

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION
HELD ON THE 9TH 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, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). ABSENT: Commissioner Jenkins (1).

The invocation was given by Ms. Yvonne Lee of ShreveCorps, and Mr. Benjamin Sinalis, a ShreveCorps youth worker, led the Commission in the Pledge of Allegiance.

It was **moved by Mr. Thibodeaux**, seconded by Mr. Epperson, *that the Minutes of the Regular Meeting held on June 18, 2009, be adopted.* Motion carried.

COMMUNIQUES AND REPORTS

At this time Administrator Woodrow Wilson reported that as requested by Commissioner Jenkins, the staff has prepared a digest of the adjudicated properties in the custody of Caddo Parish, and copies of that digest have been distributed to Commissioners. Also distributed was the funding source for the Northwest Economic Development Foundation, the Commission's legislative priorities for the 2009 session, and a mosquito spraying schedule.

At this time I will ask Mr. Matthew Pepper and Mr. Everett Harris from the Animal Services Department to come forward. Mr. Harris just recently received an MBA from North Central University, and Mr. Pepper was selected to the National Animal Control Association board of directors to represent this area. Those are two high achievements we want to recognize and to illustrate the high-caliber type of people that work for Caddo Parish.

As you know, in 2006 the citizens authorized the issuance of \$30 million in bonds. We are preparing to issue the final \$10 million of those bonds; the bond hearing will be next Friday.

VISITORS

Mr. David McCraney, 231 North Main, Shreveport, came forward. He said he had come to seek help regarding an issue with Pine Hill Waterworks District. He said that at the Blanchard Place Apartment complex he supervises, when vacancies occur the water district usually comes out and turns the water on for cleaning and make-ready purposes. It could be a week to two weeks before the leasing company actually comes out and makes the units ready, so the apartments are sitting empty with the water on.

For more than 20 years the water district has charged a basic cut-on fee of \$10 to \$25 per unit, Mr. McCraney said. About mid-June Ed Myers, chairman of the water district board, and Lonnie Parker, superintendent, sent the complex a bill for about \$700, which applied to 12 units turned on for three days. He said he and his company had no idea the district was going to charge \$25 per unit every three days the water was on. This charge is not for usage, he said, because there was no usage. It was just a flat charge.

He said his company contacted him to inquire about these unusual charges, he met with Mr. Parker. Mr. Parker said that if the bill was not paid the meter would be pulled. He said that that is the price, and it has always been so.

Mr. McCraney said that he and Mr. Parker got into a heated argument, and Mr. Parker called Mr. Myers. Mr. McCraney said that he invited Mr. Myers into his office but asked that Mr. Parker remain outside, as Mr. Parker appeared inclined to be argumentative. Mr. Myers refused to enter the office, instead directing Mr. Parker to remove the meters. Mr. Parker then began removing the meters from the offices; neither Mr. Myers or Mr. Parker would listen to reason. Mr. Myers apparently called the Sheriff's Department as well, he said; they came out and basically pulled the meters. As a result there is no water in either of the business offices.

Mr. McCraney said that the bill he received stated that the due date on the \$700 charge was July 20. However Mr. Myers and Mr. Parker cut off the water and removed the meters ahead of that date, just because they were angered.

He said that the complex has never been charged bills like that; sometimes the water has been left on for one or two weeks and they have received a flat-rate bill. They don't mind paying \$25 per unit, he said, to cut the water on for make-ready. All the water will be used for is cleaning the bathroom and kitchen, and perhaps shampooing the carpets.

Mr. McCraney said that these charges are unreasonable, and they were applied without any kind of notification. Also, he said, he does not understand how Mr. Myers could take it upon himself to remove the meters from the complex prior to the due date of the bill.

Mr. Cox said it appears that there is definitely a background of problems in this district. Pine Hill Waterworks has been the subject of other discussions about the rates being charged. He asked if the district has its rules and regulations in printed form. He said he would like for Mr. Myers or some other member of the district board to come before the Commission and explain its rules. Also, he said, he would like a list of complaints about the board over the past number of years.

The Commission needs to learn how the district is managed, he said. It cannot dictate how the district should be operated, but the Commission does appoint the members of the Board of Commissioners. He said he would like to know how the district communicates with its customers regarding fees, turn-ons, cutoffs, etc. If there is a problem at Pine Hill, the Commission has a responsibility to respond.

President Lynch agreed that the Commission needs to determine some method of addressing citizens' concerns with this board; that may not mean bringing them before the Commission, but something will be worked along the lines of what Mr. Cox proposed.

Answering a question from Mr. Dominick, Mr. McCraney said that the apartments are at 3900 Roy Road. Mr. Dominick stated that that location is in his district.

Mrs. McCulloch stated that back in December she had been informed by Mr. Myers that the district had sent rate notices to its customers. She said she is only now learning of Mr. McCraney's difficulty. She also asked Mr. Wayne Woodson to come to a previous meeting to express a similar concern. It is not a matter she can solve by herself as a Commissioner, she said. She thanked Mr. McCraney for appearing and suggested that she and Commissioner Dominick attend the next meeting of the Pine Hill Waterworks District Board of Commissioners.

Mr. McCraney stated that no apartment manager would turn on water in 10 or 15 empty units and leave the water on for two or three weeks knowing that it was costing \$300 to \$400 every few days. They did not know this charge was being applied, he said, and now the complex is without water.

Mr. Cox asked if someone from the Commission could call the Pine Hill water office and request them to restore water service until the conflict has been resolved. This is a business that is being affected, he said. This appears to be a contest of wills, he said.

Mrs. McCulloch said that the Commission does not have the power to issue such instructions to the water district. Mr. Cox said he realizes that, but a telephone call might set some sort of compromise in motion.

Mr. Pierson asked if the Commission appoints all members of the water district board. He was advised that the Commission does make those appointments.

Mr. Pierson said that that fact would appear to be sufficient leverage for a telephone call from the Commission to the district. If they do not respond to constituents of Commissioners, perhaps other appointees are needed.

Mrs. McCulloch said she does not feel it is a situation wherein the Commission has been responsive, it is just a situation that has not been resolved to this point.

President Lynch thanked Mr. McCraney for his presentation.

Next came Mrs. Donna Curtis and Ms. Yvonne Lee, representing ShreveCorps. Ms. Lee acknowledged several members of the ShreveCorps class who were also present.

Ms. Lee said that ShreveCorps is an AmeriCorps National Service program, administered by Shreveport Green and supported by the Corporation for National and Community Service, the Louisiana Tourist Commission, the Caddo Parish Commission, Caddo Parish Parks, and Chesapeake Energy.

The local Corps is an environmental youth service corps, with members between the ages of 17 and 24, she said. They receive a living allowance and a post-service education award based on the service that they do. This year 57 young adults are providing over 33,000 hours of service to the community, earning more than \$153,000 in living allowances and more than \$94,000 in post-service education awards.

They have improved the quality of life for 11 senior citizens and disabled residents through construction of handicapped ramps, exterior home painting and yard maintenance. They have removed more than 19,000 pounds of litter from streets and waterways; recycled some 3,500 Christmas

trees and 125 tons of telephone books. They have planted 267 trees, stenciled 350 storm drains, recycled more than 7,000 pounds of paint and other hazardous household waste products. They also assist in the ongoing maintenance of public parks, lands and buildings.

The program has won several state and national awards for excellence, Ms. Lee continued, and the members learn to work as a team, they gain valuable job skills and they build lasting friendships through the common goal of service. They learn to take active roles as citizens and make a difference for themselves and for others.

Ms. Lee thanked the Commission for its continuing support for ShreveCorps, because it would not be possible for these services to be provided otherwise. She then called upon Kristalin Whittaker, one of the ShreveCorps students, who described the work she and her teammates perform and the personal growth experiences they derive from their efforts.

