

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION
HELD ON THE 21ST DAY OF JULY, 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 Ms. Stephanie Lynch, President, presiding, and the following members in attendance, constituting a quorum: Commissioners Baker, Cox, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). ABSENT: Commissioner Dominick (1).

The invocation was given by Mr. Lucky, and Miss Brianna Lynch led the Commission in the Pledge of Allegiance.

It was **moved by Mr. Escude**, seconded by Mr. Cox, *that the Minutes of the Regular Meeting held on July 9, 2009, be adopted.* Motion carried.

COMMUNIQUES AND REPORTS

□ Administrator Woodrow Wilson stated that Commissioners had been provided copies of the presentation that the Parish had made recently to Standard and Poor's in Dallas in anticipation of the issuance of \$10 million in general obligation bonds. That presentation went very well, he said, and the Parish is asked S&P for an AA-plus rating on its bonds. He said he believes the Parish will receive that rating, which will be higher than that of any other governing body in the State.

He said that Commissioners had also been provided copies of the 2008 Audit Report of the Parish of Caddo.

□ Mr. Wilson then said that in recent meetings there has been discussion of the adjudicated property program, and particularly new applications of State law that are now in effect. The new rules of the program will be incorporated into a brochure, he said, but in the meantime he would ask Mr. Jimmy Whittington, Public Works, to come forward and outline the program.

Mr. Whittington came forward and said that he would explain the differences between the old process and the new. The major difference is the sales price, he said: when the program began an arbitrary minimum bid of 15 percent of the appraised value was set. The new State law did away with that practice, replacing it with two ways to purchase adjudicated property.

The first way, he said, is for a buyer to offer to purchase for 100 percent of the back taxes, penalties and interest. Some people choose to do that, he said, but most do not because these accumulated charges are more than the property is worth.

In the second method, the prospective buyer can have the property appraised by an appraiser appointed by the Parish. With the appraisal, the Parish can advertise for a public sale at two-thirds of the appraised value. The first bid must be two-thirds, he said, but two or more interested buyers might bid the price beyond the appraised value, depending upon the appeal of the particular property..

If no offer of one-third or more is received, the Parish can then re-advertise the public sale at one-third of the appraised value—the lowest amount State law will allow.

The other big change in State law now puts the burden of obtaining a title report, which names all entities which have an interest operating against the property, upon the "acquiring party". Mr. Whittington said that his office now informs the high bidder that before the Parish can sign the deed, that buyer must attempt to give notice to anyone who has an interest in the property. They are strongly encouraged to go to a title company or attorney to perform that search and notification, he said, but it is not required.

The new law provides for a form of affidavits that the acquiring party can complete, describing how they determined to whom notice must be sent, he said. They also detail in the affidavit how they went about giving such notice, and the means utilized. The affidavit can be filed at the Clerk of Court's office and it acts as a cancellation of every interest that the buyer gave notice to. Previously the Parish provided only a tax title to a purchased adjudicated property, and the buyer then had to spend \$2,000 or more to get a clean title. The affidavit takes away the need for that munition action, he said.

Mr. Whittington said that property cannot be sold until it has been adjudicated for three years. If it has been adjudicated for more than three years but less than five, there is a six-month notification period, which allows the previous owner six months to find the money to redeem the property. For property adjudicated more than five years, the notification period reduces to 60 days, he said.

When the prospective buyer at last comes back to the Parish Public Works office, he said, the buyer is asked to sign an affidavit that they have complied with the notification requirements of Act 819, though the Parish places no burden of proof on the buyer that the attestations in the affidavit are indeed truthful. When the affidavit is signed, his office is then in a position to sign the deed and sell the property, Mr. Whittington said. The Parish keeps a third of the purchase price for its efforts.

He said that in June the Sheriff held his annual tax sale, with some 4,500 pieces of property taken to the sale. Of those, about 1,500 were not bought and were adjudicated to join the existing inventory of adjudicated property. A lot of redemptions are being seen that can be attributed to the presence of the Haynesville Shale, he said.

Mr. Whittington said that the new State law inadvertently ended the City of Shreveport's "One Dollar" program, in which a homeowner who tended and maintained an adjoining adjudicated lot for the period of one year could then purchase that property for one dollar. It was not Rep. Roy Burrelle's intent to end that program, which was originated to combat urban blight, so a new act has been passed to reinstate it. An important new provision of that bill, he said, is that the adjoining property no longer needs to be a vacant lot; it can contain a structure as well.

