

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION
HELD ON THE 5TH DAY OF MARCH, 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, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). ABSENT: None.

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

It was **moved by Mr. Dominick**, seconded by Mr. Smith, *that the Minutes of the Regular Meeting held on February 19, 2009, be adopted.* Motion carried.

SPECIAL RESOLUTIONS

The President asked Mr. Sean Nathan to come forward, along with his parents, his brothers, his principal and his counselor. The Clerk presented the following resolution:

**RESOLUTION PROCLAIMING
'SEAN NATHAN DAY'**

WHEREAS, the Caddo Parish Commission desires to give appropriate recognition to those young people of Caddo Parish whose character and deeds exemplify the finest ideals to which their generation can aspire, and who in so doing reflect much honor and prestige upon this Parish; and

WHEREAS, **Sean Nathan**, a 13-year-old eighth-grader at Caddo Middle Magnet School, has been named as one of only two students from the State to receive the \$1,000 Prudential 'Spirit of Community' Award. The program, now in its 14th year, is sponsored by Prudential Financial in partnership with the National Association of Secondary School Principals. It is a nationwide effort to identify and honor young people who perform outstanding acts of volunteerism in their communities; and

WHEREAS, during May Sean will travel to Washington, D.C., where he will join winners from other states. There ten finalists—five from high school and five from middle school—will be chosen to receive a \$5,000 cash prize and other awards, including a \$5,000 grant to the non-profit charitable organization of their choice; and

WHEREAS, Sean, the son of Drs. Rhagu and Cherre-Ann Nathan, was selected for the Prudential award because of his efforts to make life brighter for children at the Providence House Family Shelter in Shreveport. When he learned two years ago that birthday parties at Providence House were non-existent, he and his brother Neil were in disbelief. They began hosting one lavish party each month, dubbed the "Providence House Birthday Bash", for all of that month's "birthday kids". He and Neil, both accomplished violinists, raised funds to finance the parties by giving musical performances at functions around town.

NOW, THEREFORE, BE IT RESOLVED, by the Caddo Parish Commission, that it does hereby declare Thursday, March 5, 2009, to be

'SEAN NATHAN DAY'

in Caddo Parish, Louisiana, in hearty and sincere recognition, appreciation and admiration of the traits of empathy and caring that this young man possesses in such uncommon measure, and which are manifested by his positive, ongoing expressions of that concern for others—to the ultimate benefit and honor of the entire Caddo Parish/Shreveport community .

It was **moved by Mrs. Baker**, seconded by Mr. Escude, *that the foregoing resolution be adopted.*

Sean thanked the Commission for its recognition of his efforts. He stated that he is privileged to enjoy a birthday party every year, and he felt that the special-ness of that enjoyment should be experienced by all kids. He also thanked Ms. Jeroudes, coordinator at the Providence House, for volunteering her Sunday afternoons to help with the parties, and the kids at Providence House for giving him such a positive experience.

COMMUNIQUES AND REPORTS

□ At this time Administrator Woodrow Wilson said that at previous meeting Commissioner Epperson had requested that Dr. Todd Thoma, Coroner for Caddo Parish, be asked to speak to the

Commission. He said that the Coroner will appear at the Commission's April 9 meeting.

VISITORS

Mr. James H. Welsh, Commissioner of Conservation, Department of Natural Resources, Office of Conservation for the State of Louisiana, came forward. He said that he was present at the invitation of Administrator Wilson and Parish Attorney Charles Grubb, who had visited his office some weeks earlier to speak in regard to the groundwater aquifers in northwest Louisiana and how the water from these aquifers is being used—and particularly how it is being used to fracture rock formations in the course of drilling and producing natural gas from wells in the Haynesville Shale.

Mr. Welsh said that the main aquifers in the area are the Carrizo-Wilcox, which is under Caddo and DeSoto Parishes, the Red River Alluvial, which parallels the Red River, and the Sparta. He said that there has been some concern expressed by citizens who depend upon the Carrizo-Wilcox Aquifer about their fear of its depletion by energy companies drawing large volumes of water for their drilling needs.

