family looked at this property they saw a mixture of three-bedroom brick homes and trailer homes.

Mr. Dobson said that the family has already spent a lot of money, some \$15,000, preparing roads and installing culverts and preparing site plans. It is necessary to pass four trailers getting to this property, he said, and that is why they assumed there would be no impediment to the plan they proposed. The mobile homes are already on-site, and it cost \$1,000 each to move them there. He said he would appreciate being allowed to finish the project.

□ ZONING CASE P-12-08 in regard to Ordinance No. 4854 of 2008 METROPOLITAN PLANNING COMMISSION APPLICANT.
Request to amend Section 22-104 of Chapter 22 of the Code of Ordinances relative to subdivisions

The President asked if there was anyone present to speak in support of or in opposition to this zoning case, and there was no one.

□ ZONING CASE P-19-08 in regard to Ordinance No. 4855 of 2008 METROPOLITAN PLANNING COMMISSION APPLICANT.
Request to amend Section 17-1 of Chapter 17 of the Code of Ordinances relative to planning and development

The President asked if there was anyone present to speak in support of or in opposition to the above zoning case, and there was no one. She declared the public hearing on zoning cases to be concluded and directed the Clerk to present Ordinances for public hearing.

PUBLIC HEARING ON ORDINANCES

□ Ordinance No. 4853 of 2008 to authorize the Caddo Parish Administrator to execute an intergovernmental agreement with the Town of Vivian concerning recreational services

- Ordinance No. 4856 of 2008 adopting the Budget of Estimated Revenues and Expenditures for the Capital Improvements Fund and the Debt Services Fund in the amount of \$19,786,071 to transfer 2007 and 2008 bond proceeds for the year 2008
- Ordinance No. 4857 of 2008 to amend the Code of Ordinances by adding Section 2-261 to require the Parish Administrator to submit an annual report to the Caddo Parish Commission on the Caddo Parish Economic Inclusion Initiative

The President asked if there was anyone present to speak in support of or in opposition to any of the above ordinances, and there was no one. She declared the public hearing to be concluded.

ZONING ORDINANCES: (For final passage)

It was **moved by Mr. Cox**, seconded by Mr. Pierson, *that the decision of the Metropolitan Shreveport Zoning Board of Appeals to deny a request for a special exception use in an R-1D District for three mobile homes on three separate lots be upheld, and that Zoning Case Appeal BAP-24-08, Florence Theresa Grummer, applicant/appellant, be denied.*

Mr. Cox asked Mr. Charles Kirkland, executive director of the Metropolitan Planning Commission, to come forward. He said that neighbors in the vicinity of this proposed had expressed numerous concerns, and he asked Mr. Kirkland to review those concerns.

Mr. Kirkland said that it appears the applicants may have thought that this property was out in the rural area outside the jurisdiction of the MPC planning area because they applied for no permits, no zoning of lots or subdividing of lots as clearly called for. He said he cannot think of a single rule that was followed to permit these 390-square-foot living units in this neighborhood.

These units are not compatible with the neighborhood regardless of whether they are being compared to mobile homes or conventional homes. Their size would compare to a small storage shed in a rural area. Their small size is not compatible with the neighborhood, he said, and the street is totally substandard.

It is unfortunate that these people invested money, Mr. Kirkland said. There were indications that the buildings would house people who work for the family, and there are some life-safety issues involved, and some minimum requirements that are not being met, such as size of bedrooms, entries and exits and size of windows. Such considerations are why the permitting process exists, he said. Something like this might be done outside the MPC planning area, he said, although with the caveat that a Parish permit would have to be obtained. The main disservice in this instance, however, is to the people who live in the area, Mr. Kirkland concluded.

Mr. Cox said that this is in his district, and the conversations he has had with people in the neighborhood clearly indicated that they were not pleased to see these small trailers in their neighborhood. If Mr. Dobson and his aunt wish to explore the possibility of placing full-size mobile homes on the property, they should go through the permitting process first, he said.

He said that the neighbors have also requested that if the ZBA denial of this case is upheld by the Commission, that the Commission should instruct that the cabins be removed as soon as possible, and he supports that request.

At this time Mr. Cox's motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4854 OF 2008

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND SECTION 22-104 OF CHAPTER 22 OF THE CODE OF ORDINANCES, THE CADDO PARISH SUBDIVISION ORDINANCE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the Parish Commission of Caddo Parish, Louisiana, in due, legal and regular session convened, that section 22-104 of Chapter 22 of the Code of Ordinances is hereby repealed and re-enacted as follows:

Sec. 22-104. Administration and appeals.