Mr. Pierson asked if the new law removed the provision whereby local government can donate adjudicated property to non-profit groups. Ms. Donna Frazier, assistant Parish Attorney, said that the provision has been removed, except for one narrow provision.

Mr. Pierson pointed out that that program was very beneficial in helping to restore blighted communities, as is the entire adjudicated property program. He said he would hope that the provision can be re-instituted.

□ At this time Mrs. McCulloch stated that she wished to present an update on the "Project Clean Slate" program as a follow-up to the resolution passed by the Commission in May of 2009. Since that time there have been two meetings, one with a representative of a community formula, and one with the actual heads of the agencies within the community formula—the Chief of Police, the manager of support enforcement, Sheriff's Department, City and Juvenile Court, Chief District Judge, City Marshal's Office.

As a result of that meeting, she said, they requested to have a summary of successes of the initial program that was begun in Portland, Oregon. Sheriff Prator is also requesting to converse with the Sheriff in Portland. The community agency heads would also like for Jay Roy to come here for a presentation. He is scheduled to make a presentation before the Commission, the City Council and the other agencies on Friday, August 28, in this chamber..

The program will address minor offenders, giving them a one-shot opportunity to clearing their record, Mrs. McCulloch said. Also, she and Mr. Lester Smith were invited by Councilwoman Joyce Bowman to attend a forum and present an update on Project Clean Slate, and another presentation on Thursday. Out of all these meetings has come a very good and positive response, she continued. She urged all Commissioners to participate on August 28.

□ Mrs. McCulloch then stated that she had been contacted by Mr. Ed Myers, chairman of Pine Hill Waterworks District 8, who said that he had been contacted by Commissioner Dominick relative to charges being made by the district to its commercial customers. She said she has distributed to Commissioners a listing of Pine Hills water rates, as well as those in Blanchard and Waterworks District 7 in Keithville. He urged Commissioners to study and compare the rates.

□ Mr. Cox then requested that the Administration invite Shreveport Chamber of Commerce President Dick Bremer to come before the Commission in August to report on the status of a railroad crossing on the Campus Industrial Parkway. He said that three companies have expressed some interest in locating in that park, but they will not do so unless the crossing is installed.

Mr. Cox said that the last report he had said that the crossing had been approved, but the time-frame for the installation rested solely with Union Pacific. He said he would like to know what that time frame is, because in the meantime the Parish is losing opportunities for jobs and revenues. He said would also like for an inquiry about the matter be made to Public Service Commissioner Foster Campbell, and that he also be invited to appear.

Mr. Cox then stated that the City of Shreveport is installing water lines along Linwood Avenue near Mars Street. The work is being done by contractors, and citizens are concerned that the dirt is just being thrown back down and not leveled back to a natural drain grade. If that is not remedied there will be flooding again, he said. He said the Parish needs to know who will be responsible for the final inspection of the job before the contractor is released.

Mr. Robert Glass, Director of Public Works, said that he knows who the contractor is on the project, and this matter has been discussed with the City. Ultimately it will be the contractor's responsibility if any problems arise. He said he would pass Mr. Cox's concerns along to the City engineering department.

Mr. Cox said that he has also been receiving complaints about Parish parks being vandalized. He asked what can be done to prevent this.

Mr. Larry Raymond said that the Parish parks system has long been plagued by vandalism, and particularly recently. He said he believes the current problem stems from a matter of

some people being angered by some other enforcement issues. He said he has advised the Sheriff's Substation, which has increased patrols. Detecting and apprehending offenders is very difficult, he said, but he has advised the Sheriff's Office that whenever they make an arrest, the Parish wishes to prosecute to the fullest extent of the law.

Mr. Cox said that these parks belong to the taxpayers, and when they are unable to utilize the park facilities because of the actions of a few low-lives, it is time to take action.

Answering a question from Mr. Cox, Mr. Raymond said that Parks employees are instructed to not confront offenders directly, but to immediately call the Sheriff's Office.

Mr. Smith reported that on the previous day the Natural Resources Committee had met to discuss amendments to a proposed ordinance to regulate aspects of oil and gas exploration and production in the Parish. The committee made several recommendations, which will be incorporated into the final draft of the ordinance. The committee will meet again on August 3, he said, and his hope is to have the ordinance adopted in the month of August.

