

MINUTES OF THE MEETING OF THE  
CADDO PARISH COMMISSION  
HELD ON THE 22<sup>ND</sup> DAY OF APRIL, 2010

The Caddo Parish Commission met in legal and regular session on the above date at 3:30 p.m. in the Government Chamber with Mr. John Escude, President, presiding, and the following members in attendance, constituting a quorum: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson and Smith (11). ABSENT: Commissioner Thibodeaux (1).

The President commented that Mr. Thibodeaux was on the site of an ongoing emergency regarding a leaking gas well in his district.

The invocation was given by Mrs. Baker, and Mrs. McCulloch led the Commission in the Pledge of Allegiance.

It was **moved by Mr. Pierson**, seconded by Mr. Linn, *that the Minutes of the Regular Meeting held on April 8, 2010, be adopted.* Motion carried.

**COMMUNIQUES AND REPORTS**

Administrator Woodrow Wilson came forward and reported that he had distributed copies of a letter being sent to Louisiana Secretary of Commerce Stephen Moret and all Louisiana legislators stating the Commission's position with respect to future discussions involving the General Motors plant in Caddo Parish.

Also, he said, he has distributed copies of a promotional piece prepared to seek support for the renewal propositions that will be on the May 1 ballot. He said that a delegation from the Commission had met with The Times' editorial board, and the newspaper had voiced its support for the renewals.

Commissioners have also been given copies of the travel report, as well as the quarterly revenue report.

Mr. Wilson then asked Mr. Charles Grubb, Parish Attorney, to come forward and provide a report on legislation of interest in the current session of the Louisiana Legislature.

Mr. Grubb said he had earlier sent out to Commissioners his tracking report on bills of interest. There are some new bills of interest, he pointed out, including House Bill 133 which would authorize members of the Legislature to attend any public meeting of any public body, including executive sessions of those bodies. He said that the Louisiana Police Jury Association is opposing the bill and he will assume the Commission desires to as well.

House Bill 392, he said, would prohibit former employees who are drawing benefits from the Parochial Employees Retirement System or any State retirement from being re-employed by that agency without losing their retirement benefits dollar-for-dollar. Currently the law allows a former employee to return to the agency as an employee for special projects, not as a contractor, for not more than some 400 hours per year. The compensation so received is not now deducted from retirement benefits. The Police Jury Association and other groups are opposed to the bill, he said, and he will assume the Commission concurs with their position.

House Bill 444, Mr. Grubb said, provides limitations on the number of inmates participating in work release programs. He said that Sheriff's Department representatives have recommended opposing the bill because it would greatly decrease the Sheriff's flexibility in providing work release.

Continuing, Mr. Grubb said that House Bill 761 provides for Tier 2 financial disclosure for any municipal or parochial employee who has responsibility for negotiating a contract in excess of \$1,500. That would apply to virtually every department head in Parish government, as well as a great number of administrative people who work for the Commission, he said.

A bill that would change the compensation calculation for parish employees in the Parochial Employment Retirement System from three years to five years has been passed by Senate committee. He said he has sent a letter of opposition to the bill to the local legislative delegation.

All in all, Mr. Grubb said, there have been no major surprises in this session, Mr. Grubb said, and there are no bills that offer any particular threat to Caddo Parish.

Ms. Lynch said that House Bill 761 was drafted in response to a situation in Jefferson Parish. She said that she has no problem with the bill; all government bodies need to be looking at ethics from not only the political perspective, but from the administrative side as well, since most contracts are let by administrative officials. She said that in her opinion even the Tier 2 reporting requirement already in place for elected officials is too intrusive.

Mr. Epperson said that he too has no particular problem with HB 761, but he does have questions about the underlying ethics law that it amends. He said that the reporting requirements for elected officials are rather pointless for most local elected officials, as they have no authority to issue contracts or individually obligate parish, municipal or service district funds.

Mr. Grubb said that two weeks earlier it had appeared that the Commission's consensus was to oppose House Bill 761, consistent with the Police Jury Association's position. He asked if that sentiment has now changed. He pointed out the bill in its present form not only affects him and his office, but it reaches down to administrative employees at a level lower than has ever before been proposed for purposes of financial disclosure in the State. It is unfair in that it applies only to parochial and municipal employees—not State employees or State agencies.