Next came Mrs. Carol Patton, 3233 Seminole Drive, Shreveport, who said she is having an issue with her neighbors about their animals. She said they live just outside the city limits in Lakeview Subdivision, and they have a lot of livestock and poultry. She said she and her family cannot get any help in dealing with this situation, though they have contacted the Health Department and the Sheriff's Office. They are currently working with the zoning office, she said. Animal Control has said it can do nothing to restrict livestock and fowl outside the city limits.

Mrs. Patton said she still wants to know who she must talk to and what can be done, because the neighbors cannot or will not keep their animals off of her property. The odor is horrible.

President Lynch directed Mrs. Patton to Mr. Matthew Pepper, Animal Control Director.

Mrs. McCulloch said that she wished to state for the record that she had invited Mrs. Patton to come before the Commission at this meeting.

PUBLIC HEARING ON ORDINANCES

- Ordinance No. 4894 of 2009 to amend Article XI of Chapter 14 of the Code of Ordinances of the Parish of Caddo relative to Section 14-1006, Schedule F, No Parking Zones to include Hemperly Avenue and Shattalon Drive

The President asked if there was anyone present to speak in support of or in opposition to the above ordinance, and there was no one.

- Ordinance No. 4895 of 2009 to rescind the subdivision of Lake Vista Subdivision in the Parish of Caddo

The President asked if there was anyone present to speak in support of or in opposition to the above ordinance, and there was no one.

- Ordinance No. 4896 of 2009 adopting Chapter 29 of the Code of Ordinances of the Parish of Caddo to establish regulations pertaining to conducting oil, gas and other hydrocarbon well operations and operations related thereto

The President asked if there was anyone present to speak in support of this ordinance, and Mr. Walter F. Johnson, III, 4300 Youree Drive, Shreveport, came forward. He said that he is a citizen of the Parish and the staff attorney for the Haynesville Shale Landowners Association in the area. The group has for months been watching the development of this ordinance, along with the Commissioner of Conservation's order concerning the same subject matter.

He said that on behalf of the landowners he would commend the Commission for trying to develop a set of ordinances that will properly protect the citizens of the Parish, and also allow continuation of drilling for oil and gas in the area. This is a tremendous opportunity for this area, and the landowners group supports it, as its members stand to gain by virtue of drilling and development of oil and gas. However, he said, they have seen how matters have evolved in the Fort Worth, Texas, area where a similar set of circumstances exist, that being the drilling for gas in the urban areas that overlie the Barnett Shale formation. Some of those wells have been forced into one small, close-quartered area.

Not to overlook places like Oil City and Vivian, he said, but those wells are like comparing a Volkswagen to a 747 jetliner. The small stripper wells in north Caddo Parish are 100 horsepower rigs compared with a 1,000-horsepower rig, and as far as the drilling phase, there is quite a lot of difference in regard to noise, weight, and the dangers that exist.

Mr. Johnson then displayed a photograph recently taken by his office-mate Lynn Estess from the window of an airplane flying over south Caddo Parish. He said that the photograph clearly

shows numerous dots which are actually well sites. Their number, and their proximity to each other, in the heart of the Haynesville play, are indicative of the kind of development that likely will be seen in most if not all of the Parish. The ordinance being considered by the Commission is a very critical matter to the landowners because there will be rig upon rig in close proximity to one another and in a continuing pattern for perhaps the next 20 to 40 years, he said, and they have a great potential to damaging the peace and quiet and property values in the area.

Mr. Johnson said he had already circulated copies of his comments on the ordinance and compared them with the recent order issued by the Commissioner of Conservation. That order, he said, is a step in the right direction but is not nearly enough. The Commission's ordinance properly defines things—even simple things like fencing. The Commissioner's order says merely that a well site shall be fenced, but it gives no specification as to what the fence would be like other than six feet in height.

The Commission has studied this matter much better than the Commissioner of Conservation, Mr. Johnson continued, and it provides measures that protect property values and safety of citizens. Commissioners have recently received copies of several amendments that have been proposed since the ordinance was drafted in June; they do some important things, but there are things that could be amended yet. With the Commissioner of Conservation's order to become effective August 1, it is timely for the Commission to continue to watch and press for passage of its own ordinance, possibly with these good amendments that have been suggested. The Landowners Association stands ready to help in any way possible in defining it, he said.

Next there came Mr. Greg Brazairis, 711 Louisiana Street, Houston, Texas. He said that he represents Energy Transfer Partners, a pipeline company that will be building a 42-inch pipeline in the southern part of Caddo Parish, as well as some gathering lines. He said he came to specifically address matters relating to the pipeline components of the proposed ordinance, but none of the drilling components.

Energy Transfer is a substantive company in that it has 17,000 miles of pipe in the United States, moving about five or six billion cubic feet of gas on any given day. Overall, with respect to its pipeline components the ordinance is a relatively good ordinance, he said. It touches on things that are important, and he commends the Commission for taking the steps to go forward and address these issues early in the development phase of this resource.

Mr. Brazairis said his company is very involved in the Barnett Shale development in Texas, and many things happened there that probably, in retrospect, could have been handled differently. The Barnett Shale developed unexpectedly and rapidly, and to a degree that no one expected. He said he is certain that the Haynesville Shale is going to suffer some of the same sorts of growth problems. One significant issue in the Barnett Shale was that for the first time ever a huge natural gas formation was found in an urban area. The pipeline companies are accustomed to laying pipe in more rural settings, and not to gather gas from within city limits.

Mr. Brazairis said that the Commission's ordinance appears to have addressed many of the pertinent areas regarding pipelines, but he would like to address some specific points: on page two of the ordinance, section three, "...the abatement of dust, vibration and odors", he pointed out that pipelines do have compressor stations. His company does not want to build anything that is offensive to any neighbor, or anything that is a nuisance in an urban area.

The ordinance does not really address the construction phase of the pipeline, he said. One can easily imagine the kinds of things that go on during the construction of the gathering systems and the pipelines—there is noise and dust, and things like welding operations might create an odor on an interim basis that might be offensive to someone. He said he would suggest language to be inserted in the contract that would address the following: "For the construction phase of the pipeline in urban areas, proven, reasonable and feasible technological improvements, if required, using best practices so that in fact pipelines, pipeline compressor stations and associated facilities minimize factors of dust, vibration and odor that could create a nuisance."

This suggestion is really just something to acknowledge the fact that the purpose of the ordinance is to address the more permanent-type facilities, but not during the construction phase, Mr. Brazairis said. Regarding the installation of flow lines in section 11, he said he would ask that the requirement to furnish the plat, which includes the GIS information, to the director of public works, be required to be made by certified mail. That way, both parties have an acknowledgment that in fact the information has been submitted, and both sides will have a record.

The reason, he said, is that these pipelines are in place for a very long time, and records have a tendency to become displaced or inaccessible. If in the future some work needs to be done in and around the pipe which was laid many years earlier, there is a record by which both local government and the industry know that it exists and where.

One other thing that should be considered, Mr. Brazairis said, is that the proposed ordinance asks that compressor stations—the pumps that move natural gas through the pipelines—be enclosed. A compressor station is a noisy operation, he said, and the fact that the Commission would want them to be enclosed, especially in an urban area, is acceptable. They are expensive, and more needs to be known about the Commission's specific requirements. Even smaller compressor stations can run into the millions of dollars to soundproof, he said, and it makes no sense to enclosed or soundproof a compressor that is far from a home or business.

Section 29.3 addresses hours of operation in urban areas, he said. That clearly is an important component of the ordinance, but he would like more clarification about work not being done during certain hours if a sensitive area is nearby—residence, business, hospital, nursing home, etc. He pointed out that once the pipelines are installed, their operation is a 24-hour-per-day business.

Mr. Brazairis said he would again point out that it should be clear to most readers of the ordinance that its intent is to address just those times when work needs to be done on the pipeline, but that is not made clear in the ordinance. He said he can suggested wording that would cure the ambiguity, just by adding the word "pipeline" to the following: ".....That with the exception of drilling completion, re-working and pipeline operations", then to say that work on those sites could then be done during the hours which are specified.