He said that his department regulates these aquifers, and its purpose is to assure that they are not harmed to the extent that they are no longer sustainable. He said that it became apparent in 2008 that the energy companies were relying on the Carrizo-Wilcox as the sole aquifer to supply their very high-volume fresh water needs. It was also apparent that the Carrizo-Wilcox is not capable of supplying those needs and that for that to be their sole source of water is not feasible.

Mr. Welsh said that the Carrizo-Wilcox is a low-yield aquifer that is suitable for its historical use, which is mostly domestic, rural irrigation and other private landowner use. But when an aquifer is called upon to produce millions of gallons per day, such a demand is more than it can handle.

While studying this problem, the Department of Natural Resources has found an aquifer that it believes is very suitable for high-demand uses such as fracturing gas wells, he said. It is the Red River Alluvial Aquifer, which lies adjacent to the Red River. It is a highly-mineralized aquifer, containing a lot of iron, which makes it undesirable for drinking and home uses, but it is quite suitable for fracturing.

In addition to this aquifer, he said, the Department is encouraging energy companies to use surface water for their operations in every instance where possible. This includes the Red River, Toledo Bend Lake, bayous and streams and private lakes and ponds. If ground water must be used, he said, his department is urging energy companies to use the Red River Alluvial.

In July of 2008 the Department sent out a memo asking the energy companies to use water sources other than the Carrizo-Wilcox, and he believes that memo has had a positive effect, Mr. Welsh said. According to a newspaper report, he said, Encana Corporation says that 85 percent of the fracturing water it uses now comes from surface water sources, and for ground water they use the Red River Alluvial. Also, Chesapeake Energy reports that its preferred water sources include the non-potable ground water sources such as the lower salty portions of the Carrizo-Wilcox.

Mr. Welsh said that the Louisiana Oil and Gas Association is taking an active role in studying the ground water situation in the Haynesville Shale area. It has sent out questionnaires to water districts in Bossier, Caddo, DeSoto and Webster Parishes in an effort to get a true picture of the water situation and evaluate all the possible sources. The results of that survey will be released sometime within the month, he said.

In summary, Mr. Welsh said that he is not aware of a single energy company that does not recognize the seriousness of the situation within the Carrizo-Wilcox, but his department is monitoring their activities closely. He and his associates, Mr. Jim Broussard, district manager of the Office of Conservation in Shreveport; Mr. Blake Canfield, attorney for the Environmental Division, and Mr. Gary Snelgrove, director of the Environmental Division, then screened a visual presentation that outlined the procedural steps the Department employs in carrying out that monitoring.

Mr. Canfield said that groundwater is under what is known as "the rule of capture", which allows anyone to use the water that underlies their property, even if that production adversely affects a neighbor, so long as their use is not malicious, negligent or intentional. Underground water is not a property right in the sense that the water under a property is owned by the property owner, but the owner has the right to produce the water. When the water is produced it becomes the property of the owner, he said.

Though the Louisiana Constitution sets out requirements to protect, conserve and replenish groundwater, until recently there had been no comprehensive State-wide law in existence. Act 446 of 2001 set up a commission at the State level to regulate ground water. Act 49 gave a bit more authority to the Commissioner of Conservation relative to the day-to-day administration of the ground water law, and Act 581 of 2008 gave him enforcement authority over all the groundwater management

law, including the ability to issue compliance orders and civil penalties. It does not, however, come in conflict with local government's existing authority over siting and zoning or other land-use issues.

Mr. Canfield said that the Department of Conservation is currently attempting to re-organize a dormant Groundwater Advisory Task Force, consisting of 49 members academia, stakeholders groups, various technical professionals and government. They will assist the Commissioner with the continued development of a State-wide ground water program administered in varying aspects by a number of State and local governmental entities.

Mr. Snellgrove then explained how the Department implements its registration process for water wells, a process which has as its purpose to determine if a situation may pose an adverse impact on nearby water wells, or if there will be an adverse impact on the sustainability of the aquifer system in the area where the new well is being proposed. The Commissioner can place restrictions on the withdrawal of water.

However, he said, this authority applies only to non-exempt wells—industrial wells, irrigation wells, public supply wells. The wells that are exempt—domestic wells, drilling rig supply wells and replacement wells—must also be registered with the Department of Natural Resources, but that registration can be done up to 60 days after the well is drilled.

