

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION
HELD ON THE 17TH DAY OF SEPTEMBER, 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 Cox, Baker, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). ABSENT: None.

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

It was **moved by Mrs. Baker**, seconded by Mr. Epperson, *that the Minutes of the Special Joint Commission/City Council Meeting held on August 31, 2009, and the Regular Meeting held on September 3, 2009, be adopted.* Motion carried.

COMMUNIQUES AND REPORTS

□ Administrator Woodrow Wilson asked Mr. Todd Hopkins, Fleet Services Director and Emergency Response Coordinator, to come forward. Mr. Hopkins reported that he had received word earlier in the day that Caddo Parish has been awarded \$120,000 through the Recovery Act funding for the Louisiana Clean Diesel Grant Program. This program, for which Caddo Parish filed an application through the Department of Environmental Quality, is to retrofit some of the Parish's medium and heavy-duty trucks to help meet clean emissions guidelines.

□ Mr. Cox reported that he, as well as President Lynch, had attended a recent community meeting at Southwood High School regarding the Master Plan. The meeting was well-attended, and it provided some very good one-on-one sessions from table to table. It was one of several such meetings to be held at all the high schools in the City, and the information obtained from each will become part of a report to be compiled by Dr. Philip Rozeman, co-chairman of the Citizens Advisory Group.

Mr. Cox said he was struck by the fact that while the Master Plan affects the future, and its primary beneficiaries will be the youth of today, there were no youth present at the meeting. Young people of high school age should be taking part in this process, he said. He pointed out that he has since learned that youth are participating, but through different venues.

Mr. Smith said that he too attended the Southwood meeting, and he was impressed by the number of "ordinary" residents of the neighborhood who attended the meeting, and the enthusiasm they exhibited for the present and future of the City. There is a lot of hidden support for the Master Plan process, he said; people are happy to live here, but they want their children to live here too.

□ At this time Mrs. Baker reported that the Community and Economic Development Committee had met on Monday. Ms. Bonnie Moore, Community Development Director for the City of Shreveport was present and shared her passion for community development in the City. Her remarks also gave Commissioners an opportunity to reveal their own passion for community and economic development in the Parish.

Ms. Moore shared some ideas the Commission could adopt in the Parish, such as working with businesses on beautification efforts, and how to identify funding sources for such programs. There is a great need for community and economic development in the Parish, Mrs. Baker said, and the Commission should take the initiative in getting them started.

COMMISSION SITS AS TAX BOARD OF REVIEW

At this time the President stated that as advertised and as provided by State law, the Commission would fulfill its responsibility to sit as a Board of Reviewers for protests of tax assessments. She asked Caddo Parish Assessor Charles Henington to come forward.

Mr. Henington said that it appears at this time that there might be as many as 10 appeals for the Commission to review, but it is possible that most of those can be worked out with the appellants once all relevant information is received. All the appeals involve commercial properties, he said.

Mr. Henington then presented the following letter:

"As Assessor in and for the Parish of Caddo, this is to certify that the assessments on property located in and/or assessable in Caddo Parish have been listed and assessed in accordance with Title 47; Section 1992.

It is further certified that the said assessments have been exposed for public review for 15 calendar days beginning August 26, 2009, and ending September 9, 2009.

Said certification of the above is hereby given to the Board of Review as required by Title 47: Section

1992.

Thus done and officially signed on this 17th day of September, 2008.

/s/ Charles R. Henington, Jr., C.L.A.
Assessor, Caddo Parish”

President Lynch thanked Mr. Henington for his report. She said that she would appoint a subcommittee to hear the cases, and that a date for that review would be determined later.

PUBLIC HEARING ON ORDINANCES

- Ordinance No. 4913 of 2009 amending the Budget of Estimated Revenues and Expenditures for the Economic Development Fund in the amount of \$10,000 for the LA State Fair for the year 2009

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. 4914 of 2009 amending the Budget of Estimated Revenues and Expenditures for the General Fund in the amount of \$3,500 for Code Enforcement expenses for constables for the year 2009

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. 4915 of 2009 amending the Budget of Estimated Revenues and Expenditures for the Capital Outlay Fund in the amount of \$500,000 to replace the roof on Government Plaza for the year 2009

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. 4916 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 or in opposition to the above ordinance, and Mr. Walter Johnson, III, came forward and identified himself as the staff attorney for the Haynesville Shale Landowners' Association. He commended Commissioner Smith, the Natural Resources Committee and the Parish Attorney for their work in constructing an ordinance to regulate aspects of the energy exploration and production industry in the Parish.

He said that landowners have been watching the efforts of this body to construct this ordinance, and while it may require further modifications it represents a very good first step. He said he noted that the Commission did not act upon his recommendation to restrict the incidence of “brake screech” during the drilling process, but public opinion may compel its later addition.

Then came Mrs. Jodie Bruyninckx, 400 Travis Street, who identified herself as a representative of the Louisiana Oil and Gas Association. She thanked the Commission for including the Association in its deliberations on the oil and gas ordinance.

She said she had previously provided the Commission with a document that presented a side-by-side comparison of the Commission's draft ordinance and the Louisiana Commissioner of Conservation's Field Rules. Most of what Commissioners saw in that document, other than matters of specifically local jurisdiction—floodways, floodplains, vehicles, incident reporting—was very duplicative of protections that already exist at the State level, she said. The industry does have concerns about duplicative jurisdiction and enforcement at the parish level, particularly who would effect this enforcement.