President Escude asked the Commission to express a consensus on this bill or any other bill mentioned by Mr. Grubb.

Mr. Dominick said that the Commission should follow the lead of the Police Jury Association. He said he would not like to have administrative employees resigning in protest of financial disclosure requirements for income that they might produce unrelated to their Commission jobs. This bill appears to be too far-reaching, he said.

Mr. Pierson and Mr. Escude agreed, pointing out that lower-echelon employees are not in positions to effect contractual obligations, and their personal finances should not be in the public domain.

President Escude then asked for an informal vote on opposition to this bill, and the sentiment in opposition was unanimous.

Mr. Linn asked Mr. Wilson if he has received a current report on the water wells in southeast Caddo Parish in the vicinity of the leaking natural gas well, and if the water from wells in that vicinity are being checked for any toxins or impurities other than natural gas, such as drilling lubricants.

Mr. Wilson said that earlier in the day he had talked to Commissioner Thibodeaux, who has been closely monitoring the situation with the leaking well, and Mr. Thibodeaux said that investigators are checking for organic compounds and volatile organic compounds. Dr. Gary Hanson, LSU-S hydrologist, has said that the tests will be completed by the end of the day. Commissioner Thibodeaux is attending a meeting this afternoon at which the test results will be revealed and discussed. Based on the information revealed, authorities will make a decision on whether to allow area residents to return to their homes, he said.

Mr. Linn asked Mr. Wilson to request that the investigators also check samples for synthetics.

Mr. Escude said that according to information released by all the pertinent officials and agencies the previous day it appears that the conditions about which Mr. Linn is concerned have been present for as long as information has been available about the Carrizo-Wilcox Aquifer, and that they are not believed to be a condition created by the drilling of the natural gas well. There have always been natural gas pockets interspersed throughout the aquifer, because just underneath the aquifer is an unexplored formation called the "Biloxi-Natchitoches", a low-level natural gas pod.

Mr. Linn asked if now, since the geologists and hydrologists now know about these gas pockets, are the energy companies putting any safeguards in place to work around these formations.

Mr. Escude said he is sure the companies will make any site evaluations and any contingency plans within their power, as they have no desire to create problems for themselves. The incident in south Caddo Parish is something that occurs only about once in every half-million wells, he said. This knowledge was closely held in the academic community, because no one drills anything at these shallow depths (1,200 feet) but water wells.

Everyone is now aware of the potential problems, Mr. Escude, and every effort will likely be made to expand the body of knowledge on the subject. The energy companies will probably be working with the people who drill water wells to utilize their expertise. They will almost surely develop a protocol for their work from this point forward, he said, but even then there will be no guarantees. In any event, the Commission has no jurisdiction over the matter.

Mr. Epperson asked Mr. Wilson to prepare a status report on proposed State funding cuts at the Northwest Louisiana War Veterans Home in Bossier City. He pointed out that the Commission had adopted a resolution opposing those cuts.

Mr. Wilson said that the previous week he had spoken by phone with Louisiana Veterans Affairs Secretary Lane Carson, who informed him that the physician and the pharmacist would remain on staff at the local facility, as requested by area citizens and the Commission.

### **CITIZENS COMMENTS**

Mr. Bob Lane came forward and stated that he is a resident of Natchitoches, and that he is campaigning for election to the position of U.S. Senator for Louisiana. He said he had come to introduce himself as a candidate; he said he is a conservative running as an independent.

He said that as a member of the Sons of the American Revolution and a Vietnam veteran, he knows the awesome responsibility he has to the ideals of America's founders and to all successive generations of veterans. He said he looks forward to putting his energies and ideals to work in Congress. It is a shame, he said, that the federal government is not required to have a balanced budget.

President Escude thanked Mr. Lane for his presentation.

### **PUBLIC HEARING ON ZONING ORDINANCES**

- ZONING CASE P-18-09 in regard to Ordinance No. 4975 of 2010 (3500 Block of Meriwether Road) property located on the south westerly side of Meriwether Road, 1040 feet south of Denny Drive, BRIAN ELTON BAILEY APPLICANT  
Request to rezone property located on the south westerly side of Meriwether Road, 1040 feet south of Denny Drive **from** R-A, Residence-Agriculture District **to** R-MHP, Residence Mobile Home Park District for a **proposed** mobile home park or other uses within the zoning classification.  
**THIS CASE IS RETURNING TO THE COMMISSION AFTER BEING REMANDED BACK TO METROPOLITAN PLANNING COMMISSION ON JANUARY 21, 2010.**

The President asked if anyone wished to speak in support of or in opposition to this zoning case.