He conceded that complaints about water supply disruption came beginning in the summer of 2008 in the areas of Keithville, Keatchie, Longstreet and Grand Cane. The Department met with the Caddo Parish Commission in August of 2008 to address questions from the Commission and the public.

As a result of that meeting, he said, the Department issued the letter to energy companies as stated earlier by Mr. Welsh urging them to seek alternative sources of water. It also announced new rules that changed the definition of "industrial well" to include water wells drilled to supply drilling operations. The Department is now using a complaint tracking data base to monitor areas of concern, and it provided local authorities a means of notifying the Department when problems arise.

Mr. Snellgrove said that as a result of another meeting earlier in this year, the Department recognized that it still might not be doing enough, so it initiated a number of new practices, including a parish-wide compliance audit in the four main parishes of the Haynesville Shale. It learned which companies had not submitted proper well registration, and then implemented enforcement action. In all areas of enforcement, he said, input from local entities is needed.

He said he has been informed that the Louisiana Oil and Gas Association has contracted a professional consultant to assess and evaluate water use in the Haynesville Shale area, similar to a study done in the Barnett Shale in Texas some years earlier. That report is nearing completion, and should be delivered some time in March, he said.

In summary, Mr. Snellgrove said, the Office of Conservation's plan of action is to continue to complete the area waterwell registration compliance audit; employ enforcement actions as necessary; provide prompt responses to complaints and inquiries; track complaints and inquiries and assess trends; conduct field investigations as deemed necessary and work with other local, State and federal authorities.

Answering a question from Mr. Dominick, Mr. Welsh said that the Red River Alluvial Aquifer is about ten miles wide, with the Red River in its center. It is recharged continuously by the Red River. It is not generally suitable for domestic purposes.

Answering another question from Mr. Dominick, Mr. Welsh said that he had recently formed an ad hoc committee consisting of parish officials, attorneys, environmentalists, geologists and engineers and others to prepare a set of draft regulations that would address ordinance-type subjects such as noise and set-back distances, etc. The committee performed its task and a draft has been produced. The committee also has a set of the ordinances drafted by Caddo, Bossier and DeSoto Parish. These are being studied relative to their enforceability, and the process should be complete soon. A public review process will then take place.

Mr. Dominick asked Mr. Welsh if he is aware of any bills to be filed in the upcoming legislative session that would affect his ability or the Parish's ability to regulate land use and road issues regarding the Haynesville Shale. Mr. Welsh said it is not the function of his office to regulate land use—that would be up to local governments—and he knows of no proposed legislation that might change up the authority of his office.

Mr. Cox asked if the penalties imposed by DNR's enforcement of its regulations is sufficient to serve as a deterrent, or if they are so relatively insignificant as to be considered by the energy companies as just a cost of doing business. Mr. Snellgrove's reply was inconclusive.

Mr. Welsh said that most of the energy companies working in the Haynesville Shale have also been involved in developing the Barnett Shale in central Texas. Rules, requirements and definitions are different in Texas than for Louisiana, he said, and many of the early problems that arose at the beginning of the Haynesville Shale drilling resulted from the energy companies not being aware of those differences. The companies now understand the Louisiana process, and he believes improvement has been made and the companies are making a good faith effort to comply.

He pointed that at this time a year earlier, few people in this room had ever heard of "Haynesville Shale". He said he feels comfortable and confident about how quickly the Office of Conservation has caught up with this new development.

Mr. Linn said that in some cases energy companies use water from landowner ponds to fracture their gas wells, but they then refill the ponds from underground aquifer water. He asked how this is permitted through the DNR waterwell registration regulations, category 1 or category 2, and if any citations have been issued for misusing ground water in this manner. Mr. Snellgrove's reply was incomprehensible.

Responding to a question from Mr. Linn, Mr. Welsh said that it might be wise for his department to utilize one registration form to address both well categories. The groundwater law allows the Commissioner of Conservation 60 days to evaluate a proposed groundwater well that will be used for formation fracturing. The problem is that his office has not been allowed this 60 days, for a variety of reasons. It is now working as hard as it can to get this process streamlined, and to have everyone understand that there is a process. When the process becomes smoother, it will work fine, he said.