PUBLIC HEARING ON ORDINANCES

- Ordinance No. 4898 of 2009 declaring certain adjudicated properties to be surplus and to authorize the Parish Administrator or a designee to sell the Parish of Caddo's tax interest herein
- Ordinance No. 4899 of 2009 to authorize Caddo Parish Administrator to execute an intergovernmental agreement with the Town of Ida concerning recreational services
- Ordinance No. 4900 of 2009 to rescind the donation of a 12.169 acre tract of land from High Performance Motor Sports, LLC, authorized by Ordinance No. 3961 of 2001

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, and that those ordinances be presented to the Commission for final consideration.

ORDINANCES: (For final passage)

ORDINANCE NO. 4898 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE DECLARING CERTAIN ADJUDICATED PROPERTIES TO BE SURPLUS AND TO AUTHORIZE THE PARISH ADMINISTRATOR, OR A DESIGNEE, TO SELL THE PARISH OF CADDO'S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Parish of Caddo has a tax interest in the hereinbelow described properties which have been adjudicated for the non-payment of Parish property taxes; and

WHEREAS, the hereinbelow described properties are no longer needed for public purposes and should be declared surplus properties; and

WHEREAS, the Parish of Caddo has received offers to purchase its tax interest in the hereinbelow described properties as indicated below.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that the hereinbelow described properties are no longer needed for public purposes and are surplus properties.

BE IT FURTHER ORDAINED, that the Caddo Parish Commission does hereby authorize the sale of its tax interest in the hereinbelow described properties for an amount not less than the offer as indicated below.

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 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.

Property 1: North 170 ft of Lot 4, Ewald Annex 1, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 50, Page 20 of the conveyance records of Caddo Parish, Louisiana) (GEO #171416-016-0055)

AMOUNT OFFERED: \$200.00

APPRAISED VALUE: \$921.00

Property 2: Lot Ten (10), Pinelake Village, a subdivision of Caddo Parish, Louisiana, as per plat recorded in Book 1800, Page 279 of the conveyance records of Caddo Parish, Louisiana (GEO #191532-022-0010)

AMOUNT OFFERED: \$5,000.00

APPRAISED VALUE: \$1,200.00

Property 3: Lot Ninety Five (95), Pinelake Village, a subdivision of Caddo Parish, Louisiana, as per plat recorded in Book 1800, Page 279 of the conveyance records of Caddo Parish, Louisiana (GEO #191532-022-0095)

AMOUNT OFFERED: \$6,600.00

APPRAISED VALUE: \$1,200.00

Property No. 4: N. 90 ft. of S. 1110 ft. of E. 130 ft. of SE 1/4 of SE 1/4 of SEC 14-22-15, a subdivision of Caddo Parish, Louisiana, as per plat recorded in the Conveyance Book 1750, Page 301 of the records of Caddo Parish, Louisiana (GEO #221514-000-0148)

AMOUNT OFFERED: \$2,000.00

APPRAISED VALUE: \$3,000.00

Property No. 5: Lot 32, 33 & 34, Common Hill Subdivision, a subdivision of Caddo Parish Louisiana, as per that plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #221636-005-0083)

AMOUNT OFFERED: \$2,000.00

APPRAISED VALUE: \$3,000.00

Property 6: A tract of land in SW/4 of NE/4 of Sec 5-18-14 per assessors country plat, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #181405-000-0064)

AMOUNT OFFERED: \$666.67

APPRAISED VALUE: \$1,000.00

Property 7: Lot One (1), Geno's Park, Unit No. 2, comprised of Lots 1 and 2 of Geno's Park, a subdivision of Caddo Parish, Louisiana, as per plat recorded in Book 1600, Page 19 of the Conveyance Records of Caddo Parish, Louisiana (GEO #181405-013-0001)

AMOUNT OFFERED: \$866.67

APPRAISED VALUE: \$1,300.00

Property 8: 0.59 Acres, M/L – SW'LY 55 Ft. of Lot 12, Jones Mabry Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #181416-001-0373)

AMOUNT OFFERED: \$666.67

APPRAISED VALUE: \$1,000.00

Property No. 9: N. ½ of Lot 417, Jones-Mabry Subdivision. A subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #181417-010-0110)