Again he reiterated that his only area of concern is the portions of the ordinance that address the pipeline components; he would let others address the drilling side of the ordinance. It is his company's intent to be a good neighbor in all the activities it engages in. The lessons of the Barnett Shale do provide convincing evidence that things should be done beforehand rather than as an after-the-fact response.

Then came Mrs. Brenda O'Brock, 248 Lakepoint Drive, Shreveport. She stated that an ordinance to protect landowners and the establishment of reasonable and uniform regulations is important to the general health, safety and general welfare of the community. It should be remembered, she said, that even with this ordinance landowners will still have other battles to fight. The Parish needs an ordinance that will at least protect property from the known detriments and liabilities they will inevitably face.

Mrs. O'Brock said that she has just recently learned that the energy companies can draw lines across geographical sections, calling them "unit lines", and exclude property owners. This has happened to the local property owners of Section 33. In this case the energy company has sent public notice that what they want to propose is to draw a line in front of her property and exclude all the unleased property in that section from the drilling unit. This cuts the unit short, and in fact is called "shortening the unit".

Such actions can literally mean that people on one side of a street are beneficiaries of gas production, while those on the other side of the street are not, Mrs. O'Brock continued. It is nothing more than changing the rules after the game has started, she said. It might be good business for the energy company, but it is painful to the property owners, and it is something she has not seen before.

It is important for the Commission to recognize those things it can do to protect the property owners and to do them, she said. This can present all kinds of problems; there are property owners who believe that they will benefit from any production that occurs within their section. Some property owners have not yet leased, and they do not want to be coerced into leasing at the worst economic time.

Mrs. O'Brock said that the previous week she had attended a meeting of landowners in her area, and they had an attorney present. They now have to take it a step further go to Baton Rouge, she said, but there are a lot of property owners who will be unable to go to Baton Rouge to address their concerns. These are the kinds of things people did not think about, but that they are going to have to face, she said.

There will be plenty of unforeseen, unknown issues that property owners will have to deal with in the future, she said. For that reason, the Commission should use this opportunity to address and clarify all those things that are known and understood to pose problems, she said.

There being no others to speak in support of the ordinance, the President asked if there was anyone present to speak in opposition.

Mr. Jim Morris, Oil City, came forward and identified himself as a state representative for District 1, a former Caddo Parish Commissioner, and an independent oil producer. He said that he is not necessarily opposed to the intent of the ordinance, and he applauds the Commission's efforts to take a pro-active stance in trying to establish some order and consistency for both landowners and the energy

industry.

He said that he does have some concerns about the fact that as it is currently drafted the ordinance makes no distinction between the small, shallow stripper oil wells primarily in the north part of the Parish, and the massive rigs that are drilling vertically and horizontally deep into the earth to produce gas from the Haynesville Shale. The stripper wells operate for just minutes per day—basically for four minutes on 15-minute cycles.

Mr. Morris said that many of the provisions of the proposed ordinance are cost-prohibitive for the mom-and-pop type oil companies to adhere to. He said he is picking no quarrel with the large energy companies that are producing the Haynesville gas, but trying to place the small oil strippers under the same type of one-size-fits-all format will simply not work.

He said he knows the Commission will use common sense and hopefully consult with knowledgeable people from the oil production side of the business, learn their concerns, and then devise some workable document everyone can live with.

Mr. Morris said that some of the provisions of the proposed ordinance are a duplication of some requirements that are already in place through the State, through both the Department of Natural Resources and the Department of Environmental Quality, relative to reporting spills, etc. He said he wants the Commission to continue to be proactive, and he wants to help it to do so by informing it of ways that will make this a better piece of legislation. He asked that the Commission postpone final adoption of the ordinance until the oil operators can make their wishes known and the ordinance can be amended to more fairly and accurately apply to their operations.

Next came Mrs. Jodee Bruyninckx, 400 Travis Street, Shreveport, who identified herself as a representative of the Louisiana Oil and Gas Association, which represents more than 1,000 members of the oil and gas operating and service industry in Louisiana. The LOGA is very interested in this ordinance because of the overall impact it can have on not only its members in Caddo Parish, but for the implications it can have on its members and their further development of mineral rights across the entire state.

In addition to the volumes of regulations already in existence in the state and nation, in the wake of the Haynesville Shale drilling the Louisiana Office of Conservation issued a field rule which covers hours of operation, noise levels, fencing, dust, vibration, odors and other areas of concern—matters that are also addressed in the Commission's draft ordinance. The industry is and has been committed to work with the Commission on issues and concerns that arise on every well drilled in Caddo Parish, she said.

However, there has historically existed an explicit fear of authority wherein the State is the sole regulator of oil and gas regulation in the State of Louisiana. LOGA's members want the Commission to know that their continued growth and production in this area and throughout hinges on a settled, coherent set of regulations enforced by an entity that is trained in this industry and its highly-technical nature.

Earlier in the week, Mrs. Bruyninckx said, LOGA submitted a letter to the Commission relative to its concerns about the proposed ordinance. The association has concerns that the ordinance is in conflict with the Office of Conservation's authority conferred by LRS 36:358 [c], which reads in relevant part: "...The Office of Conservation in accordance with shall exercise the functions of the State with respect to the regulation, conservation and use of the natural resources of the State. Its functions shall include, but not be limited to, the conservation of oil and gas resources of the State, and matters pertaining thereto."

As an addendum to its memo to the Commission, she continued, LOGA submitted comments on each provision of the proposed ordinance, also in the form of alternative language or technical guidance on how each provision would affect the day-to-day operations at each well-site.

For example, Mrs. Bruyninckx said, on the noise provision: the Commission's proposed decibel levels are copied from legislation prepared by the City of Fort Worth. It should be remembered, however, that the City of Fort Worth has dense urban sprawl with ambient noise levels much higher than most of the area that would be covered by the Caddo Parish regulation. Where compliance may be possible with these parameters in Fort Worth, it is not possible in this Parish where the ambient noise levels are lower, less urban sprawl, and in some cases, deeper formations which necessitate some differences in drilling practices.

Conflicting and confusing layers of regulation make it difficult for the energy industry to continue to do business here, she said, and it serves as a serious deterrent to new companies that are looking to investing and extracting Louisiana's mineral resources. Where there is conflicting regulation between the State and the local ordinances, for example, which regulation does the industry follow, she asked. There cannot be two separate sets of regulations on the same issue.

Mrs. Bruyninckx said that the LOGA letter to the Commission reiterated that the proposed

ordinance seeks to regulate the entire oil and gas industry in Caddo Parish. Independent oil and gas operators have been peacefully doing business in the area for decades. More than 33,000 wells have been drilled in Caddo Parish since 1901. Due to the recent concerns over deeper horizontal drilling an entire industry has been targeted for expansive regulation. Particularly in this time of economic hardship and recession, many companies, independent producers in particular, simply cannot comply with the burdensome regulations and continue to stay in business, she said.

She asked that the Commission consider the effect that these regulations would have on all businesses, particularly the independent producers, and consider removing them from the ordinance. She said she would hope that Commissioners would take the time to review in their entirety the comments submitted by LOGA earlier in the week and digest them for edits and revisions to the current draft ordinance.

LOGA would like to have more opportunity to further discuss this ordinance and the highly-technical aspects of the drilling process that it proposes to regulate, Mrs. Bruyninckx said. LOGA feels that it is in the best interest of the public, local governing bodies, the State and the industry, which holds the mineral rights to hundreds of thousands of acres in the northwest corner of the State alone, to benefit from a single system of governance by an entity that is trained and skilled in the regulation of complex and technical activities.

Should the precedent be set for multiple city and parish governments to regulate a single industry in this manner, companies would be put in a position to cherry-pick the areas with the most favorable regulations for future mineral leases and drilling activity, thereby skipping over those areas in which the regulations are unfeasible. That unintended consequence is certainly not in the best interests of even the citizens of Caddo Parish, she warned.