Mr. Linn asked what effort is being put forth to change the 60-day period to fourteen days or even seven days. Mr. Welsh said that there is no effort on his part; he likes the 60-day process because there is a lot to review and there are lots of wells to drill.

Mr. Linn said that Mr. Welsh had earlier stated that now the energy companies are drilling to the lower levels of the Carrizzo-Wilcox Aquifer to access the non-potable salt water that lies at that level and therefore conserve the aquifer. He asked how pumping water from the bottom of the aquifer rather than from the top or the middle, could be construed as conserving the aquifer.

Mr. Welsh said that there is a shale layer between the two zones. The two water zones will never co-mingle unless a well is not properly cased or some other mishap.

Answering a question from Mr. Linn, Mr. Welsh said that it appears to him that the energy companies are making serious efforts to determine how they can obtain most or all of their future water needs from the Red River Alluvial Aquifer and not depend on the Carrizzo-Wilcox.

Mr. Escude said that the Caddo Parish Commission is entering into uncharted territory with regard to all the new considerations posed by development of the Haynesville Shale, as is the Department of Natural Resources. The scope is unprecedented, the impact was unanticipated, and both entities are now trying to adapt to the pace.

He said that as he understands what he has heard, the State law now allows that once a gas or oil well is permitted, an energy company is allowed to go ahead and obtain water for the well in whatever manner they wish to do it. Unless that water is in one of the specified "concern" areas, there is little the State can do to regulate or control. Mr. Welsh agreed.

Mr. Escude said that consequently it appears that the efforts of the Department of Natural Resources seem to be directed toward documenting what is happening to the aquifer rather than controlling what is happening to it. If the energy companies choose to drill to the non-potable briny water for their fracturing requirements they can, but they do not have to. DNR is trying to encourage them to do that, he said. Mr. Welsh again agreed.

Mr. Escude said he would assume that after the DNR has made various findings and reached some conclusions, it might have to seek legislative action to obtain authority to further control what happens to the ground water. At this point DNR has no real control over that.

Mr. Welsh said that there is already a process by which an aquifer can be declared an "aquifer of concern". That means that the aquifer is not being sustained, that it can no longer be able to produce water to serve the public or the users of the water in a traditional way. For instance, he said, if the Carrizzo-Wilcox is depleted to a point it can no longer support irrigation or domestic use, that would be sufficient grounds to place restrictions on it.

Mr. Escude said that people feel this is happening now, and they do not wish to wait until the aquifer is depleted before action can be taken. People are frustrated because, according to the law, this is a situation that cannot be addressed until it becomes the problem that people anticipate that it will become.

Mr. Welsh said that Mr. Escude is essentially correct, and that is the reason his department issued a memo to the local governing authorities that they should keep his department informed so it can keep track of complaints. His department does have authority to place restrictions to help remedy the situation, he said, and in several instances has done so.

Mr. Escude said it would seem that if the Legislature could be persuaded to require energy companies to use surface water or go to deeper stratas the threat to the aquifers would be greatly lessened.

Mr. Welsh said it seems that the laws that already exist should work well, but he understands Mr. Escude's frustration that they might not be working fast enough. Mr. Escude said he feels Mr. Welsh's department is handicapped by its apparent inability to act until a problem has already appeared.

Mr. Welsh said that as current groundwater law exists, the Commissioner has the authority to do things—but those decisions shall be based on sound technical information. That would have to be gathered. The Department does gather information as a regulatory program matures, and if it sees a problem developing it can and will react.

Mr. Smith asked if it would not be wiser for all parties to concentrate their time and energies upon accessing and developing the Red River Aquifer, which cannot be depleted, and then develop a re-used water plan simultaneously.

Mr. Welsh said he agrees with the logic of such a plan, and concurs that it is a desirable objective. However, he said, his Department has no jurisdiction over waterways. Other State or federal agencies would have to become involved, he said, but he has seen no indication that such an initiative has been proposed.

Mr. Smith asked how that initiative could be started. Mr. Welsh said that as his presentation at this meeting has stated, the Department of Conservation is trying to steer energy and other commercial uses away from the potable water aquifers. Some companies have hydrology consultants working on the problem, and the companies are even working together on finding a centralized source of water and a centralized disposal system.