AMOUNT OFFERED: \$1,533.00

APPRAISED VALUE: \$2,300.00

Property No. 10: S. ½ of Lot 417 Jones-Mabry Subdivision, Unit No. 7, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per that plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #1181417-010-0111)

AMOUNT OFFERED: \$1,535.00

APPRAISED VALUE: \$2,300.00

Property No. 11: Lot 5, Blk 4, West End Subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171402-041-0005)

AMOUNT OFFERED: \$800.00

APPRAISED VALUE: \$1,200.00

Property No.12: Lot 6, Blk 4, West End Subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171402-041-0006)

AMOUNT OFFERED: \$800.00

APPRAISED VALUE: \$1,200.00

Property No. 13: Lot 7, Blk 4, West End Subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171402-041-0007)

AMOUNT OFFERED: \$800.00

APPRAISED VALUE: \$1,200.00

Property No. 14: Lot 8, Blk 4, West End Subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171402-041-0008)

AMOUNT OFFERED: \$800.00

APPRAISED VALUE: \$1,200.00

Property No. 15: Lot 25, Blk 4, West End Subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171402-041-0025)

AMOUNT OFFERED: \$800.00

APPRAISED VALUE: \$1,200.00

Property 16: Lots 28-A and 29-A, Brockington Park, a subdivision of Caddo Parish, Louisiana, as per plat recorded in Book 1200, Page 449 of the Conveyance Records of Caddo Parish, Louisiana (GEO #181405-011-0051)

AMOUNT OFFERED: \$466.67

APPRAISED VALUE: \$700.00

Property 17: Lot 19, Greenlawn Terrace Subd., a subdivision of the City of Shreveport, Caddo Parish, as per plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO #181435-029-0019)
AMOUNT OFFERED: \$800.00 **APPRAISED VALUE: \$1,200.00**

Property 18: Lots 13, 14, 15, and 16, and the Northeasterly ten (NE10') feet of abandoned alley adjacent to Lots 6, 7, and 8 all in Block 55, map of Shreveport, as per that plat recorded in Book "L", Page 444, reinscribed in Book 250, Page 100 of the conveyance records of Caddo Parish, Louisiana (GEO #181437-161-0023)
AMOUNT OFFERED: \$84,641.70 **PURCHASED PRICE: \$84,641.70**

Property 19: Lots 4 and 5, Block 55, Map of Shreveport and One-half(1/2) of the abandoned alley on the rear, as per that plat recorded in Book "L", Page 444, reinscribed in Book 250, Page 100 of the conveyance records of Caddo Parish, Louisiana (GEO 181437-161-0024)
AMOUNT OFFERED: \$40,532.44 **PURCHASED PRICE: \$40,532.44**

Property 20: Lot 81, Bowman Lane Subdivision, Caddo Parish, Louisiana, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per that plat recorded in Book 38, Page 179 of the Conveyance Records of Caddo Parish, Louisiana (GEO #171305-053-0081)
AMOUNT OFFERED: \$1,466.66 **APPRAISED VALUE: \$2,200.00**

Property 21: Lot 20 and North 6 Ft. of Lot 19, Freewater Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO #171305-077-0059)
AMOUNT OFFERED: \$1,005.99 **PURCHASED PRICE: \$1,005.99**

Property 22: Lot 18 and the West half of Lot Nineteen (19) Block Two (2), Queensborough Annex, a subdivision, of the City of Shreveport, Caddo parish, Louisiana, as per plat recorded in Book 50, Page 20 of the conveyance records of Caddo Parish, Louisiana (GEO 171410-003-0029)
AMOUNT OFFERED: \$1,404.00 **APPRAISED VALUE: \$2,106.00**

Property 23: Lot 7, C.A. Parker Addn., a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 50, Page 20 of the conveyance records of Caddo Parish, Louisiana (GEO 171410-020-0007)
AMOUNT OFFERED: \$2,200.00 **APPRAISED VALUE: \$3,300.00**

Property 24: Lot 120, Less the South 5', Exposition Heights Subdivision, Caddo Parish, Louisiana, as per that plat recorded in Book 100, Page 50 of the Conveyance Records of Caddo Parish, Louisiana (GEO #171410-034-0129)
AMOUNT OFFERED: \$586.00 **APPRAISED VALUE: \$879.00**