- (a) The provisions of this article shall be administered by the Metropolitan Planning Commission,

and as provided in R.S. 33:140.1 et seq., no plat of a subdivision of land lying within the metropolitan planning area shall be filed or recorded until it has been submitted to and approved by the planning commission, and such approval entered in writing on the plat by the secretary of the commission or his/her designee. The clerk of court and recorder shall not file or record a plat of a subdivision without the approval of the planning commission; and the filing or recording of a plat of a subdivision without the approval of the planning commission shall be void.

(b) The planning commission may delegate to their executive director or his/her designee, the authority to approve and sign on their behalf, resubdivision plats which consolidate lots or tracts or portions thereof into single lots, the same number of lots or a fewer number of lots and resubdivision plats which shift the boundary line between adjoining lots without creating any additional lots or building sites.

(c) Any person aggrieved by a decision of the planning commission may within ten (10) days from the date such decision is rendered, file a written request with the commission clerk for a review of said decision and thereupon the parish commission shall either affirm, modify or reverse the decision rendered by the planning commission. No land for which an application for approval of a plat or subdivision of that land that has been denied by the planning commission or the parish commission shall be considered again for approval for at least one year from the last date such application was denied.

BE IT FURTHER ORDAINED that this ordinance shall become effective 10 days after publication in the official journal.

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

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

It was **moved by Mr. Pierson**, seconded by Mrs. Baker, *that Ordinance No. 4854 of 2008, in regard to Zoning Case P-12-08, Metropolitan Planning Commission, applicant, requesting to amend Section 22-104 of Chapter 22 of the Code of Ordinances relative to subdivisions, be adopted.*

Mr. Jenkins asked for some clarification of this ordinance. Mr. Kirkland came forward and stated that the MPC strives to keep the zoning ordinances of the City and the Parish consistent with each other. This amendment has already been passed by the City Council, and the Parish is being asked to enact it also to keep its provisions consistent throughout the planning area. It requires a time delay in the event of a denial of a subdivision application; it means that an applicant, if denied, must wait a year before filing another application for the same project.

There is already a delay of one year when a zoning case is denied, Mr. Kirkland continued. If the community has fought hard to prevent a change or a development, he said, it does not want to have to fight the same battle over again every other month. The one-year delay encourages developers to make accommodations that will make their proposed changes more acceptable to the neighborhood.

Mr. Pierson's motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

It was **moved by Mr. Linn**, seconded by Mr. Escude, *that action on Ordinance No. 4855 of 2008, in regard to Zoning Case P-19-08, Metropolitan Planning Commission, applicant, requesting to amend Section 17-1 of Chapter 17 of the Code of Ordinances relative to planning and development, be deferred until the Master Plan consultant, Nelesen and Associates, has reviewed the Parish's current fee structure and offered advice on the recommendations for what fees should be and how they should be structured.*

Mr. Smith said that he understands the motion, but he wished to point out that the Master Plan probably will not be completed before the next 12 months. He said he would like to hear Mr. Kirkland's response to Mr. Linn's proposal.

Mr. Kirkland said that it is his role to provide information to the decision makers and try to assist them through their thought processes. This is the Commission's decision to make, he said, and it can do as it chooses on fees. Unlike the City, the fees charged in the Commission's jurisdiction go straight to the Commission's budget. In 2008 that meant about \$25,000 in revenues, and in 2007 some \$40,000. MPC gets none of the money; the Commission's support of the MPC is from the Commission's budget.

Mr. Kirkland said that fees are a part of the entire equation that the Master Plan consultant could look at, but that typically would be under the ordinance provisions; a re-write of the ordinance has not been factored into the cost at this point, but it might be a fairly minor thing to take that on in the study.

Mr. Linn said his proposal is to let the consultant look at the fee structure to see if maybe the fee structure needs to be re-done—that Caddo Parish is operating with a fee structure that was originally written in the 1950s and has just been increased periodically as deemed necessary. The cities he has looked at, he said, show that if there is a graduated fee scale that coincides with the size of the property involved. Under the present fee structure, if someone desired to establish a mom-and-pop second-hand store outside the City limits, they would be paying the exact same fee as a large metal box-store on a \$3 million piece of property on Youree Drive.

Mr. Linn said he would like to see the fee structure more friendly to areas that are distressed and to people who have big ideas but not big bank accounts. Also, usually more than one permit is needed in order to achieve the desired goal. Then an architectural plan is needed, and a landscape architect drawing. A new business has no guarantee of success anyway, he said, but many entrepreneurs with low budgets are doomed to not succeed because of the load of up-front costs before commerce even begins.