In regard to the Commission's concerns about shale drilling, she said, the Office of Conservation field rules go into effect on August 1, Mrs. Bruyninckx said, with 12 trained and experienced oil and gas field agents in the Shreveport field office to respond to constituent complaints and to monitor well sites. She encouraged the Commission to work with the Office of Conservation on its enforcement concerns. However, passing a broad regulation when State regulation has not been given a chance does not afford an opportunity for successful State regulation, she concluded.

Then there came Mr. Gif Gillen, 230 Atkins, Shreveport, who identified himself as a former Caddo Parish Commissioner and an independent oil and gas producer. He said that he respects the Commission's intent and efforts to create legislation that he believes was instigated by the development of the Haynesville Shale. The 33,000-plus wells that have been drilled in Caddo Parish have all been drilled under the laws of the State and the auspices of the Department of Conservation, he said.

Since the advent of the Haynesville Shale there has been some public outcry regarding water usage, noise, public and private roadway use—all of which may be justified, but which will not be corrected by the ordinance. The ordinance applies to all wells the same, regardless of depth.

The proposed ordinance will also place financial burdens on small producers by such things as requiring electric pumps on all pumping wells, regulating the use of compressors, salt water disposal. This ordinance was drafted in response to the advent of Haynesville Shale drilling, he said, but its effect will be to penalize small operators—the majority of producers in Caddo Parish—by imposing regulations that will be onerous possibly to the point of putting them out of business.

Then came Mr. Ellis Brown, 620 Oak Hill Drive, Shreveport. He said that he represents Bayou State Oil Company, a small stripper oil company operating in northern Caddo Parish. He urged the Commission to remember that of the 33,000 wells in Caddo Parish, only 144 are Haynesville wells. The Haynesville wells comprise less than one-half of one percent of the total, he said, but they are about to set the rules for the other 99 and one-half percent.

The Department of Natural Resources has good rules, Mr. Brown said. Their rules are not perfect, but they have been working since 1945. He urged the Commission to slow down and wait, and perhaps send the draft ordinance back to committee.

Last there came Mr. Eric Weiss, 333 Texas Street, Shreveport. He said that he represents a large land owner with more than 10,000 acres in Caddo Parish. Most of that land is in north Caddo Parish, he said, but the owner does have some property on which Haynesville Shale wells are being drilled. He said he deals frequently with the Office of Conservation and the energy companies.

The Parish needs to consider what effect these rules will have on the shallow stripper wells, and the resultant effect on the Parish's severance tax revenues. Also, he said, the cost of enforcing these proposed regulations will likely be costly to the Parish. The Parish will have to pay someone to enforce the regulation, and it is not clear where that money would come from, he said.

Mr. Weiss said he does not think these new regulations are necessary; the State's rules

are sufficient. There are certain things, such as weight limits on roads, that the Parish already has responsibility for. As long as they are consistent from one industry to another they should be sufficient to protect Parish roads.

There being no others to speak in regard to this ordinance, the President directed the Clerk to present the next ordinance for public hearing.

- Ordinance No. 4897 of 2009 amending the Budget of Estimated Revenues and Expenditures for the Riverboat Fund to provide matching funds for CCAA's 'Head Start and Early Head Start Expansion Grants', in the amount of \$25,000 for the year 2009

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

ORDINANCES: (For final passage)

ORDINANCE NO. 4894 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND ARTICLE XI OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE PARISH OF CADDO RELATIVE TO SECTION 14-1006, SCHEDULE F, NO PARKING ZONES, TO INCLUDE HEMPERLY AVENUE AND SHATTALON DRIVE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Commission has received requests from citizens to include Hemperly Avenue and Shattalon Drive in the No Parking Ordinance;

WHEREAS, the citizens have forwarded a petition with this request and cited hazardous conditions due to parking on these streets;

WHEREAS, the Parish of Caddo finds that it is in the best interests of the Parish of Caddo to include Hemperly Avenue and Shattalon Drive in the No Parking Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, regular and legal session convened, that Chapter 14, Section 14-1006 of the Code of Ordinances be and is hereby amended and re-enacted to read as follows to-wit:

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, legal, and regular session convened, that Hemperly Avenue and Shattalon Drive, in their entirety, be listed on Schedule F as No Parking Zones.

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 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. Cox**, seconded by Mrs. Baker, *that Ordinance No. 4894 of 2009, to amend Article XI of Chapter 14 of the Code of Ordinances of the Parish of Caddo relative to Section 14-1006, Schedule F, No Parking Zones to include Hemperly Avenue and Shattalon Drive, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

ORDINANCE NO. 4895 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO RESCIND THE SUBDIVISION OF LAKE VISTA SUBDIVISION IN THE PARISH OF CADDO, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, a request to rescind the subdivision of Lake Vista Subdivision has been

received by the Parish of Caddo; and

WHEREAS, the Parish of Caddo has reviewed the request to rescind the subdivision of Lake Vista Subdivision and finds that the rescission of the subdivision of Lake Vista Subdivision is in the best interest of the Parish of Caddo.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that the subdivision of Lake Vista Subdivision in the Parish of Caddo be, and the same is hereby, rescinded, said subdivision of Lake Vista Subdivision more specifically described as follows:

Lake Vista Subdivision, being a subdivision located in Section 34, Township 18 North, Range 15 West, as per plat recorded in Book 900, Page 419, of the Conveyance Records of Caddo Parish, Louisiana, said plat attached hereto and marked Exhibit "A".

BE IT FURTHER ORDAINED, that a copy of this ordinance and plat marked Exhibit "A", displaying the subdivision of Lake Vista Subdivision to be rescinded shall be filed in the conveyance records of the Parish of Caddo.

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 upon its adoption.

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

It was **moved by Mr. Pierson**, seconded by Mr. Escude, *that Ordinance No. 4895 of 2009, rescinding the subdivision of Lake Vista Subdivision, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

It was moved by Mr. Epperson, seconded by Mrs. McCulloch, that Ordinance No. 4896 of 2009, adopting Chapter 29 of the Code of Ordinances of the Parish of Caddo to establish regulations pertaining to conducting oil, gas and other hydrocarbon well operations and operations related thereto, be adopted.

Mr. Dominick offered a substitute motion, seconded by Mr. Smith, *that this proposed ordinance be resubmitted to the Natural Resources Committee for further study.*

Mr. Dominick said that a lot of discussion has been heard on this issue, which has developed because of the proliferation of drilling as a result of the Haynesville Shale. By adopting the ordinance as it currently is written, the Commission will be producing some unintended consequences to the many stripper wells in the Parish.

Mr. Dominick said that Mr. Ellis Brown, who spoke earlier, had provided some documentation pointing out that only 144 of the current 33,942 wells in the Parish are Haynesville Shale wells. There are 22 named oil and gas fields in the Parish, but most have no Haynesville production nor any Haynesville prospects.

The Caddo Parish Pine Island Field, which is where the majority of the Parish's wells are producing the Natchitoches Formation and the Chalk, is at 1,000 to 1,500 feet—not two miles or more deep, he said. Pine Island contains 26,154 permitted wells, with over 14,000 classified as active or future utility. Pine Island Field has been in existence since 1905, and it is classified as a stripper field. The stripper wells are very, very small producing wells, he said. They generally occupy less than 100 square feet, and they only operate a few minutes per day.

Mr. Dominick pointed out that these small wells are not causing any problems, and they haven't caused problems during many years. However, the proposed ordinance, which was written totally in response to the Haynesville activity, will negatively affect all of the stripper wells. He pointed out that the proposed ordinance calls for a fence around every well in the Parish. He said he is unsure how those wells in Caddo Lake will be fenced, but the ordinance as written will require them to be.