Property 25: An undivided 3/4 interest in Lot 203, Idlewilde Sub., a subdivision of the City of Shreveport, as per plat recorded in Book 150, Page 281, of the Conveyance Records of Caddo Parish, Louisiana (GEO #171411-005-0203-01)
AMOUNT OFFERED: \$1,500.00 **APPRAISED VALUE: \$1,500.00**

Property 26: Lot 4, Grit Hill Sub., a subdivision of Caddo Parish, Louisiana as per plat recorded in Book 250, Page 222 of the Conveyance Records of Caddo Parish, Louisiana (GEO #171436-005-0004)
AMOUNT OFFERED: \$2,954.39 **PURCHASE PRICE: \$2,954.39**

Property 27: Lot 34, Dellinger Addition, Unit 1, Caddo Parish, Louisiana, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per that plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171421-018-0034)
AMOUNT OFFERED: \$1,066.66 **APPRAISED VALUE: \$1,600.00**

Property 28: Lot 35, Dellinger Addition, Unit 1, Caddo Parish, Louisiana, a subdivision of the City Of Shreveport, Caddo Parish, Louisiana, as per that plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171421-018-0035)
AMOUNT OFFERED: \$1,066.66 **APPRAISED VALUE: \$1,600.00**

Property 29: Lot 36, Dellinger Addition, Unit 1, Caddo Parish, Louisiana, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per that plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171421-018-0036)
AMOUNT OFFERED: \$1,066.66 **APPRAISED VALUE: \$1,600.00**

Property 30: Lot 37, Dellinger Addition, Unit 1, Caddo Parish, Louisiana, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per that plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #171421-018-0037)
AMOUNT OFFERED: \$1,066.66 **APPRAISED VALUE: \$1,600.00**

Property 31: West 25 FT OF East 50 FT OF Abdn. St. Adjacent Lots 56, 57, 59 and 60, Western Hills Est., a Subdivision of Caddo Parish, Louisiana (GEO #171514-024-0099)
AMOUNT OFFERED: \$897.68 **PURCHASE PRICE: \$3,005.00**

Property 32: Lot 11, Dawson Acres, a subdivision of Caddo Parish, Louisiana, as per plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO #171509-005-0011)

AMOUNT OFFERED: \$3,852.24

PURCHASED PRICE: \$4,500.00

It was **moved by Mrs. McCulloch**, seconded by Mrs. Baker, *that Ordinance No. 4898 of 2009, declaring certain adjudicated properties to be surplus and authorizing the Parish Administrator to sell the Parish's tax interest therein, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Dominick (1).

ORDINANCE NO. 4899 OF 2009

BY THE CADDO PARISH COMMISSION:

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

WHEREAS, the Town of Ida desires to install a play system consisting of several components for children 5 to 12 years old near its town hall; and

WHEREAS, the Parish of Caddo desires to assist the Town of Ida with its parks and recreational improvements by assisting in the purchase and erecting of play equipment; and

WHEREAS, the Town of Ida agrees as follows to assume all responsibility for the playground improvements to third parties from the date of execution of this Agreement, in perpetuity, unless otherwise assigned by the Town of Ida in a future transaction.

WHEREAS, the Town of Ida agrees to 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 Ida 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 Ida both during their construction and operation and that the Parish of Caddo assumes no responsibility for their maintenance or operation.

WHEREAS, the Town of Ida assumes all responsibility for the maintenance and operation of the subject parks and recreation improvements in perpetuity, unless sooner assigned by the Town of Ida 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 Ida by providing funding in an amount not to exceed \$30,000 toward the acquisition and installation of parks and recreation improvements on a reimbursement basis, monthly, as costs are incurred by the Town of Ida in the purchase and acquisition of parks and recreation improvements.

WHEREAS, the funding for this project is current in the Parish of Caddo's Department of Parks and Recreation 2009 capitol budget for the developing of community parks.

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 Ida 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. Smith**, seconded by Mr. Cox, *that Ordinance No. 4899 of 2009, to authorize Caddo Parish Administrator to execute an intergovernmental agreement with the Town of Ida concerning recreational services, be adopted.* That motion carried, as shown by the following roll call

vote: AYES: Commissioners Baker, Cox, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Dominick (1).