He said he is not trying to kill the fee schedule; he just wants to have an intelligent schedule approved by the Master Plan consultant with the goal of promoting orderly, planned growth in the Parish.

Mr. Kirkland said the MPC will impose whatever fee the Commission approves.

Mr. Smith said he does not mind waiting on a fee structure, but he is not sure when the consultant would be studying the schedule. He said that Parish income is an issue here, and he is reluctant to delay the fee schedule until some unknown date.

Mr. Escude asked who initiated the idea of increasing the fee schedule. Mr. Kirkland said that because of the City's lean budget year, his office incurred some cuts. He said that his office looked at the cost of doing business and determined what it needed to continue doing business; there was no choice—either fire some people or increase fees. He said he preferred not to terminate people. The CAO of the City actually suggested fee increases as a means of covering the shortfall, he said.

Answering another question from Mr. Escude, Mr. Kirkland said that his budget was reduced by some \$100,000. He said he has not fired anyone, but he will not refill one open position.

Mr. Escude said he will support Mr. Linn's motion; he would not care if the fees never increased. Local fees are already higher than some cities with similar demographics, he said, and the Parish does not need to look to increased fees as a revenue-generating measure.

At this time Mr. Linn's motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCES: (For final passage)

ORDINANCE NO. 4853 OF 2008

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF VIVIAN CONCERNING RECREATIONAL SERVICES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Town of Vivian desires to upgrade its parks and recreational facilities;
and

WHEREAS, the Parish of Caddo desires to assist the Town of Vivian with its improvements at Legion Hill Recreation Complex and/or Vivian Recreation Complex; and

WHEREAS, the Town of Vivian proposes the following upgrades to Legion Hill Recreation Complex and/or Vivian Recreation Complex as follows:

1. Upgrade air conditioning equipment at Legion Hills Community Center.
2. Install lighting at Legion Hills Baseball Field.
3. Install swimming pool life guard stands.
4. Install baseball back stop at T-Ball field.
5. Install baseball score board.
6. Provide movable basketball goals at Armory Building.
7. Install park playground equipment.
8. Where necessary, select appropriate design professionals to design the aforesaid improvements, subject to the approval of the Director of Parks and Recreation Department of the Parish of Caddo.
9. Assume all responsibility for the above described improvements to third parties from the date of execution of this Agreement, in perpetuity, unless otherwise assigned by the Town of Vivian in a future transaction.
10. Indemnify and hold harmless the Parish of Caddo, its officers and employees, from or against any and all liability for injury, damage or loss occasioned to or sustained by any person(s) arising from or related to this Agreement, it being specifically acknowledged by the Town of Vivian that the parks and recreation improvements which are the subject of this Agreement will be at all times within the exclusive custody and control of the Town of Vivian both during their construction and operation and that the Parish of Caddo assumes no responsibility for their maintenance or operation.
11. Assume all responsibility for the maintenance and operation of the subject parks and recreation improvements in perpetuity, unless sooner assigned by the Town of Vivian to a third party. Such assignment will not be effective without the prior written approval of the Parish of Caddo.

WHEREAS, the Parish of Caddo desires to assist the Town of Vivian by providing funding in an amount not to exceed \$40,000 toward the acquisition and installation of parks and recreation improvements on a reimbursement basis, monthly, as costs are incurred by the Town of Vivian in the purchase and acquisition of parks and recreation improvements.

WHEREAS, the Parish of Caddo may increase the total by \$20,000 for 2009 if said additional \$20,000 is appropriated for this purpose by the Caddo Parish Commission in the 2009 budget for the Parish's Department of Parks and Recreation.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, regular and legal session convened, that the Caddo Parish Commission does hereby authorize an Intergovernmental Agreement between the Parish of Caddo and the Town of Vivian substantially in accordance with the terms outlined herein.

BE IT FURTHER ORDAINED, that the Caddo Parish Administrator or his designee shall be authorized to do any and all things and to sign any and all contracts and other documents in a form acceptable to the Caddo Parish Attorney necessary to effectuate the purposes set forth herein.

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

BE IT FURTHER ORDAINED, that this ordinance shall become effective immediately upon its adoption.

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

It was **moved by Mr. Dominick**, seconded by Mr. Smith, *that Ordinance No. 4853 of 2008, authorizing the Administrator to execute an intergovernmental agreement with the Town of Vivian concerning recreational services, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT:

None.