Mrs. Bruyninckx said that she and the Association look forward to continuing to work with the Parish on common concerns.

The President thanked Mr. Johnson and Mrs. Bruyninckx for their comments.

- Ordinance No. 4917 of 2009 relocating the polling place for Precinct #159 from Greenwood City Hall, 9381 Greenwood Road, Greenwood, to Greenwood Multi-Purpose Center, 6978 Howell Street, Greenwood

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. 4918 of 2009 authorizing the Parish Administrator to execute an easement and right-of-way agreement with Southwestern Electric Power Company pertaining to the granting of an easement and right-of-way for the purpose of relocating electric service at 506 McNeil Street (Courthouse Parking Lot), to provide for an effective date

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. 4919 of 2009 to revoke various dedications of an unnamed road 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. 4920 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 therein

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. She declared the public hearing on ordinances to be concluded.

WORK SESSION MINUTES: SEPTEMBER 14, 2009

It was **moved by Mr. Pierson**, seconded by Mr. Escude, *that the Work Session Minutes of September 14, 2009, be ratified.* Motion carried.

ORDINANCES: (For final passage)

ORDINANCE NO. 4913 OF 2009

BY CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE ECONOMIC DEVELOPMENT FUND FOR THE YEAR 2009 TO PROVIDE AN APPROPRIATION OF \$10,000 FOR THE STATE FAIR OF LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the State Fair of Louisiana has been an asset for the State of Louisiana and Caddo Parish for 103 years; and

WHEREAS, the State Fair of Louisiana has assisted in promoting the agricultural and industrial resources of Louisiana and assisting in the development of our future leaders through the 4-H and FFA programs; and

WHEREAS, the State Fair of Louisiana has worked with the Department of Animal Services and Mosquito Control to host several adoption days at the State Fair; and

WHEREAS, the State Fair of Louisiana is requesting \$10,000 in funding from Caddo Parish to help prepare for the 2009 State Fair; and

WHEREAS, it is necessary to amend the 2009 Budget to provide an appropriation in the amount \$10,000 for the State Fair of Louisiana; and

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

<u>Line Item</u>	<u>Budget Increase (Decrease)</u>	
State Fair of Louisiana	\$ 10,000	
Fund Balance	(10,000)	\$

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. Jenkins**, seconded by Mr. Cox, *that Ordinance No. 4913 of 2009, amending the Economic Development Fund Budget in the amount of \$10,000 for the Louisiana State Fair for the year 2009, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4914 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE 2009 BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE GENERAL FUND TO PROVIDE AN APPROPRIATION IN THE AMOUNT OF \$3,500 FOR CODE ENFORCEMENT EXPENSES FOR CONSTABLES

WHEREAS, the Caddo Parish Commission adopted ordinance 4892 to enact Chapter 11 of the code of ordinances addressing code enforcement; and

WHEREAS, this ordinance gives Caddo Parish Constables the authority to enforce the provisions of the code enforcement ordinance; and

WHEREAS, the budget in the General Fund for Constables and Justices of the Peace needs to be supplemented to cover code enforcement that does not result in the collection of fines and fees and to purchase equipment to aid in enforcement of the ordinance; and

WHEREAS, it is necessary to appropriate \$3,500 to reimburse the Constables for citations that do not result in the collection of a fine or a fee and purchase the necessary equipment required by the Constables; 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 General Fund for the year 2009 is hereby amended as follows:

Budget Increase (Decrease)

JP's and Constables

Cost To Other Government Entities	\$2,300
Equipment Purchases	\$1,200

Fund Balance	\$(3,500)
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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. Thibodeaux**, seconded by Mr. Epperson, *that Ordinance No. 4914 of 2009, amending the General Fund Budget in the amount of \$3,500 for Code Enforcement expenses for constables for the year 2009, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4915 OF 2009

BY CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE CAPITAL OUTLAY FUND FOR THE YEAR 2009 TO PROVIDE AN APPROPRIATION OF \$500,000 TO REPLACE THE ROOF AND HEATING AND AIR

CONDITIONING SYSTEMS FOR GOVERNMENT PLAZA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the roof and all air conditioning and heating equipment at Government Plaza requires immediate replacement; and

WHEREAS, the condition of the roof is becoming a safety hazard and the heating and air conditioning are not functioning efficiently; and

WHEREAS, the Parish shares operating expenses with the City of Shreveport for Government Plaza based on square footage, which results in 73% for the City and 27% for the Parish; and

WHEREAS, the approximate cost to replace the roof and the heating and air conditioning systems for Government Plaza is \$1,800,000 of which Caddo Parish's share is about \$500,000; and

WHEREAS, it is necessary to amend the 2009 Budget to provide an appropriation in the amount \$500,000 for the Parish's share of the cost to replace the roof and heating and air conditioning systems; and

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

<u>Line Item</u>	<u>Budget Increase (Decrease)</u>
Facilities & Maintenance – Government Plaza	
Building Renovations	\$500,000
Transfer from Capital Improvement Fund	\$500,000