ORDINANCE NO. 4900 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO RESCIND THE DONATION OF A 12.169 ACRE TRACT OF LAND FROM HIGH PERFORMANCE MOTOR SPORTS, LLC, AUTHORIZED BY ORDINANCE NO 3961 OF 2001, AND TO OTHERWISE PROVIDE RESPECT THERETO.

WHEREAS, pursuant to Ordinance 3961 of 2001 High Performance Motor Sports, LLC, donated to Caddo Parish the following described property, to-wit:

Property description of a 12.169 acre tract of land in the East half of Section 31, T22N, R14W, Caddo Parish, Louisiana, and being more particularly described as follows:

Beginning at the accepted Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 31;

THENCE North 89 degrees 58 minutes 31 seconds East a distance of 271.07 feet to a point for corner;

THENCE South 00 degrees 01 minutes 29 seconds East of a distance of 60.00 feet to a point for corner;

THENCE 89 degrees 58 minutes 31 seconds West of a distance of 271.07 feet to a point for corner;

THENCE South 00 degrees 03 minutes 29 seconds East a distance of 203.46 feet to a point for corner;

THENCE South 38 degrees 11 minutes 59 seconds West a distance of 166.79 feet to a point for corner;

THENCE South 82 degrees 11 minutes 54 seconds West a distance of 238.25 feet to a point for corner;

THENCE South 07 degrees 48 minutes 06 seconds East a distance of 187.11 feet to a point for corner;

THENCE South 80 degrees 04 minutes 25 seconds West a distance of 110.00 feet to a point of corner;

THENCE North 09 degrees 55 minutes 35 seconds West a distance of 1,029.61 feet a point of corner;

THENCE South 80 degrees 04 minutes 25 seconds West a distance of 41.33 feet to a point of corner;

THENCE North 10 degrees 17 minutes 39 seconds West a distance of 60.00 feet to a point of corner;

THENCE 66 degrees 05 minutes 34 seconds East a distance of 42.99 feet to a point of corner;

THENCE North 80 degrees 04 minutes 25 seconds East a distance of 620.21 feet to a point for corner;

THENCE South 00 degrees 03 minutes 29 seconds East a distance of 559.23 feet to the POINT OF BEGINNING, and containing 530,100 square feet or 12.169 acres of land, more or less.

WHEREAS, pursuant to the aforesaid Ordinance No. 3961 of 2001 an act of donation was executed by and between High Performance Motor Sports, LLC and the Parish of Caddo on February 19, 2002 and recorded as Instrument No. 178980Z in the records of Caddo Parish; and

WHEREAS, a paragraph contained in the aforesaid act of donation contains a suspensive condition worded as follows, to-wit:

“This donation is made subject to the suspensive condition that the

improvements contemplated by that certain Cooperative Endeavor Agreement between the State of Louisiana Department of Economic Development and the Parish of Caddo dated March 13, 2001, must be substantially completed pursuant to plans and specifications acceptable to the donor and donee and leased to the donor pursuant to a lease acceptable to the donor and the donee”.

WHEREAS, the State of Louisiana’s allocation of the sum of \$189,000 dollars to fund the aforesaid Cooperative Endeavor Agreement was never funded by the State of Louisiana and, thus, the improvements contemplated by the Cooperative Endeavor Agreement were never constructed;

WHEREAS, High Performance Motor Sports, L.L.C. has now requested that the donation authorized and consummated pursuant to Ordinance No. 3961 of 2001 be rescinded and set aside, and the property that is the subject of the donation be transferred back to High Performance Motor Sport, L.L.C.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened that the Caddo Parish Commission does hereby authorize the transfer and disposition of the above described 12.169 acre tract of land to High Performance Motor Sports, L.L.C.

BE IT FURTHER ORDAINED, that 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 provisions 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 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. Cox, seconded by Mr. Smith, *that Ordinance No. 4900 of 2009, to rescind the donation of a 12.169 acre tract of land from High Performance Motor Sports, LLC, authorized by Ordinance No. 3961 of 2001, be adopted.*

Answering a question from Mr. Epperson, Mr. Glass stated that when the drag racing strip went into business near Gilliam several years earlier, it was proposed that a pavillion be constructed adjacent to the track as part of improvements for the economic development the venue was bringing to the area. State funds were promised for the project, but those funds would have to flow through the Parish. In order for those funds to be received, however, the Parish would have to own the land, he said.