ORDINANCE NO. 4856 OF 2008

BY THE CADDO PARISH COMMISSION

AN ORDINANCE ADOPTING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE CAPITAL IMPROVEMENT FUND AND AMENDING THE BUDGET FOR THE DEBT SERVICE FUND FOR THE YEAR 2008 TO TRANSFER 2007 AND 2008 BOND PROCEEDS TO THE CAPITAL IMPROVEMENT FUND

WHEREAS, the Parish of Caddo issued \$10,000,000 in general obligation bonds in 2007 and 2008; and

WHEREAS, based on recommendations from the auditor and the bond council, the proceeds from these bonds should be accounted for in a separate fund and not in the Debt Service Fund; and

WHEREAS, the Debt Service Fund should be used to only account for the principal and interest payments on long term debt; and

WHEREAS, it is necessary to transfer the proceeds from the bonds and any interest earned on those proceeds to the newly created Capital Improvement Fund; and

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that the Budget of Estimated Revenues and Expenditures for the Capital Improvement Fund for the year 2008 be adopted and the Budget of Estimated Revenues and Expenditures for the Debt Service Fund is hereby amended as follows:

	<u>Budget Increase (Decrease)</u>		
Debt Service Fund			
Revenues			
Interest Earned	\$ (75,000)		
Other Financing Sources (Uses):			
Transfer to Capital Outlay Fund	\$ (3,000,000)	Transfer	to
		Capital Improvement Fund	\$
		19,786,071	
Capital Improvement Fund			
Revenues			
Interest Earned	\$ 75,000		
Other Financing Sources (Uses)			
Transfer from Debt Service Fund	\$ 19,786,071		
Transfer to Capital Outlay Fund	\$ 3,000,000		

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

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

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

It was **moved by Mrs. Baker**, seconded by Mr. Escude, *that Ordinance No. 4856 of 2008, adopting the Capital Improvements Fund and the Debt Services Fund Budgets in the amount of \$19,786,071 to transfer 2007 and 2008 bond proceeds for the year 2008, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4857 OF 2008

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE PARISH OF CADDO BY ADDING THERE A SECTION 2-261 TO REQUIRE THE PARISH ADMINISTRATOR TO SUBMIT AN ANNUAL REPORT TO THE CADDO PARISH COMMISSION ON THE CADDO PARISH ECONOMIC INCLUSION INITIATIVE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, by the adoption of Article VI, Chapter 2 of the Code of Ordinances of the Parish of Caddo, the Caddo Parish Commission created the Caddo Parish Economic Inclusion Initiative, the intent of which is to identify and eliminate any barriers which may have an adverse impact upon small and economically disadvantaged business concerns participating in all parish awarded contracts and purchases; and

WHEREAS, the Caddo Parish Commission desires that the Parish Administrator submit annually a report to it outlining the activities and accomplishments of the Caddo Parish Economic Inclusion Initiative.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that Article VI. Section 2-261 of the Code of Ordinances of the Parish of Caddo be and the same is hereby enacted to read as follows, to-wit:

Article VI. Caddo Parish Economic Inclusion Initiative.

Section 2-261. Annual Report by Parish Administrator.

The Parish Administrator is hereby directed to submit a report annually by no later than the first regularly scheduled meeting of the Caddo Parish Commission in February of each year outlining the activities and accomplishments of the Caddo Parish Economic Inclusion Initiative for the immediately preceding calendar year.

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

BE IT FURTHER ORDAINED that this ordinance shall effective upon ten (10) days after publication in the official journal.

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

It was **moved by Mr. Jenkins**, seconded by Mr. Epperson, *that Ordinance No. 4857 of 2008, amending the Code of Ordinances by adding Section 2-261 to require the Parish Administrator to submit an annual report to the Caddo Parish Commission on the Caddo Parish Economic Inclusion Initiative, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ZONING ORDINANCE: (For introduction)

- ZONING CASE P-22-08 in regard to Ordinance No. 4858 of 2009 (8420 North Lakeshore Drive) (property located on the southeast corner of Blanchard-Furrh Road and Lakeshore Drive) GARY & FLORENCE LABORDE, APPLICANTS.

Request to amend Chapter 51 of the Code of Ordinances of the Parish of Caddo by rezoning property located on the southeast corner of Blanchard Furrh Road and Lakeshore Drive, Caddo Parish, Louisiana, from B-1, Buffer Business District, to R-A, Residence-Agriculture Use District for a proposed residence or other uses within this zoning classification.

THERE WILL BE A PUBLIC HEARING ON THIS ZONING CASE FEBRUARY 5, 2009.