Mr. Dominick said that the ordinance defines "rural area" as 25 acres. He asked about

five or ten acre tracts in northern Caddo Parish. He said he understands the Parish Attorney is now working on a separate ordinance about vehicles and how to enforce vehicle weight limits, but the proposed ordinance now before the Commission requires vehicle registration information. These are obviously issues that need to go back to the Natural Resources Committee for discussion, he said.

Mr. Dominick said that remote rural areas need to be exempted from the ordinance through some sort of grandfathering language. He said he has prepared some proposed amendments he would like for the Commission to consider. He said he agrees that the Parish needs to put some rules in place, but they should be done correctly. The ordinance needs further committee study, hopefully to be ready for final passage in August.

Mr. Smith said that the Commission should not forget what its job is in regard to this issue: its job is to protect the citizens of Caddo Parish. The Commission wants to do just that by adopting an ordinance which will work correctly. The Commission also has to work with the industry. He said he wants the Natural Resources Committee to meet again on July 20, with the goal of bringing the ordinance up again on August 17, hopefully to pass it on August 20.

It is apparent, he said, that the ordinance is not yet in a form that is ready to be adopted. More work is needed, he said.

Mr. Escude agreed, pointing out that it is not a perfect document, and it is not likely to be. The public hearing process points out that Commissioners need input from knowledgeable citizens. An ordinance is needed, but it should be a good, sound ordinance that addresses the problems that precipitated it in the first place. The additional work that is needed will require more than just input from the oil and gas attorneys who have already been consulted; input is needed from people who represent and have a working knowledge of the Haynesville Shale formation, smaller shallow formations, stripper wells, etc. The dilemma is determining who the Commission can trust to provide helpful information that is not guided by self-interest. The Commission is going to have to weed through all the information supplied to determine what is fact and what is fiction.

He said that the oil and gas industry representative who spoke earlier proposes leaving the entire regulatory process to the will and judgment of the State Department of Conservation. He said that the office is merely a puppet of the Governor's office, and he would not rely on the Conservation Commissioner to protect the people of Caddo Parish.

The Commission is going to do what it needs to do to protect the Parish, and what it does not need in the interim is for someone to build a compressor station 200 feet from a subdivision. He noted that Caddo has worked closely with Bossier Parish, and DeSoto Parish is watching Caddo Parish's ordinance closely. Whatever is fashioned will likely have regional impact.

Mr. Escude said he does not believe this ordinance can be or should be completed and enacted by August. It is too complex, he said, and there should be another public hearing on the next version of the ordinance. This will probably be fluid, ongoing ordinance that will require changes throughout its life.

Mr. Pierson agreed that an ordinance is needed, but he too has known that the ordinance in its present state still needed work. He also has stated that the ordinance will need ongoing amendment to make it suit needs and circumstances as they become evident. The Commission's objective is to address the concerns of the people, but in a way that the document, while it may need occasional tweaking, should not need overhauling.

Mr. Pierson said he would prefer to move the ordinance back to committee if he can be assured that the eventual product will be workable. He said he would like to see the best document the Commission can produce in the shortest period of time, but he does not feel this can be done by August.

At this time Mr. Dominick's substitute motion to refer Ordinance No. 4896 back to the Natural Resources Committee carried, with Commissioners Epperson and McCulloch voting "No". absent. Commissioner Jenkins (1).

ORDINANCE NO. 4897 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE 2009 BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE RIVERBOAT FUND TO PROVIDE AN APPROPRIATION IN THE AMOUNT OF \$25,000 FOR CCAA TO PROVIDE MATCHING FUNDS FOR THE HEAD START AND EARLY HEAD START EXPANSION GRANTS

WHEREAS, the Caddo Community Action Agency (CCAA) is the agency designated by the Caddo Parish Commission to administer the Head Start and Early Head Start programs on the Commission's behalf; and

WHEREAS, CCAA will submit grant applications to the U.S. Department of Health and Human Service, Office of Head Start for a Head Start and an Early Head Start expansion grant to provide the recurring and one-time funds needed to expand both programs; and

WHEREAS, there are approximately 2,760 children in Caddo Parish who are not being served by the Head Start and Early Head Start programs and hundreds of these children are currently on the CCAA waiting list; and

WHEREAS, the expansion grants would allow the Head Start program to expand by 80 to 100 children and the Early Head Start program to expand by 24 children; and

WHEREAS, both of the expansion grants have a matching requirement and CCAA would like the Caddo Parish Commission to provide a one-time \$25,000 match if the grant applications are approved; and

WHEREAS, it is necessary to appropriate the funds required to provide a \$25,000 match for the Head Start and Early Head Start expansion grants; and

WHEREAS, the \$25,000 will only be expended if the grant applications are approved; and

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that Budget of Estimated Revenues and Expenditures for the Riverboat Fund for the year 2009 is hereby amended as follows:

Budget Increase (Decrease)

Allocation to Other Entities

CCAA
\$25,000

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 Mr. Pierson**, seconded by Mrs. Baker, that *Ordinance No. 4897 of 2009, amending the Riverboat Fund Budget to provide \$25,000 in matching funds for CCAA's 'Head Start and Early Head Start Expansion Grants' for 2009, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

ORDINANCES: (For introduction, by title)

- 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

WORK SESSION MINUTES: JULY 6, 2009

It was **moved by Mr. Pierson**, seconded by Mr. Cox, that the *Work Session Minutes of July 6, 2009, be ratified.* Motion carried.

RESOLUTION 30 of 2009

BY THE CADDO PARISH COMMISSION:

A RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN CADDO PARISH FIRE DISTRICT NO. SIX, STATE OF LOUISIANA, ON SATURDAY, OCTOBER 17, 2009, TO AUTHORIZE THE LEVY OF A SERVICE CHARGE THEREIN.

WHEREAS, the Board of Commissioners of Caddo Parish Fire District No. Six, State of Louisiana (the "Governing Authority"), acting as the governing authority of Caddo Parish Fire District No. Six, State of Louisiana (the "District"), adopted a resolution on June 18, 2009, calling a special election in the District on Saturday, October 17, 2009, to authorize the levy of a Service Charge therein; and

WHEREAS, the governing authority of the District has requested that the Caddo Parish commission, acting as the governing authority of the Parish of Caddo, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to levy and collect the Service Charge provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of the Caddo Parish Commission to approve the holding of said election and in the event that the election carries, to levy and collect the Service Charge provided for therein;

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish commission of the Parish of Caddo, State of Louisiana, acting as the governing authority of said Parish, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Caddo Parish Fire District No. Six, State of Louisiana, the Caddo Parish Commission hereby approves the holding of an election in the District, on Saturday, October 17, 2009, at which election there will be submitted the following proposition, to-wit:

SERVICE CHARGE PROPOSITION

Summary: Authority to levy and collect a service charge, instead of and to replace the existing service charge, not to exceed \$150.00 per year for a period of 10 years on each residential dwelling and commercial structure, for the purpose of fire protection, including emergency medical services and transport, acquiring, constructing, maintaining and operating fire protection facilities and equipment in and for the District, including payment or reimbursement of debt service on bonds issued for any of the aforesaid capital purposes.

Shall Caddo Parish Fire District No. 6, State of Louisiana (the "District"), levy and collect an annual service charge, instead of and to replace the existing service charge, not to exceed one-hundred fifty dollars (\$150.00) on each residential dwelling and commercial structure, whether occupied or unoccupied, located wholly or partly within the boundaries of the District, for a period of ten (10) years, beginning with the year 2009 and ending with the year 2018 (an estimated \$433,650 reasonably expected at this time to be collected from the levy of the service charge for an entire year) for the purpose of fire protection, including emergency medical services and transport, acquiring, constructing, maintaining and operating fire protection facilities and equipment in and for the District, including payment or reimbursement of debt service on bonds issued for any of the aforesaid capital purposes?

SECTION 2. In the event the election carries, the Caddo Parish Commission does hereby further consent to and authorize the District to levy and collect the Service Charge provided for therein.