Mr. Brian Bailey, 521 Bob White Lane, Benton, came forward and identified himself as the applicant in this case. He said he understands that the Commission has the particulars of the re-worked application as approved by the Metropolitan Planning Commission. He said he would answer any questions the Commission might have.

There being no other speakers, the President directed the Clerk to present the next case.

- ZONING CASE P-1-10 in regard to Ordinance No. 4976 of 2010, (10400 Wallace Lake Road) property located on the east side of Wallace Lake Road at its end, THOMAS WAYNE MOORE, APPLICANT.  
Request to rezone property located on the east side of Wallace Lake Road at its end **from** R-A, Residence-Agricultural District **to** R-A-E, Residence-Agricultural/Extended Use District, for **proposed** new and used utility trailer sales or other uses within this zoning classification.

The President asked if there was anyone present to speak in support of or in opposition to the above zoning case.

Mr. Thomas Wayne Moore, 10400 Wallace Lake Road, Shreveport, came forward and identified himself as the applicant. He stated that he would respond to any questions the Commission might have in regard to this case.

There being no other speakers, the President declared the public hearing on zoning cases to be concluded.

### **PUBLIC HEARING ON ORDINANCES**

- Ordinance No. 4977 of 2010, to declare 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. He declared the public hearing on ordinances to be concluded.

### **ZONING ORDINANCES: (For final passage)**

#### **ORDINANCE NO. 4975 OF 2010**

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND CHAPTER 51 OF THE CODE OF ORDINANCES OF THE PARISH OF CADDO, AS AMENDED, THE CADDO PARISH ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SW SIDE OF MERIWETHER ROAD, 1040 FEET SOUTH OF DENNY DRIVE, CADDO PARISH, LOUISIANA, **FROM R-A, RESIDENCE-AGRICULTURE DISTRICT TO R-MHP, RESIDENCE MOBILE HOME PARK DISTRICT** AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 51 of the Code of Ordinances of the Parish of Caddo is hereby amended and re-enacted to read as follows, to wit:

The official Zoning Map of the Shreveport Metropolitan Planning Area of Caddo Parish, Louisiana, be amended by rezoning property legally described as: Lot 6, Rosalie Farms is hereby changed from R-A, Residence-Agriculture District to R-MHP, Residence Mobile Home Park District.

BE IT FURTHER ORDAINED that the rezoning of the property described herein is subject to compliance with the following stipulations:

- 1. Development of the property shall be in substantial accord with the site plan approved on 3-3-10, with any significant changes or additions requiring further review and approval by the Planning Commission.**
- 2. Development of the property shall begin within a period of two (2) years from the date of the adoption of this ordinance and the failure to comply with such stipulation will cause the rezoning herein described to become null and void, and the zoning classification will automatically revert to R-A.**

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. Epperson**, seconded by Mr. Pierson, *that Ordinance No. 4975 of 2010, in regard to ZONING CASE P-18-09, Brian Elton Bailey, applicant, requesting to rezone property located on the south westerly side of the 3500 block of Meriwether Road, 1040 feet south of Denny Drive from R-A, Residence-Agriculture District to R-MHP, Residence Mobile Home Park District for a proposed mobile home park or other uses within the zoning classification, be adopted.*

Mr. Epperson stated that the Commission had first heard this case on January 21, at which time it was remanded back to the MPC. Mr. Bailey has since complied with all the concerns expressed since his initial application, and he has made considerable changes to his plan to make it palatable to all concerned in the community.