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. Thibodeaux**, seconded by Mr. Epperson, *that Ordinance No. 4915 of 2009, amending the Capital Outlay Fund Budget in the amount of \$500,000 to replace the roof on Government Plaza, be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4916 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE 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, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the exploration, development, and production of oil, gas, and other hydrocarbons in the Parish of Caddo is hereby declared to possess such importance to the health, safety, and general welfare of the citizens of the Parish of Caddo that the establishment of reasonable and uniform regulations is essential in order to avoid the creation of nuisances, ensure the compatibility of the manner of conducting oil, gas and other hydrocarbon well drilling and related operations with nearby uses, both public and private, on legal grounds which specifically include general aesthetics, community enhancement, and protection of property values; and to protect and conserve public water supplies; and

WHEREAS, these regulations are intended to coexist without conflict with either state regulation of mineral drilling and production, any legal responsibilities of local governments under FEMA (including with respect to floodways and floodplains), any federal statutes or regulations (including but not limited to the Pipeline Safety Act, 42 U.S.C. 60101-60137, or with other location regulations (such as parish clean water regulations) which already may address any subject matter of this ordinance; and

WHEREAS, La. Const. [1974] art. I, § 4 provides in pertinent part, as follows:

. . . Every person has the right to acquire, own, control, use, enjoy, protect and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power; and

WHEREAS, Section 2-04 of the Home Rule Charter of Caddo Parish provides in pertinent part as follows:

. . . The parish government shall have and exercise . . . other powers, rights, privileges, immunities, authority and functions not inconsistent with this charter as may be conferred on or granted to a local governmental subdivision by the constitution and general laws of the state, and more specifically, the parish government shall have and is hereby granted the right and authority to exercise any power and perform any function necessary, requisite or proper for the management of its affairs, not denied by this charter, or by general law, and which is not inconsistent with the constitution.

WHEREAS, La. Const. [1974] art. VI, § 17 provides in pertinent part, as follows:

. . . [A] local governmental subdivision may . . . adopt regulations for land use, zoning, and historic preservation, which authority is declared to be a public purpose;

WHEREAS, La. R.S. 33:1236(36) specifically grants to Caddo Parish the power to regulate land use within its geographic limits; and

WHEREAS, oil, gas, and other hydrocarbon drilling and related activities are acknowledged to be industrial uses of land which, while potentially beneficial to Louisiana and its citizens, are subject to reasonable regulation without prohibition, in a manner supplemental to other regulation of land uses for public benefits stated herein.

NOW THEREFORE BE IT ORDAINED by the Caddo Parish Commission in due, regular and legal session convened, that the Code of Ordinances of the Parish of Caddo be and same is hereby amended by adding thereto Chapter 29 to read as follows to-wit:

CHAPTER 29. OIL, GAS, AND OTHER HYDROCARBONS WELL OPERATIONS AND ACTIVITIES RELATED THERETO.

SECTION 29-1. DEFINITIONS.

“Drill Pad” means the total land cleared, exclusive of roadbeds and pipeline rights-of way, for the drilling of a well.

“FIRM” means Flood Insurance Rate Map.

“Oil” means crude petroleum oil, and other hydrocarbons, regardless of gravity, which are produced at the well head in liquid form by ordinary production methods.

“Gas” means any fluid, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and/or the gaseous components or vapors occurring in or derived from petroleum or natural gas.

“Protected use” means a residence, religious institution, commercial building, public building, hospital building, school or public park.

“Public building” means all buildings used or designed to and intended to be used for the purpose of assembly of persons for such purposes as deliberation, entertainment, amusement, or health care. Public buildings include, but shall not be limited to, theaters, assembly halls, auditoriums, armories, mortuary chapels, dance halls, exhibition halls, museums, gymnasiums, bowling lanes, libraries, skating rinks, courtrooms, restaurants, shopping malls, stores, and hospitals.

“Public park” means any land area dedicated to and/or maintained by the parish for traditional park-like recreational activities, but shall not include privately-owned amusement parks or privately-owned or privately-managed golf courses.

“Religious institution” means any building in which persons regularly assemble for religious worship and activities intended primarily for purposes connected with such worship or for propagating a particular form of religious belief.

“Residence” means a house, duplex, apartment, townhouse, condominium, mobile home, or other building designed for dwelling purposes.

“Right-of-way” means public rights-of-way including streets, easements, servitudes, and other property within the parish which is dedicated to the use and benefit of the public.

“Rural area” means any area outside the limits of a municipality and outside the administrative jurisdiction of the Shreveport Metropolitan Planning Commission of Caddo Parish where operations are conducted outside a radius of five hundred (500) feet of a protected use. The measurement of the five hundred (500) foot distance shall be made from the well bore, in a straight line, without regard to intervening structures or objects, to the closest point of the building or property line of the protected use, or as otherwise measured under regulation of such distances by the Louisiana Office of Conservation.

“School” means any public and private, primary through post-secondary educational facility, and any licensed day care center.

“Street” means any street, highway, sidewalk, alley, avenue, public parking area, or other public right-of-way, including the entire right-of-way.

“Urban” area means any area other than a rural area.

“Well” means a hole or holes, bore or bores, to any horizon, formation, or strata for the purpose of producing gas, liquid hydrocarbon, brine water or sulphur water, or for use as an injection well for secondary recovery, disposal or production of gas, or other hydrocarbons from the earth.

SECTION 29-2 GENERAL REGULATIONS.

(1) *Site Access.* No site access shall be allowed across any public park or any other property owned or maintained by the parish, except for public roads or street which may be designated as either truck routes or commercial delivery routes by the parish as provided in this ordinance, without the prior consent of the Parish Commission.