The owner of the land then donated it to the Parish, contingent upon the project being funded and built, he said. However, the State funds were never forthcoming, no work was ever done, and the donor now desires to regain ownership of the property.

Mr. Cox’s motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Epperson, Escude, Linn, Lynch, Pierson, Smith and Thibodeaux (10). NAYS: Commissioner McCulloch (1). ABSTAINING: None. ABSENT: Commissioner Dominick (1).

ORDINANCES: (For introduction, by title)

- Ordinance No. 4901 of 2009 to provide for the incurring of debt and issuance of Ten Million Dollars (\$10,000,000) of General Obligation Bonds, Series 2009, of Caddo Parish, Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith
- Ordinance No. 4902 of 2009 to amend the Budget of Estimated Revenues and Expenditures for the General Fund for consultants to help acquire Stimulus Funds through the American Recovery and Reinvestment Act of 2009 in the amount of \$25,000 for the year 2009

RESOLUTIONS

RESOLUTION NO. 36 OF 2009

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 ADVERTISE, LEASE AND EXECUTE THE AGREEMENT 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:

Certain tracts of property adjudicated to the Parish of Caddo and located in Section 31, Township 16 North, Range 15 West, more specifically described as Lot 9, Golden Place Subdivision, Unit #2, Geo.# 161531006000900, containing 0.80 acres, Lot 8, Golden Place Subdivision, Unit #2, Geo.# 161531006000800 containing 0.80 acres, Lot 7, Golden Place Subdivision, Unit #2, Geo.# 161531006000700, containing 0.80 acres, Lot 6, Golden Place Subdivision, Unit #2, Geo.# 161531006000600, containing 0.80 acres, Lot 4, Golden Place Subdivision, Unit #2, Geo.# 161531006000400, containing 1.22 acres, Lot 14, Golden Place Subdivision, Unit #2, Geo.# 161531006001400, containing 0.73 acres, Lot 15, Golden Place Subdivision, Unit #2, Geo.# 161531006001500, containing 0.73 acres, Lot 16, Golden Place Subdivision, Unit #2, Geo.# 161531006001600, containing 0.73 acres, Lot 17, Golden Place Subdivision, Unit #2, Geo.# 161531006001700, containing 0.69 acres, Lot 18, Golden Place Subdivision, Unit #2, Geo.# 161531006001800, containing 0.68 acres, Lot 3, Partition Of North 1097.4 Feet of that part of NE/4 Of NW/4, lying East of State Highway #169, Geo.# 161531001000300, containing 1.00 acre, and Lot 7, Golden Place Subdivision, Geo.# 161531005000700, containing 2.28 acres, all being located in Section 31, Township 16 North, Range 15 West, total of adjudicated property being 11.26 acres, more or less, all the above described property being located in Caddo Parish, Louisiana and containing a total of 11.26 acres, more or less.

WHEREAS, the Parish of Caddo has received a written request from Classic Petroleum Inc., 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 \$1,500.00 per acre.

BE IT FURTHER RESOLVED that any such lease contain a royalty payment back to date of first production provision as follows: Lessee hereby agrees that all production royalties due and payable under this Oil, Gas and Mineral Lease shall be due and payable and calculated from the date that the production of oil, gas and other hydrocarbons first occurs from any unit, whether voluntary or established by the Commissioner of Conservation, in which all or any part of the property herein described is included, even if said production occurs prior to the effective date of this lease.

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 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. Smith**, seconded by Mrs. McCulloch, *that Resolution No. 36 of 2009, authorizing the Caddo Parish Administrator to request the Louisiana Department of Natural Resources, Office of the State Mineral Board, to advertise, lease and execute the agreement to lease certain mineral interests owned by the Parish of Caddo, as requested by Classic Petroleum, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Dominick (1).

NEW BUSINESS

It was **moved by Mr. Jenkins**, seconded by Mr. Epperson, *that travel be authorized for Commissioners to attend the LPJ-BC Annual Empowerment Summit in New Orleans, La, August 6-8, 2009. Motion carried, with Mr. Escude voting "No"*.

President Lynch then stated that in regard to the correspondence received from the Pine Hill Waterworks District, and complaints received about that district, she would be assigning that issue to the Executive Committee, plus Mrs. McCulloch.

There being no further business to come before the Commission, the meeting was adjourned at 4:20 p.m.

Stephanie Lynch
President

Jerry C. Spears
Commission Clerk