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

#### **ORDINANCE NO. 4976 OF 2010**

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO AMEND CHAPTER 51 OF THE CODE OF ORDINANCES OF THE PARISH OF CADDO, AS AMENDED, THE CADDO PARISH ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE EAST SIDE OF WALLACE LAKE ROAD AT ITS END, CADDO PARISH, LOUISIANA, **FROM R-A, RESIDENCE-AGRICULTURE DISTRICT, TO R-A-E, RESIDENCE-AGRICULTURE/EXTENDED USE DISTRICT LIMITED TO**

**“NEW AND USED UTILITY TRAILER SALES” AND OTHER USES AS DESCRIBED IN ITEM 4 BELOW ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

BE IT ORDAINED by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 51 of the Code of Ordinances of the Parish of Caddo is hereby amended and re-enacted to read as follows, to wit:

The official Zoning Map of the Shreveport Metropolitan Planning Area of Caddo Parish, Louisiana, be amended by rezoning property located on the east side of Wallace Lake Road at its end, Caddo Parish, Louisiana, more particularly described below, be and the same is hereby changed **from R-A, Residence-Agriculture District, to R-A-E, Residence-Agriculture/Extended Use District, limited to “new and used utility trailer sales” and other uses as described in item 4 below, only,**

The westerly 667.00 feet of the site as measured along the northern property boundary described as 11.86 acres M/L out of Fractional Sect. 31, T16N, R13W, Caddo Parish, LA, more particularly described as: Beginning at the NW corner of the SW/4 of the NE/4 of Sect. 31, T16N, R13W, run thence S89°31'35"E 1182.55 feet to a concrete monument; run thence S0°20'18"E 506.46 feet to the N'ly edge of a gravel road; run thence along said N'ly edge of gravel road the next 14 courses to the SE R/W line of Wallace Lake Road: S84°46'16"W 16.77 feet; N88°16'59"W 42.92 feet; N67°3'36"W 113.90 feet; N79°53'22"W 204.53 feet; N79°27'43"W 232.89 feet; N80°39'13"W 218.73 feet; N84°52'3"W 76.08 feet; N87°10'7"W 100.74 feet; S75°36'43"W 76.31 feet; N87°19'3"W 185.55 feet; N83°15'25"W 45.63 feet; N72°17'25"W 34.74 feet; N54°30'23"W 43.74 feet; N42°59'39"W 52.20 feet; run thence N45°39'2"E along SE'ly line of Wallace Lake Road 46.47 feet to the P.C. of a curve to the left having a radius of 766.20 feet and Delta Angle of 24°11'14"; run thence along said curve 323.45 feet of an intersection with the N/S centerline of said Sect. 31; run thence S0°39'2"W 22.99 feet to the POB.

BE IT FURTHER ORDAINED that the rezoning of the property described herein is subject to compliance with the following stipulations:

1. **Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**
2. **Hours of operation are from 6 a.m. to 6 p.m.**
3. **Property approved for rezoning shall be limited to the westerly 667' of the site as measured along the northern property boundary.**
4. **The following uses are allowed provided that a revised site plan is submitted to and approved by the MPC prior to the issuance of building permits or Certificates of Occupancy.**
  - a) **Automobile and truck sales, maintenance shop and garages**
  - b) **Contractor's storage yard for vehicles, equipment, and materials; need not be enclosed within structure**
  - c) **Machinery, tools, and construction equipment, sales and service; need not be enclosed within structure**
  - d) **Office**
  - e) **Oil well supplies and machinery; need not be enclosed within structure**
  - f) **Welding shop**
  - g) **Well drilling company**
  - h) **Wholesale and warehousing**

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. Escude**, seconded by Mrs. Baker, *that Ordinance No. 4976 of 2010, in regard to Zoning Case P-1-10, Thomas Wayne Moore, applicant, requesting to rezone property located on the east side of 10400 Wallace Lake Road at its end from R-A, Residence-Agricultural District to R-A-E, Residence-Agricultural/Extended Use District, for proposed new and used utility trailer sales*

or other uses within this zoning classification, 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 and Smith (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Thibodeaux (1).