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

<u>Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstaining</u>
Douglas C. Dominick	<u> x </u>	_____	_____	_____
Rose Wilson-McCulloch	<u> x </u>	_____	_____	_____
Carl A. Pierson, Sr.	<u> x </u>	_____	_____	_____
Matthew Linn	<u> x </u>	_____	_____	_____
Sam Jenkins	_____	_____	<u> x </u>	_____
Lindora Baker	_____	_____	_____	_____
Stephanie Lynch	<u> x </u>	_____	_____	_____
John Escudé	<u> x </u>	_____	_____	_____
Michael Thibodeaux	<u> x </u>	_____	_____	_____

- 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 Parish of Caddo.

PUBLIC HEARINGS

Notices informing citizens of any public hearings will appear in the official journal of the Parish of Caddo a minimum of five calendar days prior to the hearing. In addition, notices will also be posted in parish office buildings/parish hall 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 well in advance of 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 Parish of Caddo for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the Parish of Caddo to persons actually displaced as a result of such activities; and
 - d) The Parish of Caddo's prior performance on 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:

Caddo Parish Commission
 Post Office Box 1127
 Shreveport, LA 71163

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

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:

Caddo Parish Commission
 Post Office Box 1127
 Shreveport, LA 71163

Negative comments received will be forwarded immediately to the State's Office of Community Development, 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 Parish of Caddo 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 five to fifteen 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 Parish of Caddo LCDBG Program being closed out. The notice will also state that accommodations will be made for disabled and non-English speaking persons provided a three day notice is received by the Parish of Caddo.

This notice shall invite all interested parties, particularly those low to moderate income resident 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 of Louisiana 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 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 Parish of Caddo will provide an interpreter for dissemination of information to them providing the Parish of Caddo is given sufficient notification of three days.

TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the Parish of Caddo 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, President and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the Parish of Caddo 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 Parish of Caddo 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 Caddo Parish Commission, Monday through Friday, 8:00 a.m. to 4:45 p.m. Such documents may include the following:

- 1) All meeting 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 Parish of Caddo to review all complaints received by the Parish of Caddo.

SECTION 2

The following procedures will be followed with respect to all complaints received by the Parish of Caddo:

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

- 6) The reviewing council committee will have five 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 council Committee, he must notify the Parish Clerk in writing that he/she desires to be afforded a hearing by the Caddo Parish Commission. The complainant will be placed on the next regularly scheduled Parish meeting agenda. The Parish Clerk 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 Caddo Parish Commission, at the hearing, will review the complaint and forward within five 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 Caddo Parish Commission will inform complainant of an appropriate date to expect a response. Within two 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 225-342-7900.

SECTION 4

The Parish Clerk 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 Caddo Parish Commission 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 Parish's regularly scheduled meetings.

It was **moved by Mr. Escude**, seconded by Mr. Pierson, that *Resolution No. 31 of 2009, adopting a Citizen Participation Plan for the Louisiana Community Development Block Grant Program, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

RESOLUTION NO. 32 OF 2009

BY THE CADDO PARISH COMMISSION:

A RESOLUTION ADOPTING PROCEDURES TO BE UTILIZED FOR PROCUREMENT WITH LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the United States Office of Management and Budget Circular A-102, Part 0 establishes regulations pertaining to the use of Federal Funds for procurement; and

WHEREAS, each entity using Federal Funds for procurement must, in accordance with OMB Circular A-102, have established Procurement Procedures; and

WHEREAS, any Parish of Caddo, Louisiana Community Development Block Grant (LCDBG) funds are affected by this requirement;

NOW, THEREFORE, BE IT RESOLVED by the Parish of Caddo that the following Procurement Policy be adopted for use with respect to the utilization of Louisiana Community Development Block Grant Funds:

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the LCDBG Program. These guidelines meet the standards established in OMB Circular A-102, Attachment 0.

CODE OF CONDUCT

No employee, officer, or agent of the Parish of Caddo shall participate in the selection or in the award or administration of a contract supported by LCDBG funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.

No officer, employee or agent of the Parish of Caddo shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to subagreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the Parish's Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

PROCUREMENT PROCEDURES

The director or supervisor of each department or agency of the Parish of Caddo responsible for procurement of services, supplies, equipment or construction obtained with LCDBG funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the Director or Supervisor, an analysis to determine which approach would be the most economical shall be undertaken.

The Parish of Caddo shall take affirmative steps to assure that small and minority firms and women-owned business enterprises are solicited whenever they are potential qualified sources. The Parish of Caddo shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms and women's business enterprises. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses. Where possible, evaluation criteria will include a factor with an appropriate weight for these firms. In identifying small and minority business firms, the Parish may request the assistance of the Division of Minority/Women's Business Enterprise within the Department of Economic Development.

All prime contractors shall be required to take the affirmative steps described in the preceding paragraph. The Parish of Caddo shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

SELECTION PROCEDURES

ALL procurements carried out with LCDBG funds, where the Parish of Caddo is a direct party, shall be carried out in a manner that provides maximum free and open competition. Procurement procedures will not restrict or eliminate competition. The Parish of Caddo shall not place unreasonable requirements on firms in order for them to qualify to do business, nor shall the Parish encourage or participate in noncompetitive practices among firms. The Parish of Caddo shall take notice of organizational conflicts which would jeopardize the negotiation process and limit competition. The Parish of Caddo shall not

require unnecessary experience or bonding requirements.

Pursuant to State law, all solicitations of offers shall incorporate a clear, accurate description of the technical requirements for the material, service or product to be procured. In competitive procurements, these descriptions shall not contain features which unduly limit competition. The description may include a statement of the qualitative nature of the material, product or service and the minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible. A "brand name or equal" description may be used to define the performance or other salient requirements of a procurement. The specific features of the named brand which must be met by offerers shall be clearly stated.

All solicitations of offers shall clearly set forth all requirements which offerers must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications.

Contracts shall be awarded only to responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to such factors as the contractor's/firm's capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

METHOD OF PROCUREMENT

Direct procurement by the Parish of Caddo shall be made by using one of the following methods depending on the type of service to be procured.

Small Purchase Procedures. Relatively simple, informal procurement procedures will be used where the purchase of services, supplies, equipment, or other property, and cost of construction will not cost in the aggregate more than \$10,000 except where further limited by State law or LCDBG policy. The procurement officer must obtain oral or written price or rate quotations from an adequate number of qualified sources (a minimum of three). A written confirmation of the accepted offer shall be obtained and maintained in the files. Documentation on all quotations received (whether oral or written) must be made a part of the file.

Competitive Sealed Bids/Formal Advertising. Under this procedure bids are publicly advertised. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsible bidder whose bid is lowest in price and which conforms to all the material terms and conditions of the advertisement for bids.

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively; (3) the procurement can be made on a firm fixed-price contract and selection of the successful bidder can appropriately be made principally on the basis of price.

When formal advertising is used, the following conditions shall be met.

1. The advertisement for bids shall be publicly advertised in accord with State law.
2. The advertisement for bids, including the specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the advertisement.
3. All bids shall be opened publicly at the time and place specified in the advertisement for bids.
4. A firm fixed-price contract award shall be made by written notice to the lowest responsible bidder whose bid conforms to the advertisement for bids. Where specified in the bid documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts shall only be used to determine low bid when prior experience indicates that such discounts are generally taken.
5. Notwithstanding the above, any or all bids may be rejected when there are sound documented business reasons in the best interest of the LCDBG Program.

Competitive Negotiation: Requests for Proposals/Qualification Statements. This method may be used when formal advertising is not appropriate. Architectural, engineering, planning, consultant and other services will normally be procured via competitive negotiation. The following procedures will be used for competitive negotiation:

1. Requests for proposals or qualification statements must be advertised in a newspaper in the nearest metropolitan area in accordance with the rules of the State's LCDBG

Program. All submittals will be honored and entered into the competition.