(2) *Drilling within Floodplain or Floodway.* Drilling activities as well as activities associated therewith within any floodplain or floodway identified by FEMA on the most current FIRM shall recognize the legal responsibilities of the parish to FEMA.

(3) *Abatement of Dust, Vibration, or Odors.* All drilling, production, compression and transmission operations shall be conducted in such a manner as to minimize, so far as practicable, dust, vibration, or noxious odors, and shall be in accordance with the best accepted practices incident to drilling for the production of oil or gas and other hydrocarbon substances in urban areas. All equipment used shall be so constructed and operated so that vibrations, dust, odor or other harmful or annoying substances or effect will be minimized by the operations carried on at any drilling or production site or from anything incident thereto. The site or structures located thereon shall not be permitted to become dilapidated, unsightly or unsafe. Proven reasonable and feasible technological improvements in industry standards of drilling and production in this area shall be adopted if capable of reducing factors of dust, vibration, and odor that may create a nuisance.

In addition to the foregoing, the placement of fill material may not cause the release of dust and/or odor that may create a nuisance, or damage any public improvements or public infrastructure. Further, no fill material shall be placed in a floodplain or floodway identified by FEMA on the most current FIRM without the prior consent of the Director of Public Works.

(4) *Lighting.* No person shall permit any lights located on the site of any well to be directed in such a manner to that they shine directly on public roads or streets, adjacent property, or property within three hundred (300) feet of the site. Additionally, to the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads and streets, adjacent dwellings and buildings, and dwellings and buildings within three hundred (300) feet to the site.

(5) *Abatement of Exhaust Fumes.* Exhaust from any internal combustion engine or compressor, stationary or mounted on wheels, used in connection with the drilling of any well or for use on any production equipment shall not be discharged into the open air unless it is equipped with an exhaust muffler or mufflers, or an exhaust muffler box, sufficient to suppress noise and disruptive vibrations and minimize the escape of gases, fumes, or ignited carbon or soot in order to prevent the creation of a nuisance. This equipment shall be maintained and kept in good operating condition according to the manufacturer’s specifications.

(6) *Electric Pumping.* Only electric prime movers or motors shall be allowed for the purpose of pumping wells after drilling. No electric power shall be generated on location unless otherwise approved by the Director of Public Works. All electrical installations and equipment shall conform to the ordinances of the parish and the appropriate national codes.

(7) *Signage.* A sign shall be immediately and prominently displayed at the gate of the site of any oil or gas well. Such sign shall be of durable material, maintained in good condition and shall have a surface area of no less than two (2) square feet nor more than four (4) square feet and shall be lettered with the following:

- a. Well name and number;
- b. Name of operator;
- c. Twenty-four (24) hour emergency number for operator.

(8) *Required Incident Reporting.* In the event of a fire or discovery of a fire, smoke, or unauthorized release of flammable or hazardous materials on any property, the operator shall immediately upon discovery report such condition to the Caddo Parish Sheriff's Office and applicable Fire District having jurisdiction at the site through the 911 Communications District of Caddo Parish in addition to any other required notification. Additionally, the operator shall give notice as soon as practicable to the Parish Administrator for the Parish of Caddo. Pursuant to Section 23-75 of Title 30 of the revised statutes of Louisiana, the Caddo Parish Sheriff's Office is hereby designated as the local response agency to have access to all facilities within the parish pursuant to said Section.

(9) *Venting.* No person shall allow, or cause or permit gases to be vented into the atmosphere or to be burned by open flame except as provided by law or as allowed by the State of Louisiana.

(10) *Installation of Pipelines or Flowlines on, under or across Public Property.* Except as may otherwise be specifically addressed by agreement with Caddo Parish regarding use of public rights of way, installation and operation of flowlines and pipelines (those not exempt from parish regulation under federal or state rules and regulations regarding mapping, inventorying, location or relocation, including pipelines over, under, along, or across a public street or alley) shall be subject to the requirement that the operator:

- a. Not interfere with or damage existing utilities, including but not limited to: water, sewer or gas lines, storm drains, electric lines or the facilities of any public utilities located in public rights-of-way, utility easements, or other public property.
- b. Furnish the Director of Public Works prior to commencement of work with a plat showing the location of such pipelines or flowlines, including GIS information sufficient to locate the pipelines or flowlines in the future, including the beginning and end points of the pipeline or flowline and sufficient points in between the pipeline or flowline route and the depth of cover information; and detailed cross-section drawing for all public rights-of-ways and easement crossings as allowed by the parish. Failure to provide necessary GIS information shall act as a release of Caddo Parish from responsibility for any damages or cost of repair to such pipelines or flowlines arising from any activity by or under authority of Caddo Parish.
- c. Comply with parish codes and regulations.

(11) *Use of Public Water Supplies.* No person may use public water supplies in drilling and production operations of an oil or gas well (specifically including fracturing operations) unless the operator has complied with all regulations set forth in this ordinance as well as any water conservation regulations which may be imposed by the parish and/or state.