**ORDINANCES: (For final passage)**

**ORDINANCE NO. 4977 OF 2010**

BY THE CADDO PARISH COMMISSION:

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

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

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

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

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

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

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

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

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

Property 1: Lot 20, & E/2 of Lot 21, Blk 1, Currie Sub., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO 171402-021-0020

**PURCHASE PRICE: \$3,666.67                      APPRAISED VALUE: \$5,500.00**

Property 2: Lot 14, Blk 5, Currie Sub., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (Geo 171402-025-0014

**PURCHASE PRICE: \$1,966.67                      APPRAISED VALUE: \$5,900.00**

Property 3: Lot 68, Epple Heights, Sub., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO 171413-025-0068)

**PURCHASE PRICE: \$2,000.00                      APPRAISED VALUE: \$3,000.00**

Property 4: Lot 37, Vernon Annex & 1/2 Adj. Abdn. Alley., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (Geo 171414-082-0037

**PURCHASE PRICE: \$2,366.67                      APPRAISED VALUE: \$7,100.00**

Property 5: Lot 4, School Park Annex, a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (Geo 181435-012-0004

**PURCHASE PRICE: \$966.67.00                      APPRAISED VALUE: \$2,900.00**

Property 6: Lot 67, Hotchkiss Sub, a subdivision in the City of Shreveport, Caddo Parish, as per the plat

recorded in the conveyance records of Caddo Parish, Louisiana (Geo 181435-100-0067)

**PURCHASE PRICE: \$1,000.00                      APPRAISED VALUE: \$3,000.00**

Property 7: Lot 6, & E/2 of Lot 7, Blk 16, Parkhurst Add., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO 171415-048-0044)

**PURCHASE PRICE: \$1,000.00                      APPRAISED VALUE: \$1,500.00**

Property 8: Lot 80, N. Cedar Grove Addn., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO 171424-054-0080)

**PURCHASE PRICE: \$666.67                      APPRAISED VALUE: \$2,000.00**

Property 9: The W. 40 Ft Of Plot 52, West Highlands Sub., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (Geo 171414-069-0068)

**PURCHASE PRICE: \$1,466.67                      APPRAISED VALUE: \$4,400.00**

Property 10: Lot 30, Johnson Quarters Sub., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (Geo 171414-104-0030)

**PURCHASE PRICE: \$1,133.34                      APPRAISED VALUE: \$1,700.00**

Property 11: Lot 5, Caddo Hts Sub U4., a subdivision in the City of Shreveport, Caddo Parish, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (Geo 171413-106-0157)

**PURCHASE PRICE: \$1,666.67                      APPRAISED VALUE: \$5,000.00**

Property 12: The E. 60 ft of Lots 11 & 12, and the N. 20 ft of the E. 30 ft. of Lot 10, Blk 1, Linwood Park Homesites, U4, as per the plat recorded in the conveyance records of Caddo Parish, Louisiana (GEO 161413-002-0024)

**PURCHASE PRICE: \$2,239.74                      APPRAISED VALUE: \$2,000.00**

It was **moved by Mr. Pierson**, seconded by Mr. Linn, *that Ordinance No. 4977 of 2010, declaring certain adjudicated properties to be surplus and authorizing the Parish Administrator to sell the Parish of Caddo'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 and Smith (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Thibodeaux (1).

**ORDINANCES: (For introduction, by title)**

- Ordinance No. 4978 of 2010, to authorize the Caddo Parish Administrator to execute an easement and right-of-way agreement with Louisiana Midstream Gas Services, L.L.C., for the purpose of constructing and maintaining an oil and gas pipeline parallel to General Motors Boulevard

**RESOLUTIONS**

**RESOLUTION NO. 29 OF 2010**

BY THE CADDO PARISH COMMISSION:

A RESOLUTION URGING THE LOUISIANA LEGISLATURE TO NOT ENACT SENATE BILL NO. 100, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Senate Bill No. 100 is currently pending in the Louisiana legislature; and

WHEREAS, this bill, if enacted into law, would redefine "final compensation" for the purpose of calculating retirement allowances from the highest 36 consecutive months of pay to the highest 60 consecutive months of pay for all members of the Parochial Employees Retirement System regardless of the dates of hire; and

WHEREAS, any changes in the law that would effect a decrease in retirement benefits to existing employees would constitute a breach of commitment made to those employees when they were hired as Parish employees and thereby became members of the Parochial Employees Retirement System; and

WHEREAS, any failure to maintain such commitments by the Parochial Employees Retirement System to its members would violate moral if not legal obligations to the employees of not just Caddo Parish but all parishes of the State of Louisiana who are members of Parochial Employees

Retirement System.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Caddo Parish Commission does hereby urge and request the Louisiana legislature to reject Senate Bill No. 100 as well as any other legislation that would reduce retirements benefits for employees hired prior to the effective date of any such proposed legislation.