President Lynch thanked Mr. Welsh and his staff for their attendance and their presentation.

PUBLIC HEARING ON ORDINANCES

- Ordinance No. 4864 of 2009 to amend and reenact Chapter 18, Section 18-17 (g) of the Caddo Parish Code of Ordinances regarding Caddo Correctional Center inmate medical, psychiatric and dental reimbursement
- Ordinance No. 4865 of 2009 to deem property surplus and authorize the sale of surplus property owned by the Parish of Caddo

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

ORDINANCES: (For final passage)

ORDINANCE NO. 4864 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 18, SECTION 18-17(g) OF THE CADDO PARISH CODE OF ORDINANCES REGARDING CADDO CORRECTIONAL CENTER INMATE MEDICAL, PSYCHIATRIC AND DENTAL REIMBURSEMENT, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Section 18-17(g). provides as follows:

Sec. 18-17 (g) The amount of reimbursement shall be according to the following

schedule:

- (1) Five dollars (\$5.00) per doctor visit.
- (2) Five dollars (\$5.00) per dentist visit.
- (3) Five dollars (\$5.00) per sick call visit.
- (4) Three dollars (\$3.00) per prescription fee.

WHEREAS, it has been determined that the reimbursement amount for each of the items set forth hereinabove should be increased as follows:

Sec. 18-17 (g) The amount of reimbursement shall be according to the following schedule:

- (1) Ten ~~five~~ dollars (~~\$5.00~~) (~~\$10.00~~) per doctor visit.
- (2) Ten ~~five~~ dollars (~~\$5.00~~) (~~\$10.00~~) per dentist visit.
- (3) Ten ~~five~~ dollars (~~\$5.00~~) (~~10.00~~) per sick call visit.
- (4) Five ~~three~~ dollars (~~\$3.00~~) (~~\$5.00~~) per prescription fee.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, regular and legal session convened, that Chapter 18, Section 18-17(g) of the Code of Ordinances be and is hereby amended and re-enacted to read as follows to-wit:

Sec. 18-17. Reimbursement for medical, psychiatric and dental expenses.

(g) The amount of reimbursement shall be according to the following schedule:

- (1) Ten dollars (\$10.00) per doctor visit.
- (2) Ten dollars (\$10.00) per dentist visit.
- (3) Ten dollars (\$10.00) per sick call visit.
- (4) Five dollars (\$5.00) per prescription fee.

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 on April 1, 2009.

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

It was **moved by Mr. Thibodeaux**, seconded by Mrs. Baker, that Ordinance No. 4864 of 2009, amending and reenacting Chapter 18, Section 18-17 (g) of the Caddo Parish Code of Ordinances regarding Caddo Correctional Center inmate medical, psychiatric and dental reimbursement, be adopted.

Mr. Epperson asked if these fees are taken from inmates' individual canteen accounts. Mr. Charles Grubb, Parish Attorney, said that they are when there is a positive balance in those accounts. They are not refused medical care as the result of the lack of a positive balance in the account, he said.

Mr. Thibodeaux's motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: Commissioner Epperson (1). ABSTAINING: None. ABSENT: None.

Ms. Lynch stated that she would suggest that information about this fee increase should be made available to the public. Mr. Wilson said that a sign to that effect will be posted in the lobby of Caddo Correctional Center to inform inmates' relatives that the increase will be coming.

ORDINANCE NO. 4865 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO DEEM PROPERTY SURPLUS AND AUTHORIZE THE SALE OF SURPLUS PROPERTY OWNED BY THE PARISH OF CADDO, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Parish of Caddo owns the following equipment that is no longer being used:

1.	PU-122 1997 Ford F-250 Pickup	VIN#1FTEF2763VNC91226	mileage 158,460
2.	PU-277 2000 Ford F-350 Pickup	VIN#1FDWW32S5YEC12279	mileage 220,836
3.	TK-811 1995 Ford F-700 Dump Truck	VIN#1FDPF70JISVA77492	mileage 94,757
4.	PC-098 1995 Jeep Cherokee SE	VIN#1J4FT28S5SL605145	mileage 97,731
5.	PU-044 1999 Dodge Ram 1500 Pickup	VIN#1B7HC16X8XS2800600	mileage 110,940
6.	TK-5671989 Chevrolet C50 Dump Truck	VIN#1GBG7D1B2LV10002	mileage 162,121*
7.	PU-155 200 Ford F-250 Pickup	VIN#1FTNF2OL2YEE26006	mileage 115,570*
8.	TK-566 1989 Chevrolet C50 Dump Truck	VIN#1GBJO189KV114175	mileage 114,478
9.	PC-020 2003 Ford Taurus	VIN#1FAFP53283A210107	mileage 171,083
10.	PU-206 1994 Chevrolet C2500 Pickup	VIN#1GCFC24Z5RZ279038	mileage 154,450
11.	PU-322 1999 Dodge Ram 1500	VIN##3B7HC12Y7XG199315	mileage 151,806
12.	PU-154 2000 Ford F-250 Pickup	VIN#1FTNF2OLOYEE26005	mileage 43,515*
13.	HC-968 1998 Reinco Hay Blower	VIN#003606	hours 110
14.	PU-278 2001 F-350 Pickup	VIN#1FTWW32FX1EC21878	mileage 220,317

(*denotes wrecked equipment).

WHEREAS, the Parish of Caddo no longer needs the above equipment which has been determined to be surplus, obsolete or unused for present and future parish needs; and

WHEREAS, the Parish of Caddo is authorized to dispose of certain supplies, materials and equipment determined to be surplus; and

WHEREAS, the Parish of Caddo desires to dispose of the above listed equipment, by public auction; and

WHEREAS, the Caddo Parish Commission concurs in the finding that the items described above are surplus and are no longer needed for public purposes and that the acquisition value of said property is greater than \$10,000.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened that the above described property is no longer needed for parish public purposes and is declared surplus property which is to be disposed of, by public auction.

BE IT FURTHER ORDAINED, that the items described above are being offered on an "as is" basis, without warranty of title or recourse whatsoever.

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

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

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon immediately upon publication in the official journal.

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

It was **moved by Mr. Cox**, seconded by Mr. Thibodeaux, *that Ordinance No. 4865 of 2009, deeming certain Parish property to be surplus and authorizing the sale of said property, be adopted.* That motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4862 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AUTHORIZE THE PARISH ADMINISTRATOR TO GRANT A RIGHT-OF-WAY AGREEMENT TO WEYERHAEUSER COMPANY FOR THE USE OF A PORTION OF WALTER B. JACOBS MEMORIAL NATURE PARK FOR THE PURPOSE OF HAULING TIMBER FROM ADJACENT PROPERTY, AND OTHERWISE

PROVIDING WITH RESPECT THERETO.

WHEREAS, the Parish of Caddo has received a request from Weyerhaeuser Company ("Weyerhaeuser") to grant a temporary right-of-way across the Walter B. Jacobs Memorial Nature Park on the existing road on the west side of the park, to access timber on property located adjacent to park property; and

WHEREAS, the Parish of Caddo has reviewed the request from Weyerhaeuser to grant the aforesaid temporary right-of-way and finds it is in the best interest of the Parish of Caddo to do so.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that the Parish Administrator or his designated representative shall be and is hereby, authorized to grant a temporary right-of-way to Weyerhaeuser limited to the existing road on the west side of Walter B. Jacobs Memorial Nature Park, to provide access to adjacent property for the removal timber.

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

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

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

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

It was **moved by Mr. Smith**, seconded by Mr. Dominick, *that Ordinance No. 4862 of 2009 to authorize the Parish Administrator to grant a right-of-way agreement to Weyerhaeuser Company for the use of a portion of Walter B. Jacobs Memorial Nature Park for the purpose of hauling timber from adjacent property, be adopted.*

Mr. Jenkins pointed out that this ordinance had been delayed from the Commission's last meeting in order that additional information could be developed. He said he has not heard if all issues had been resolved.

Mr. Grubb, Parish Attorney, said that this is an instance of where an easement was originally granted to Chesapeake Energy Co. for access to a gas well site. The issue was about setting up a notification procedure between Chesapeake and Weyerhaeuser regarding Weyerhaeuser's use of the road. That has been addressed, as well as a requirement Chesapeake imposed regarding indemnification.