(12) *Discharge.* Unless otherwise specifically allowed by state regulation or private contract, no person shall place, deposit, discharge, or cause or permit to be placed, deposited or discharged, any oil, naphtha, petroleum, asphalt, tar, hydrocarbon substances or any refuse including wastewater or brine from any oil or gas operation or the contents of any container used in connection with any oil or gas operation in, into, or upon:

- a. any public right-of-way, alley, street, lot, storm drain, ditch or sewer, or sanitary drain without permits from the appropriate parish departments; or
- b. any body of water, or
- c. any private property.

(13) *Disposal Wells and Compressor Stations limited to Industrial Locations.* Commercial salt water disposal wells and compressor stations shall be limited to industrially zoned locations but in no case shall be located within five hundred (500) feet of a protected use. The operator of the compressor station shall be responsible for establishing and reporting to the Director of Public Works the pre-development ambient noise levels.

(14) *Explosives.* Use of surface explosive charges within the parish shall require advance notification to the Director of Public Works.

(15) *No Debris, Grass, Weeds, or Trash.* The public street or road entrance and property on which a well site is located shall at all times be kept free of mud, debris, pools of water or other liquids, contaminated soil, weeds, brush, trash or other waste material within a radius on site of one hundred (100) feet around any separators, tanks and producing wells. All drill and operation sites shall be kept clear of high grass, weeds, and combustible trash within a radius on site of one hundred (100) feet around any gas tank or tanks or producing wells.

(16) *Accessibility to Emergency Shut-Off Valves.* All wells shall have emergency shut-off valves clearly labeled as such accessible to the District Fire Chief having jurisdiction at the site. However, such access shall be limited to those emergencies when the operator has failed to respond within the time frames established under its emergency response plan which shall be provided prior to commencement of drilling operations to the District Fire Chief having jurisdiction at the site and Caddo Parish Sheriff's Office through the 911 Communications District of Caddo Parish.

Section 29-3. URBAN AREAS.

(1) Any well to be drilled in an urban area must comply with the fencing and screening requirements set forth in this ordinance. Additionally, except in industrial zoned districts and area located within five hundred (500) feet of a protected use, storage of pipe, equipment or materials on a drilling or operation site is prohibited except during the drilling or servicing of a well on the site or three (3) days thereafter.

(2) With the exception of drilling, completion, and reworking operations, work on a drill site, access road, pipeline, truck deliveries of equipment and materials associated with drilling and/or production, well servicing, site preparation and other related work conducted on the well site shall be subject to the following limitations, except in cases of fires, blowouts, explosions and any other emergencies or where the delivery of equipment is necessary to prevent the cessation of drilling or production.

Operations within 500 feet of a protected use: 8 a.m. - 5 p.m., Monday - Saturday, but only with respect to a well for which a permit has been issued by the Louisiana Office of Conservation authorizing such activities.

Operations between 500 feet and 2,500 feet of a protected use: 7 a.m. - 7 p.m., Monday - Saturday.

Operations between 2,500 feet and 5,000 feet of a protected use: 5 a.m. - 10 p.m., Monday - Saturday.

Operations 5,000 feet or more from a protected use: 24 hours, Monday - Saturday.

Measurement of the distances shall be made from the well bore, in a straight line, without regard to intervening structures or objects, to the closest point of the building or property line of the protected use, or as otherwise measured under regulation of such distances by the Louisiana Office of Conservation.

(3) NOISE.

a. Prior to the commencement of operations, the operator shall submit to the Director of Public Works a noise management plan detailing how the equipment used in the drilling, completion, transportation, or production of a well complies with the maximum permissible noise levels of this Section. The noise management plan must:

- I. Identify operation noise impacts;
- ii. Provide documentation establishing the pre-drilling ambient noise level as required in this Section;
- iii. Detail how the impacts will be mitigated. In determining noise mitigation, specific site characteristics shall be considered, including but not limited to the following:
 - Nature and proximity of adjacent development, location, and type;
 - Seasonal and prevailing weather patterns, including wind directions;
 - Vegetative cover on or adjacent to the site; and
 - Topography.

The operator shall be responsible for verifying compliance with this Section and the noise management plan after the installation of the noise generation equipment.

b. No well shall be drilled, redrilled or any equipment operated at any location within an

urban area in such a manner as to create any noise which causes the exterior noise level when measured at a distance of five hundred (500) feet from the well head, or other equipment generating noise, that exceeds the ambient noise level by more than seven (7) decibels during daytime hours and more than five (5) decibels during nighttime hours. Fracturing operations may not exceed the ambient noise level by more than ten (10) decibels during daytime hours; no fracturing operations shall be allowed during nighttime hours unless they exceed the ambient noise level by no more than five (5) decibels. Backflow operations may not exceed the ambient noise level by more than five (5) decibels during nighttime hours.

- c. The operator shall be responsible for establishing and reporting to the Director of Public Works the pre-drilling ambient noise level prior to the commencement of initial operations at the site. This shall be based on measurements during a continuous seventy-two (72) hour time span, which shall include at least one twenty-four (24) hour reading during either a Saturday or Sunday. Once the drilling is complete, the operator shall be required to establish a new ambient noise level prior to the installation of any new noise generating equipment.
- d. Adjustments to the noise standards set forth in subsection a. of this section may be permitted intermittently in accordance with the following:

Permitted increase (dBA):	Duration of Increase (minutes, in cumulative minutes during any one (1) hour.
10	5
15	1
20	Less than 1

- e. The exterior noise level generated by the drilling, redrilling or other operations of all wells located with five hundred (500) feet of a protected use shall be continuously monitored to ensure compliance. The cost of such monitoring shall be borne by the operator.
- f. Acoustical blankets, sound walls, mufflers or other alternative methods may be used to ensure compliance. All soundproofing shall comply with accepted industry standards.
- g. The sound level meter used in conducting noise evaluations shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recordings and analyzing equipment which will provide equivalent data.