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

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

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

It was **moved by Mr. Pierson**, seconded by Mr. Cox, *that Resolution No. 29 of 2010, urging the Louisiana Legislature to reject Senate Bill 100 pertaining to the calculation of retirement allowances by the Parochial Employees Retirement System, 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 and Smith (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Thibodeaux (1).

#### RESOLUTION NO. 30 OF 2010

BY THE CADDO PARISH COMMISSION:

A RESOLUTION AMENDING THE RULES AND BY-LAWS OF THE CADDO PARISH COMMISSION, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the current Rules and By-laws of the Caddo Parish Commission contain information which is outdated and omits some needed information; and

WHEREAS, the Personnel Policies and Procedures Committee recommends the Rules and By-laws of the Caddo Parish Commission be amended as set forth below with additions identified by underscoring and deletions marked by ~~strikeout~~:

#### Article II

#### Order of Business

RULE 1: The business of each regular Caddo Parish Commission meeting shall be as follows, and shall not be departed from except by a majority vote of the members present.

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Approval of the minutes of any preceding meeting and correction of any error that may exist therein.
- E. Special Resolutions
- F. Communiques and Reports
- G. Administration Report
- H. Suspend rules to allow visitors to address the Commission
- I. Public Hearings
- J. Work Session Minutes
- K. Ordinances
- L. Resolutions
- M. Old Business
- N. New Business
- O. Other Business
- P. Adjourn

RULE 3: During each regular meeting of the Commission, interested citizens shall be afforded the ~~rules shall be suspended to afford~~ an opportunity to be heard ~~at Commission meetings~~ on any subject relating to Parish government, with the exception of zoning matters which shall be confined to the Commission meeting held on the third Thursday of each month.

### Article III

#### Rights and Duties of Members of the Caddo Parish Commission

RULE 3: Voting shall be by electronic voting machine ~~roll call~~ on ordinances ~~or~~ upon motion of two or more Commissioners, and the ayes and nays shall be recorded in the minutes of the Commission by the individual vote of each of the Commissioners. Not less than a majority of the membership of the commission shall constitute a quorum to transact business, but if a quorum is lost during a meeting, a smaller number may recess from time to time and compel the attendance of absent Commissioners in the manner and subject to the penalties prescribed by Commission rules. To fill any vacancy or vacancies by appointment, and solely for the purpose of filling any vacancy or vacancies by appointment, a majority of the membership of the Commission shall be a majority of the remaining Commissioners. For the purpose(s) of this Rule 3, vacancy(ies) shall mean the death, resignation, removal or forfeiture of office of any Commissioner.

RULE 4: ~~Any member requesting to be excused from voting may, when his name is called, and before the results shall be announced, make a brief statement of the reason for making such a request, and the President shall excuse from voting any member who wishes to be excused. After a vote has been taken, no member passing or abstaining shall be allowed to vote on the issue.~~

RULE 5: ~~A full roll call vote shall be taken on any question whenever requested by a member. The election of officers shall be by roll call voice vote. No member shall speak during the call of the roll except to request to be excused from voting. Any member desiring to leave the meeting of the Caddo Parish Commission shall notify the President.~~

RULE 6: ~~All roll call votes shall begin with the member making the motion and proceeding alphabetically.~~

### Article IV

#### Order and Decorum

RULE 5: No member shall speak more than once to the same question before all members of the commission desiring to speak have been heard. Members wishing to speak shall seek recognition ~~raise their hand~~ to be put in order of debate, and shall speak ~~rise~~ when called upon by the President. Members of the Commission shall not speak on a question for a period in excess of five minutes except by permission of the President. No member shall speak more than two times at the same meeting on the same question. Such limitations, as listed herein, may be changed upon a majority vote of the commission in the case of an emergency.

RULE 6: If any member in speaking transgresses these rules, the President shall call him to order, in which case the member so called to order shall immediately cease speaking ~~sit down~~ and shall not speak again ~~rise~~ unless to explain or proceed in order. In the event the member does not follow this procedure, the President shall call him out of order. In cases when a member, after being called out of order by the President, continues to disrupt decorum, he may be instructed to leave the meeting on order of the President.