Mr. Jenkins said he has not seen that agreement. He asked if Mr. Grubb is recommending that this ordinance be adopted. Mr. Grubb said it appears that the two companies have reached agreement, and the Parish's interests are protected, so that is his recommendation.

Mr. Smith's motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, McCulloch, Pierson, Smith and Thibodeaux (11). NAYS: Commissioner Lynch (1). ABSTAINING: None. ABSENT: None.

ZONING ORDINANCE: (For introduction)

- ZONING CASE P-2-09 in regard to Ordinance No. 4866 of 2009 (Pleasant Hills Drive), property located on the northeast side of Pleasant Hill Road approximately .9 miles south of Flournoy-Lucas; MONICA JOY SEEVERS, APPLICANT.
Request to rezone property from I-2, Heavy Industry District to R-1D, Urban, One-Family Residence District for a proposed residence
THERE WILL BE A PUBLIC HEARING ON THIS ZONING CASE AND ORDINANCE APRIL 9, 2009

ORDINANCES: (For introduction, by title)

- Ordinance No. 4867 of 2009 to authorize the Parish Administrator to grant on behalf of the Parish of Caddo a permanent right of way and servitude on Parish property located in Section 4, Township 18 North, Range 14 West

RESOLUTIONS

RESOLUTION NO. 5 OF 2009

BY THE CADDO PARISH COMMISSION:

A RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN THE CADDO SEWERAGE DISTRICT NO. 2 OF THE PARISH OF CADDO, STATE OF LOUISIANA, ON SATURDAY, MAY 2, 2009, TO AUTHORIZE THE CONTINUATION OF THE LEVY OF A SPECIAL TAX THEREIN.

WHEREAS, the Board of Commissioners of the Caddo Sewerage District No. 2 of the Parish of Caddo, State of Louisiana (the "Governing Authority"), acting as the governing authority of Caddo Sewerage District No. 2 of the Parish of Caddo, State of Louisiana (the "District"), adopted a resolution on February 12, 2009, calling a special election in the District on Saturday, May 2, 2009, to authorize the continuation of the levy of a special tax therein; and

WHEREAS, the governing authority of the District has requested that 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 continue to levy and collect the special tax 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 continue to levy and collect the special tax provided for therein;

NOW THEREFORE, BE IT RESOLVED by the Caddo Parish Commission, 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 Sewerage District No. 2 of the Parish of Caddo, State of Louisiana, this Parish Commission hereby approves the holding of an election in the District, on Saturday, May 2, 2009, at which election there will be submitted the following proposition, to-wit:

**CADDO SEWERAGE DISTRICT NO. 2 OF THE
PARISH OF CADDO, STATE OF LOUISIANA
TAX PROPOSITION (TAX CONTINUATION)**

Summary: Continuation of a 10 Year, 16.98 Mills Property Tax To Provide Funding For The Caddo Sewerage District No. 2 Of The Parish Of Caddo, State Of Louisiana.

Shall the Caddo Sewerage District No. 2 of the Parish of Caddo, State of Louisiana (the "District"), continue levy and collect 16.98 mills tax on all the property subject to taxation in said District (an estimated \$120,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) for a period of ten (10) years, beginning with the year 2009 and ending with the year 2018, for the purpose of paying the maintenance and operating expenses of sewerage collection and disposal in said Sewerage District?

SECTION 2. In the event the election carries, this Commission does hereby further consent to and authorize the District to continue to levy and collect the special tax provided for therein.

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

MEMBERS:	YEAS:	NAYS:	ABSENT:	ABSTAINING:
Douglas Dominick	X			
Rose McCulloch	X			
Carl Pierson, Sr.	X			
Matthew Linn	X			
Sam Jenkins	X			
Lindora Baker	X			
Stephanie Lynch	X			
John Escude	X			
Michael Thibodeaux	X			
David Cox	X			
Jim Smith	X			
Kenneth Epperson	X			

And the resolution was declared adopted on this, the 5th day of March, 2009.