2. The package for proposals or qualification statements shall identify all significant evaluation factors or selection criteria, including the corresponding point system which will be used to rate the proposals/qualification statements.
3. The selecting official (or committee, if one is designated) shall review all proposals and statements received and make a technical evaluation of each. This shall also include a written statement that identifies the basis upon which the selection was made.
4. Contract award shall be made to the responsible offerer whose submission is deemed most appropriate to the Parish of Caddo with consideration for price, qualifications and other factors set by the local governing body. Unsuccessful offerers shall be notified within ten working days of contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.
5. Following the review of the proposals/statements received, the most qualified competitor will be selected to enter into contract negotiation. This shall always include negotiation of price to insure cost reasonableness. At the conclusion of successful negotiation, the competitor shall be invited to enter into a contract.

Noncompetitive Negotiation/Sole Source. Noncompetitive negotiation shall be used when small purchase, formal advertising, or competitive negotiation procedures are not feasible. Noncompetitive negotiation will involve solicitations of a proposal from only one source. This can also occur if solicitations under the competitive negotiation procedures result in only one proposal or qualification statement. Noncompetitive negotiation shall only be used when written authorization has been obtained from the State's Office of Community Development, with the one exception noted.

1. The item or service is available only from a single source;
2. It is determined that a public urgency or emergency exists and the urgency will not permit the delay beyond the time needed to employ one of the other three methods of procurement;
3. After solicitation of a number of sources, competition is determined to be inadequate.

The noncompetitive negotiation method may be used, without written authorization from the State when an area wide planning agency or regional planning and development district is utilized for administrative consulting services.

CONTRACT PRICING

Cost plus percentage of cost and percentage of construction cost methods of contracting MUST NOT be used. The Parish of Caddo shall perform cost or pricing analyses shall be performed in connection with EVERY procurement action including contract modifications. Costs or prices based on estimated costs for LCDBG projects shall be allowed only to the extent that the costs incurred or the cost estimates included in negotiated prices are consistent with federal cost principals. Cost reimbursement, fixed price, per diem contracts, or a combination thereof may be utilized as appropriate.

A cost reimbursement type contract is most appropriate when the scope and extent of the work to be performed are not clearly defined. A cost reimbursement contract MUST clearly establish a cost ceiling which may not be exceeded without formally amending the contract, and must identify a fixed dollar profit which may not be increased unless there is a contract amendment which increases the scope of the work.

A fixed price contract is appropriate when the scope of work is very well defined and product oriented. A fixed price contract MUST establish a guaranteed price which may not increase unless there is a contract amendment that increases the scope of the work.

A per diem contract expected to exceed \$10,000 will not be considered unless the Parish of Caddo has determined that a cost reimbursable or fixed price contract is not appropriate. Cost and profit included in the per diem rate MUST be specifically negotiated and shown separately in the proposal. The contract must clearly establish a ceiling price which may not be exceeded without formally amending the contract.

The Parish of Caddo may use a multiplier type of compensation under either the cost reimbursement or fixed price contract. The multiplier and the portions of the multiplier applicable to overhead and profit must be specifically negotiated and separately identified in the contract.

PROCUREMENT RECORDS

The Parish of Caddo shall maintain records sufficient to detail the history of the procurement. The records shall include the following contract provisions and conditions:

1. Contracts other than small purchase shall contain provisions which allow for administrative, contractual, or legal remedies if contractors violate or breach contract terms, and provide for sanctions and penalties as appropriate.
2. All contracts in excess of \$10,000 shall provide for termination by the Parish of Caddo, including the manner in which it will be done and the basis for settlement. The termination clauses shall be for cause and convenience.
3. Contracts and subcontracts in excess of \$10,000 shall include provisions which require compliance with Executive Order 11246, Equal Opportunity, as amended by Executive Order 11375, and as supplemented in DOL regulations (41 CFR Part 60).
4. All contracts and subcontracts in excess of \$10,000 for construction or repair shall include a provision for compliance with the Copeland "Anti-Kick-Back" Act (18 USC 874) as supplemented by DOL regulations (29 CFR Part 3).
5. All contracts or subcontracts in excess of \$2,000 for construction or repair shall include a provision for compliance with the Davis-Bacon Act (40 USC 276a to a-7) as supplemented by DOL regulations (29 CFR Part 5).
6. All contracts or subcontracts in excess of \$2,000 for construction or repair shall include a provision for compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 USC 327-330) as supplemented by DOL regulations (29 CFR Part 5).
7. Each contract shall include a notice of State requirements and regulations pertaining to reporting and patent rights under any contract involving respect to any discovery or invention which arises or is developed in the course of or under such contract, and of the State requirements pertaining to copyrights and rights in data.
8. All negotiated contracts, except for those awarded under small purchase procedures, shall include a provision that makes it possible for the State, HUD, the Comptroller General of the United States, or any of their duly authorized representatives, to have access to any books, documents, papers, or records of the contractor/firm which are directly pertinent to the contract, for the purpose of making audit examination excerpts and transcriptions. Further, the contract must include a provision that all required records will be maintained by the contractor/firm for a period of three years after the Parish of Caddo formally closes out their LCDBG program.
9. All contracts, subcontracts, and subgrants in amounts in excess of \$100,000 shall contain a provision which requires compliance with the requirements of Sections 306 and 508 of the Clean Air Act (42 USC a857 (h) and 33 USC 1368), and Environmental Protection Agency Regulations (40 CFR Part 15).
10. Contracts shall recognize mandatory standards and policies relating to energy efficiencies which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-164).
11. The Parish of Caddo shall be permitted to require changes, remedies, changed conditions, access and record retention, and suspension of work clauses approved by the State.

CONTRACT ADMINISTRATION

The Parish of Caddo shall maintain contract administration systems which insure that contractors/ firms perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The accepted performance of contractors/firms will be a factor in subsequent contract negotiations and award. Remedial action by the Parish of Caddo through legal processes shall be considered in instances of identified significant nonperformance.

It was **moved by Mr. Escude**, seconded by Mr. Pierson, that *Resolution No. 32 of 2009, adopting procedures to be utilized for procurement with Louisiana Community Development Block Grant Funds, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

RESOLUTION NO. 33 OF 2009

A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE ON BEHALF AND IN THE NAME OF THE PARISH OF CADDO A CONTRACT FOR LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATIVE SERVICES

WHEREAS, The Parish of Caddo intends to apply for Louisiana Community Development Block Grant (LCDBG) funds in order to make public facilities improvements; and

WHEREAS, The Parish of Caddo is in need of the services of an experienced administrative consulting firm to develop the LCDBG application and to provide administrative services in connection with the grant if the application is selected for funding; and

WHEREAS, The Coordinating and Development Corporation, the regional planning and development district for Northwest Louisiana, has submitted documentation of its extensive experience in developing LCDBG applications and providing administrative services for LCDBG projects; and

WHEREAS, The Coordinating and Development Corporation has provided a summary of the direct and indirect charges for LCDBG administrative services, including the basis on which the charges were calculated, and these charges have been found to be reasonable and acceptable; and

WHEREAS, The Coordinating and Development Corporation will be paid for LCDBG administrative services only if the LCDBG application is selected for funding and all charges are paid for out of designated LCDBG funds;

NOW, THEREFORE, BE IT RESOLVED by the Parish of Caddo that the President is authorized to execute on behalf of the Parish of Caddo, a contract for LCDBG application development and LCDBG administrative services with The Coordinating and Development Corporation.