Section 29-4. RURAL AREAS.

Any well to be drilled in a rural area must comply with the fencing requirements set forth in this ordinance unless otherwise specified by private contract.

Section 29-5. FENCES AND SCREENING.

- (1) With the exception of the period(s) of drilling operations, permanent chain link fences with a secured gate are required on the site of any well which fencing shall completely enclose all production equipment. Fences shall meet the following minimum specifications:
 - a. The fence shall be at least six (6) feet in height.
 - b. Support posts shall be set in concrete and shall be imbedded into the ground to a depth sufficient to maintain the stability of the fence, provided, however, so long as stability of the fence is maintained, temporary fence points shall not be required to be set in concrete.
 - c. The chain link fence shall have a minimum thickness of eleven (11) gauge.
 - d. Posts and rails shall be three-eighths inch round steel bolt stock. Adjustable tighteners shall be turnbuckle or equivalent having a six inch minimum take-up. Tension bars shall have a minimum thickness of one-fourth (1/4) by three-fourths (3/4) inch.
 - e. A Knox padlock or Knox box with key shall be provided to the District Fire Chief having jurisdiction at the site to access the well site in case of emergency, with notification to the operator in accordance with the emergency response plan provided prior to commencement of drilling operations to the fire district having jurisdiction at the site.

(2) Wells in urban areas will be subject to any additional screening measures as may be provided by the Caddo Parish Commission or Director of Public Works.

SECTION 29-6. APPEALS AND VARIANCES.

- (1) The Director of Public Works, in addition to his authority to make decisions hereunder,

also is authorized to approve minor variances from the provisions of this Chapter when by reason of exceptional topographic conditions or other extraordinary and exceptional physical characteristics of particular property, the strict application of a regulation under this Chapter would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship to an applicant for a minor variance. Such minor variances may be granted only if approval shall be without substantial detriment to the public good and without substantially impairing the intent and purpose of this Chapter. Such minor variances shall be subject to such terms and conditions as may be fixed, in writing, by the Director of Public Works.

- (2) Any appeals from decisions hereunder of the Director of Public Works shall be to the Parish Administrator. Any appeals from decisions of the Parish Administrator hereunder shall be to the Caddo Parish Commission. Any decision rendered by the Director of Public Works or Parish Administrator shall be deemed final if not appealed within ten (10) days of notification thereof to the applicant. Such appeal shall be taken by filing with the Director of Public Works and Parish Administrator a written notice of appeal specifying the particular grounds upon which the appeal is taken.

SECTION 29-7. VIOLATIONS.

Failure to comply with the provisions or requirements of this ordinance shall be punishable by the parish by a fine, per day, in the maximum amount authorized by the parish, and/or the issuance of temporary restraining orders and injunctive relief (both preliminary and permanent) without the necessity of the parish proving irreparable harm or furnishing bond or other security and with the parish, should it prevail in whole or in part, being entitled to recover all of its reasonable attorney's fees and costs. Additionally, any forbearance by the parish in any instance shall not constitute a waiver of authority to seek enforcement in any other instance.

SECTION 29-8. APPLICATION OF CHAPTER.

This chapter 29 of the code of ordinances of the Parish of Caddo shall apply only to wells permitted by the Office of Conservation after January 1, 2008.

SECTION 29-9. APPLICABILITY.

The provisions of this chapter 29 shall apply only to wells whose drill pad exceeds (exceeded) one acre.

IT IS 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 on November 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 Mr. Epperson, *that Ordinance No. 4916 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. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4917 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO RELOCATE THE POLLING PLACE FOR PRECINCT #159 (DISTRICT 12) FROM GREENWOOD CITY HALL, 9381 GREENWOOD ROAD, GREENWOOD, LA TO GREENWOOD MULTI-PURPOSE CENTER, 6978 HOWELL STREET, GREENWOOD, LA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Greenwood City Hall, 9381 Greenwood Road, Greenwood, Louisiana, is the current location of the polling place for Precinct #159; and

WHEREAS, the Mayor of Greenwood has advised that there is no longer sufficient space at this site for a polling location; and

WHEREAS, the Mayor of Greenwood suggests that a more suitable location for the

polling location is the Greenwood Multi-Purpose Center located approximately 1/4 mile from the current location at 6978 Howell Street, Greenwood, LA 71033; and

WHEREAS, the Caddo Parish Commission finds that it is in the best interests of the citizens of the Parish of Caddo to relocate Precinct #159 from the Greenwood City Hall, 9381 Greenwood Road, Greenwood, Louisiana 71033 to the Greenwood Multi-Purpose Center located approximately 1/4 mile from the current location at 6978 Howell Street, Greenwood, LA 71033; and

WHEREAS, this action represents a change in polling precinct locations from previous submittals to the U.S. Department of Justice; and

WHEREAS, this action is required to be submitted to the U.S. Department of Justice under Section 5 of the Voting Rights Act and in accordance with 28 CFR §51.27; and

WHEREAS, La. R.S. 18:534 and 18:536 are relevant to the changes being made herein.