ORDINANCES: (For introduction, by title)

- Ordinance No. 4859 of 2009 amending the Budget of Estimated Revenues and Expenditures for the Juvenile Justice Fund in the amount of \$99,000 for probation operations for the year 2009
- Ordinance No. 4824 of 2008 fixing the Budget of Estimated Revenues and Expenditures for the Riverboat Fund for the year 2009

WORK SESSION MINUTES: DECEMBER 15, 2008 AND JANUARY 5, 2009

It was **moved by Mrs. Baker**, seconded by Mr. Epperson, *that the Work Session Minutes of December 15, 2008, and January 5, 2009, be ratified.* Motion carried.

RESOLUTIONS

RESOLUTION NO. 36 OF 2008

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF THE STATE MINERAL BOARD, TO LEASE CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the Parish of Caddo may own certain mineral rights underlying the following described property, to-wit:

All of the mineral rights located within the right-of-way for the Gilliam Scotts Slough Road, located in the West Half of the Southwest Quarter (W/2 of SW/4) of Section 19, Township 23 North, Range 14 West, all in Caddo Parish, Louisiana and containing 3.85 acres, more or less.

WHEREAS, the Parish of Caddo has received a written request from Red River Oil and Gas, L.L.P., that the Parish seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Parish of Caddo does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Caddo will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Caddo and accepted by lessee is without any warranty of title and without any recourse against the Parish of Caddo whatsoever, either express or implied, and it is expressly agreed that the Parish of Caddo shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

WHEREAS, the Louisiana Department of Natural Resources, State Mineral Board, is available upon the request of Caddo Parish to lease the aforesaid property for oil, gas and other minerals if requested to do so by Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Louisiana Department of Natural Resources, State Mineral Board, be and it is hereby requested and authorized to seek public bids for an oil, gas and mineral lease covering the property described hereinabove.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

BE IT FURTHER RESOLVED that any such lease contain a horizontal pugh provision as follows: Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commission of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in said pooled unit; and this lease shall expire as to that part of the land herein leased not included in such unit; and lessee, its successors and assigns agrees to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commission of Conservation while this lease is in effect.

BE IT FURTHER RESOLVED that any such lease contain a vertical pugh provision as follows: Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such depth determination to be made on a unit by unit basis. In the absence of units so

established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis.

BE IT FURTHER RESOLVED that any such lease contain a minimum royalty provision as follows: Royalty of not less than 1/4th or 25%.

BE IT FURTHER RESOLVED that any such lease contain a minimum bonus provision as follows: Bonus of not less than \$600.00 per acre.

BE IT FURTHER RESOLVED that any such lease contain a hard or solid mineral exclusion provision as follows: This lease shall exclude free sulphur, potash, lignite, salt and any other hard or solid mineral. Lessee shall not have any rights to explore, drill for, mine, produce or take any action whatsoever in regard to any such hard or solid mineral deposits.

BE IT FURTHER RESOLVED that any such lease contain a provision to exclude the Haynesville Formation as follows: It is agreed by all parties that this lease does not cover and hereby excludes any and all of the Haynesville Formation.

BE IT FURTHER RESOLVED that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

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

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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

It was **moved by Mr. Escude**, seconded by Mr. Pierson, *that Resolution No. 36 of 2008, to authorize the Administrator to request the LA Department of Natural Resources, Office of the State Mineral Board, to lease certain mineral interest owned by the Parish of Caddo, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

NEW BUSINESS

It was **moved by Mr. Escude**, seconded by Mrs. Baker, *that the Administrator and the Commission Clerk each receive a 4.5 percent increase in their compensation.*

Mr. Jenkins said he will support the motion but he wants to go on record as favoring a larger increase for the Administrator than what was recommended by the Personnel Policies Committee.

Mr. Escude's motion then carried, with Ms. Lynch, stating that she agrees with Mr. Jenkins, voting "No".

It was **moved by Mrs. McCulloch**, seconded by Mr. Dominick, *that Mr. Larry Vicker be appointed to the Pinehill Waterworks District No. 8 Board to fill the unexpired term (May 20, 2012) of Mr. Gregory Durham, who has resigned; effective immediately.* Motion carried

It was **moved by Mrs. McCulloch**, seconded by Mr. Dominick, *that Mr. Leon Samuels be appointed to the Pinehill Waterworks District No. 8 Board to fill the unexpired term (May 20, 2012) of Mr. Patrick Pratt, who has resigned; effective immediately.* Motion carried.

It was **moved by Mrs. McCulloch**, seconded by Mr. Jenkins, *that Mr. James Anderson be appointed to the Board of Commissioners of Sewerage District No. 2 to replace Mrs. Mary Ann Olague.* Motion carried.

There being no other business to come before the Commission, the meeting was adjourned at 4:30 p.m.



President

Stepha
nie
Lynch

Jerry C. Spears
Commission Clerk