It was **moved by Mr. Escude**, seconded by Mr. Pierson, that *Resolution No. 33 of 2009, authorizing the Parish Administrator to execute on behalf and in the name of the Parish a contract for Louisiana Community Development Block Grant Administrative Services, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

RESOLUTION NO. 34 OF 2009

BY THE CADDO PARISH COMMISSION:

A RESOLUTION AUTHORIZING THE PARISH ADMINISTRATOR TO REQUEST ENGINEER'S QUALIFICATIONS STATEMENTS

WHEREAS, the Parish of Caddo intends to apply for funding under the Louisiana Community Development Block Grant program in order to make public facility improvements;

NOW, THEREFORE, BE IT RESOLVED that the Administrator or his designated representative is hereby authorized to request statements of qualifications from engineers on the above referenced project as soon as possible, and to execute a contract for LCDBG engineering services with the firm that scores highest in the selection process. Points shall be assigned to each firm submitting a statement of qualifications based upon the following criteria: (1) Location (10 points maximum) - 10 points for firms located within 100 miles, 5 points for firms located within 100-150 miles, and 0 points for firms located outside of 150 miles. (2) Similar Experience (50 points maximum) - 5 points shall be awarded for each project the firm has worked on similar to the one advertised in the request for engineer's qualifications statements. (3) LCDBG Experience (25 points maximum) - 5 points shall be awarded for each LCDBG project the firm has worked on similar to the one advertised in the request for engineer's qualifications statements. (4) Past Performance (10 points maximum) - 10 points shall be awarded to the firm whose past experience with the governing body or with neighboring communities is only favorable and positive. 5 points shall be awarded to the firm whose experience with the governing body or neighboring communities evaluates as favorable by some and negative by others. 0 points shall be awarded to the firm whose experience with the governing body is evaluated as negative by the governing body or by neighboring communities. This is an evaluation of the engineering firm's past experience in the community, the LCDBG program, and/or with neighboring communities. Other communities should be contacted if a firm has no local performance record. The firm's reputation, either in the community or others, will determine their rating in this category. Points will be awarded from zero to ten by the governing body. If more than half of the governing body does not vote in favor of 10 points, 5 points, or 0 points, then the mean of the points voted upon will be determined and rounded to the nearest whole

number. (5) Ownership (5 points maximum) - 5 points shall be awarded to the firm that is Minority-owned and/or a small business (less than 6 million in gross receipts during the most recent tax year). (6) Tie Breaker (1 point maximum) - In the event of a tie, 1 point will be awarded to the firm which the Parish of Caddo believes will best represent its interests.

Points shall be awarded to firms submitting statements of qualifications in accordance with the points system described above by the Administrator or his designee. Negotiations with the firm receiving the highest number of points shall begin immediately.

It was **moved by Mr. Escude**, seconded by Mr. Pierson, that *Resolution No. 34 of 2009, authorizing the Parish Administrator to request Engineer's Qualification Statements, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

RESOLUTION NO. 35 OF 2009

BY THE CADDO PARISH COMMISSION:

A RESOLUTION AUTHORIZING THE PARISH ADMINISTRATOR TO RETAIN SPECIAL LEGAL COUNSEL AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, as a result of increased oil and gas exploration activity Caddo Parish is confronted with a number of legal issues pertaining to the regulation of oil and gas exploration and production within the Parish; and

WHEREAS, Mr. Neil T. Erwin is a highly competent and experienced attorney specializing in local government law whose services will be instrumental to the Commission as it implements regulations pertaining to the oil and gas industry; and

WHEREAS, Mr. Neil T. Erwin has developed particular expertise and experience in working with other public bodies in northwest Louisiana in formulating local governmental regulations of the oil and gas industry; and

WHEREAS, the Parish Attorney has recommended to the Commission that it would be in the best interest of Caddo Parish for it to retain the services of Neil T. Erwin as Special Counsel to provide advice and counsel to the Commission as it fulfills the aforesaid responsibilities; and

WHEREAS, Mr. Erwin is a highly competent and experience attorney whose practice is concentrated in the field of local governmental law; and

WHEREAS, the Commission does hereby concur the Parish Attorney's recommendation to retain Neil T. Erwin in the aforesaid matters.

NOW, THEREFORE BE IT RESOLVED, by the Caddo Parish Commission in due, regular and legal session concerned that the Caddo Parish Commission does hereby authorize the Parish Administrator or his designee to retain on behalf of Caddo Parish Mr. Neil T. Erwin at an hourly rate not to exceed the rates authorized by the Louisiana Attorney General (currently \$175.00 per hour), with other terms of the engagement being set forth and a retainer agreement to be negotiated between the Parish Attorney and Mr. Erwin.

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

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

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

It was **moved by Mr. Escude**, seconded by Mr. Pierson, that *Resolution No. 35 of 2009, authorizing the Parish Administrator to retain special legal counsel, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Jenkins (1).

NEW BUSINESS

It was moved by Mr. Linn, seconded by Ms. Lynch, that Margaret Thomas, 'Founder/Chair of 'Juvenile Services Fall Festival Cotillion' be authorized to attend the National Association of County Officials Achievement Award Ceremony to be held in Nashville, Tennessee.

Mr. Cox stated that he spoken in opposition to this request at the Work Session, and he still opposes paying travel expenses for a person who is no longer an employee of the Parish. Even though Ms. Thomas did an exceptional job as an employee of the Juvenile Services Department, and is still providing valuable service as a volunteer, he cannot legally justify this expenditure. Mr. Cox stated that there will be Commissioners, including the President, attending this conference; any one of them can accept the award on behalf of the Parish.

Mr. Escude agreed, pointing out that his objection to this expenditure is in no way a repudiation of the very valuable work Ms. Thomas has done with this program through the years. It is in no way personal, he said, he simply that this expenditure would be questionable and inappropriate.

Mr. Linn said that to vote against the person who is currently implementing this award-winning program for Caddo Parish would be a penny-wise, pound-foolish decision. This program helps to reduce the recidivism rate among juvenile offenders, which benefits all of Caddo Parish.

Mr. Linn said that Ms. Thomas is currently administering this program as an unpaid volunteer, after working for the Parish for 30 years. She has historically secured private funding for the program, though in 2007 she was able to obtain only 90 percent of the necessary funds; Caddo Parish contributed the remaining 10 percent, he said. In 2008 she increased private funding back to 94 percent.

Through her attendance at the NACo conference, Ms. Thomas would be able to share information with other county officials about the program she was instrumental in starting, as well as to learn how the program has been adapted, modified and improved in other localities, Mr. Linn continued. With this knowledge, she can improve the program in Caddo Parish, he said, saving the Parish even more money than she has previously.

As the Parish contributes to the cost of this program, Ms. Thomas is working for a Parish-funded program, albeit on a volunteer basis. In this sense he said he would consider her an employee of Caddo Parish because she is working as diligently as anyone, and as such she should not be denied the opportunity to travel to Nashville and receive this award on behalf of the Parish, he said.

At this time Mr. Linn's motion failed, with Commissioners Epperson, Linn, Lynch, Pierson, and McCulloch voting "Yes", and Commissioners Baker, Cox, Dominick, Escude, Smith and Thibodeaux voting "No".

It was moved by Mrs. McCulloch, seconded by Mr. Pierson, that Mr. Rickey Hall be reappointed to the North Shreveport Industrial Park Supervisory Board, term expire April 5, 2011; effective immediately. Motion carried.

It was moved by Mrs. McCulloch, seconded by Mr. Dominick, that Mr. Jerry Thomas be reappointed to the North Shreveport Industrial Park Supervisory Board, term expire April 5, 2011; effective immediately. Motion carried.

It was moved by Mrs. McCulloch, seconded by Mr. Linn, that Mr. Gordon E. Rountree be appointed to the Caddo Parish Fire District No. 2 Board of Commissioners to replace Dr. Donald Smith, who has resigned, term expires January 1, 2010; effective immediately. Motion carried.

It was moved by Mr. Smith, seconded by Mr. Cox, that Mr. Phillip Lane be appointed to serve as the Caddo Parish representative on the Sparta Groundwater Conservation District Commission. Motion carried.

There being no other business to come before the Commission, the meeting was adjourned at 4:59 p.m.

_____/s/_____
Stephanie Lynch
President

_____/s/_____
Jerry C. Spears
Commission Clerk