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, regular and legal session convened that Precinct #159 be relocated from the Greenwood City Hall, 9381 Greenwood Road, Greenwood, Louisiana 71033 to the Greenwood Multi-Purpose Center, 6978 Howell Street, Greenwood, LA 71033.

BE IT FURTHER ORDAINED that this ordinance and copies of La. R.S. 18:534 and La. R.S. 18:536 be submitted to the U.S. Department of Justice in accordance with 28 CFR §51.27.

BE IT FURTHER ORDAINED that the following minority group contacts be, and the same are hereby, made available to the U.S. Department of Justice:

Ms. Stephanie Lynch
c/o Caddo Parish Commission
505 Travis Street
Shreveport, LA 71101
(318) 226-6596

Mr. Robert Piper
Attorney at Law
624 Pierre Avenue
Shreveport, LA 71103
(318) 226-0826

BE IT FURTHER ORDAINED that a copy of this ordinance shall be mailed to the following:

Secretary of the Senate of the State of Louisiana
Clerk of the House of Representatives of the State of Louisiana
Secretary of State of the State of Louisiana
Commissioner of Elections of the State of Louisiana
Parish of Caddo Registrar of Voters
Parish of Caddo Clerk of Court
Parish of Caddo Voting Machine Warehouse Supervisor
Parish of Caddo Director of Facilities and Maintenance

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 January 1, 2010.

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

It was **moved by Mr. Thibodeaux**, seconded by Mr. Epperson, *that Ordinance No. 4917 of 2009, relocating the polling place for Precinct #159 from Greenwood City Hall, 9381 Greenwood Road, Greenwood to Greenwood Multi-Purpose Center, 6978 Howell Street, Greenwood, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4918 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AUTHORIZE THE PARISH ADMINISTRATOR TO EXECUTE AN EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH SOUTHWESTERN ELECTRIC POWER COMPANY PERTAINING TO THE GRANTING OF AN EASEMENT AND RIGHT-OF-WAY FOR THE PURPOSE OF RELOCATING ELECTRIC SERVICE AT 506 MCNEIL STREET (COURTHOUSE PARKING LOT), TO PROVIDE FOR AN EFFECTIVE DATE, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Judges of the First Judicial District Court have requested a gate at the parking lot located at 506 McNeil Street, Shreveport, Caddo Parish, Louisiana; and

WHEREAS, the Department of Facilities and Maintenance of the Parish of Caddo has contacted Southwestern Electric Power Company (SWEPCO) concerning the need for electrical relocation; and

WHEREAS, the Parish of Caddo has received a request from SWEPCO for a right-of-way and easement as depicted on Exhibit "A", to relocate electric service.

WHEREAS, the Parish of Caddo has reviewed the request from SWEPCO and determined it is in the best interest of the Parish of Caddo to approve said request.

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 an easement and right-of-way as depicted on Exhibit "A" for the relocation of electrical service at 506 McNeil Street, (Lots 15 and 16, Block 14), Shreveport, Louisiana.

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. Thibodeaux**, seconded by Mr. Epperson, *that Ordinance No. 4918 of 2009, authorizing the Parish Administrator to execute an easement and right-of-way agreement with Southwestern Electric Power Company pertaining to the granting of an easement and right-of-way for the purpose of relocating electric service at 506 McNeil Street (Courthouse Parking Lot), be adopted.* That motion carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4919 OF 2009

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO REVOKE VARIOUS DEDICATIONS OF AN UNNAMED ROAD IN THE PARISH OF CADDO, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, a request for the revocation of various dedications of an unnamed road in Caddo Parish, Louisiana, has been received by the Parish of Caddo; and

WHEREAS, the Parish of Caddo has reviewed the request for the revocation of various dedications of an unnamed road in Caddo Parish, Louisiana and finds these dedications are no longer needed for Parish of Caddo public purposes as these dedications were intended for the Southern Loop which was subsequently constructed to the North of these locations; and

WHEREAS, the Parish of Caddo has reviewed the request for the revocation of various dedications of an unnamed road in Caddo Parish, Louisiana and finds that the revocation of these dedications of an unnamed road 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 various dedications of an unnamed road in Caddo parish, Louisiana be, and the same are hereby, revoked to the extent, and only to the extent, that said dedications were made for the public use for streets; said dedications of the unnamed road more specifically described as follows:

Those certain road dedications located in Sections 25 and 26, Township 16 North, Range 14 West and Section 30, Township 16 North, Range 13 West, Caddo Parish, Louisiana and being recorded under Registry Numbers 848251, 850409 and 854909 of the Conveyance Records of Caddo Parish, Louisiana and being shown the attached plats marked Exhibits "A", "B" and "C".

BE IT FURTHER ORDAINED, that a copy of this ordinance and plats marked Exhibits "A", "B" and "C" displaying the various dedications of an unnamed road in Caddo Parish, Louisiana to be revoked shall be filed in the conveyance records of the Parish of Caddo.

BE IT FURTHER ORDAINED, that the property described hereinabove shall revert to the adjoining property owners or their successors, heirs or assigns.

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 adoption.