/s/ _____
Jerry Spears, Commission Clerk

/s/ _____
Stephanie Lynch, Commission President

It was **moved by Mrs. McCulloch**, seconded by Mr. Dominick, *that Resolution No. 5 of 2009, approving the holding of an election in Caddo Parish Sewerage District No. 2 on May 2, 2009 to authorize the continuation of the levy of a special tax therein, be adopted.* That motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

NEW BUSINESS

It was **moved by Mrs. Baker**, seconded by Mr. Smith, *that Mr. Terry Moore be appointed to the Board of the Coordinating and Development Corporation, but that her name be removed from nomination due to a perception of conflict of interest as defined by the State Ethics Law.* She said she has been informed that as a Caddo Parish Commissioner she cannot serve on the board.

Mr. Escude pointed out that Commissioners have served on that board for many years. He asked Mr. Grubb if that is no longer possible. Mr. Grubb said that under the new ethics law Commissioners can no longer serve on such boards unless Commissioners are specifically required to be represented on those boards. That is not the case in this instance, he said. Also, he said, Coordinating and Development Corporation receives some funding from the Commission.

Mrs. Baker's motion then carried.

President Lynch reminded Commissioners that with Mrs. Baker's recusal, there remains an open seat on this board. She asked if they know of someone who would be an asset to the board they should submit that name.

It was **moved by Mr. Linn**, seconded by Mrs. Baker, *that the following board members be appointed to the Caddo Parish Children and Youth Services Planning Board for the term beginning March, 2009 and continuing until March 2011:*

Membership Category	Current Appointee	Recommended Appointee
Education	Roy Murray Director of Security, Caddo Parish Schools	The Superintendent of Caddo Parish Schools or his/her designee
	Lawrence Guidry Director, Caddo Community Action Agency	The director of the Caddo Community Action Agency or his/her designee
	Chief Marshall Nelson Chief of Security, Southern University	The Chancellor of Southern University at Shreveport or his/her designee
	Dr. Gloria Raines Vice Chancellor for Student Affairs, LSUS	The Chancellor of LSUS or his/her designee

Criminal Justice Community	Lt. Larry Nunnery Caddo Parish Sheriff Dept. South Patrol Commander	Caddo Parish Sheriff or his/her designee
	Mary Ellen Hoffman Community	Shreveport Chief of Police or his/her designee
	Glen Garret Chief Juvenile Public Defender	Chief Public Defender for Caddo Parish or his/her designee
	Lisa Rule Assistant DA for Juveniles	The District Attorney for Caddo Parish or his/her designee
	Edwin Scott Director of Juvenile Justice Services for Caddo Parish	Director of Juvenile Justice Services for Caddo Parish or his/her designee
	Steve Snow Regional Director for the Office of Juvenile Justice Services (retired)	Regional Director for the Office of Juvenile Justice Services or his/her designee
	Honorable Justice David Matlock Chief Justice for the Juvenile Court of Caddo Parish	Chief Justice for the Juvenile Court of Caddo Parish or his/her designee
Social Services	Nelda Raines Director of Regional Office of Community Services	Director of Regional Office of Community Services or her/his designee
	Donna Cavanaugh Think First of Louisiana	Donna Cavanaugh Think First of Louisiana
Health Care Community	Pamela McPherson, MD	Pamela McPherson, MD
	Wendy Goad Director of Children's Services for Region VII Office of Mental Health	Director of Children's Services for Region VII OMH or her/his designee
	Rebecca Thomas Region VII Director OCDD	Director of OCDD for Region VII or her/his designee
		Director of the Office of Public Health for Region VII or his/her designee
		Director of Goodwill Industries or his/her designee
Faith-Based Community	Karen Bell	Karen Bell
		Reverend Aaron Dobyne Evergreen Baptist Church 222-9134
Business and Labor	Fletcher Thorne-Thomsen	Fletcher Thorne-Thomsen
Other Groups & Organizations	Shonda Houston Volunteers for Youth Justice	Director of the Volunteers for Youth Justice or his/her designee
	Njeri Camara	Njeri Camara
	Lola Boone-Shuttleworth 4H Louisiana Ag Center	Director of 4H or her/his designee

There being no further business to come before the Commission, the meeting was adjourned at 5:30 p.m.

Stephanie Lynch
President

Jerry C. Spears
Commission Clerk