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

It was **moved by Mr. Thibodeaux**, seconded by Mr. Epperson, *that Ordinance No. 4919 of 2009, revoking various dedications of an unnamed road in the Parish of Caddo, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCE NO. 4920 OF 2009

BY THE CADDO PARISH COMMISSION:

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

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

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

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

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

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

Property No. 1: 0.33 acres, more or less: From NW corner of NE/4 of NE/4 of Section 29, T22N, R16W, Caddo Parish, Louisiana, run South 40 feet to point of beginning; thence run East 60 feet; thence run South 240; thence run West 60 feet; thence run North 240 feet to point of beginning, Caddo Parish, Louisiana per plat recorded in the conveyance records of Caddo Parish, LA (GEO #221629-000-0038

PURCHASE PRICE: \$1,333.22 APPRAISED VALUE: \$1,700.00

Property No. 2: N. 100 ft. of Lots 29 & 30 & N. 100 ft. of E/2 of Lot 28, Blk 5, Allendale Heights Sub, a subdivision of the City of Shreveport, Caddo Parish, LA as per map recorded in the Conveyance Records of Caddo Parish, LA (GEO 181435-109-0032)

PURCHASE PRICE: \$21,470.83 APPRAISED VALUE: N/A

Property No. 3: Lot A & S. 12.5 ft. of aban. Lyons St., Resub of Lots 1, 2 & 12 to 18 Incl., Blk 28 Morningside Sub, as per plat recorded in the Conveyance Records of Caddo Parish, LA (GEO 171414-043-0002)

PURCHASE PRICE: \$4,040.15 APPRAISED VALUE: N/A

Property No. 4: Lots 33 & 34, Block C, Washington Terrace, sub in the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the conveyance records of Caddo Parish, LA (GEO #171416-056-0044)

PURCHASE PRICE: \$640.00 APPRAISED VALUE: \$960.00

Property No. 5: Lot 2, Blk 7, Linwood Park Home Sites, Unit 4, Caddo Parish, Louisiana as per plat recorded in the Conveyance Records of Caddo Parish, Louisiana (GEO #181413-008-0002)

PURCHASE PRICE: \$1,133.33 APPRAISED VALUE: \$1,700.00

Property No. 6: 25.69 ACS more or less, being the West 325.78 feet of the East 1,039.28 feet of the North 3,435 feet of Section 9, T17N, R16W, as per plat filed for record in Conveyance Records of Caddo Parish, Louisiana (GEO #171609-000-0020)

PURCHASE PRICE: \$40,500.00 APPRAISED VALUE: \$53,000.00

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 documents, including Acts of Cash Sale, 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 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. Thibodeaux**, seconded by Mr. Epperson, *that Ordinance No. 4920 of 2009, declaring certain adjudicated properties to be surplus and authorizing the Parish Administrator to sell the Parish's tax interest therein, be adopted.* *That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

ORDINANCES: (For introduction, by title)

- Ordinance No. 4921 of 2009 amending the Budget of Estimated Revenues and Expenditures for the Riverboat Fund to hire a consultant to help develop a noise ordinance for the year 2009
- Ordinance No. 4922 of 2009 to deem property surplus and authorize the sale of surplus property owned by the Parish of Caddo

RESOLUTIONS

RESOLUTION NO. 44 OF 2009

BY THE CADDO PARISH COMMISSION:

A RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$1,500,000 OF SEWER REVENUE REFUNDING BONDS, SERIES 2009, OF CADDO PARISH SEWERAGE DISTRICT NO. 7, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Caddo Parish Sewerage District No. 7 of the Parish of Caddo previously issued its \$1,700,000 Revenue and Refunding Bonds, Series 1999, the proceeds of which were used to refund certain indebtedness and to finance the acquisition, construction, improvements, expansions and

additions to its sewer system, a work of public improvements for the District, and proposes to refund the Prior Bonds through the sale and issuance of \$1,500,000 of Sewer Revenue Refunding Bonds, Series 2009;

WHEREAS, the Board of Supervisors of Caddo Parish Sewerage District Number 7 adopted a resolution on March 17, 2009 authorizing the issuance of not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) of Sewer Revenue Refunding Bonds, Series 2009, as provided for by Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto and providing for other matters in connection therewith; and

WHEREAS, in compliance with the terms and provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Caddo Parish Commission to approve said refunding of bonds.

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 Supervisors of Caddo Parish Sewerage District No. 7 of the Parish of Caddo, State of Louisiana, this Caddo Parish Commission hereby approves the issuance of not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) of Sewer Revenue Refunding Bonds, Series 2009, all in the manner provided for by Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, for the purpose of refunding all or part of the Prior Bonds and paying the costs of issuance of the Bonds, which Bonds shall be secured by and payable from a pledge and dedication of net revenues derived from the operation of the Issuer's sewer system on a parity with other outstanding parity bonds payable from net revenues derived from the system.

It was **moved by Mr. Dominick**, seconded by Mr. Thibodeaux, *that Resolution No. 44 of 2009, approving the issuance of \$1,500,000 of Sewer Revenue Refunding Bonds, Series 2009, of Caddo Parish Sewerage District No. 7, be adopted. That motion carried.* as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

NEW BUSINESS

It was **moved by Mr. Jenkins**, seconded by Mrs. Baker, *that a resolution be prepared supporting the 36th California-Louisiana Crusade to be held in Shreveport, September 20th - 25th. Motion carried.*

There being no further business to come before the Commission, the meeting was adjourned at 4:50 p.m.

Stephanie Lynch
President

Jerry C. Spears
Commission Clerk