### Article V

#### Rights and Duties of the Commission

RULE 1: ~~In the absence of a quorum during a session of the Commission, the members present may take such measures as they deem necessary to secure the presence of a quorum and may direct the Sheriff of Caddo Parish to compel the attendance of any absent member and may impose such censure or pecuniary penalty, not exceeding \$10.00, as provided in the Louisiana Statutes (R.S. 1227-1235), on a member who, on being called for that purpose shall render no sufficient reason for his absence.~~

RULE 12: When the Commission shall be equally divided on any question, including the President's vote, the question shall be deemed lost.

RULE 23: Sessions of the Commission, Work Sessions, and ad hoc committees shall be open to the public, except when the Commission or committee shall meet in executive session in accordance with State law, at which time all persons not invited by the Commission to remain shall be excluded. The agendas of all Committee meetings shall include an opportunity for interested citizens to be heard on any matter pertaining to the committee's business or jurisdiction.

- RULE 34: Annually in January, the Caddo Parish Commission shall give written public notice of its meetings by resolution showing the dates, times and places of the meetings.
- RULE 45: Election of all officers shall be by electronic voting machine. ~~roll-call voice vote.~~ The passage of all other questions shall be by a voice or hand vote, and shall be by majority of the members constituting a quorum.
- RULE 56: The Parish Administrator shall be appointed by the commission and shall serve at its pleasure. The Administrator shall be appointed solely on the basis of executive and administrative abilities, and compensation shall be fixed by the Commission.
- RULE 67: The Commission shall appoint a Clerk of the Commission who shall serve at the pleasure of the Commission. The Clerk shall give notice of the Commission meetings to its members and the public, keep the journal of its proceedings, be official secretary of the Commission and perform such other duties as are assigned to the position by the Home Rule Charter or by the Commission. The Commission shall, by ordinance, fix the salary of the Clerk.
- RULE 78: At the first regular meeting of a newly elected Commission and annually thereafter, a President and Vice President shall be elected by the Commission from among its members. Said officers shall be elected for a one-year term. No person may serve more than two one consecutive terms as President, ~~Vice President or Parliamentarian.~~ The President shall preside at meetings of the Commission, and in the absence or disqualification of the President, the Vice President shall preside. In the absence or disqualification of both the President and the Vice President, the Commission shall designate one of its other members as temporary presiding officer. The President, Vice President, and temporary presiding officer shall be voting members of the Commission.
- RULE 89: The Commission may elect annually a Parliamentarian. On any question, at the request of the President, the Parliamentarian may advise. If there is any question, any Commission member may call for a Division of the House.
- RULE 94: The Commission shall be guided in parliamentary matters by these rules and by Robert's Rule of Order (Ninth Edition). In case of conflict these rules shall take precedence over Robert's Rules of Order.

#### Article IX

##### General Provisions

- RULE 3: Any of these rules may be changed by a resolution of the Commission, two-thirds vote of a majority of all members, provided previous notice has been given at the prior regular meeting.

#### Article X

##### Work Sessions

- RULE 4: Two Work Session agenda files will be established by the Commission Clerk. Agenda items for each Work Session should be developed from this file. In addition, the Parish Administrator ~~key staff members~~ should advise the Commission Clerk regarding additional items that should be placed on the Work Session agenda. It will also be the responsibility of the Commission Clerk to insure that items referred from the Commission for Work Session action are included on the subsequent agendas. Moreover, the Commission Clerk will be responsible for inclusion of follow-up action to be placed on subsequent agendas.

#### Article XI

##### Procedures Governing Speakers Before the Commission

- ~~RULE 1: Public does not speak at the Work Sessions unless invited by the Commission to make a special presentation.~~
- RULE 12: At the beginning of each meeting, the President shall announce that individuals wishing to be heard will fill out a card which will be presented to the President prior to the presentation of each case and questions. Each card will have blanks for subject matter and case number, as well as name of individual wishing to speak for or against that

subject.

RULE 23: The President shall group all requests to speak according to subject matter. As each topic comes up on the agenda, the President will in turn call upon those who asked to speak on that subject.

RULE 34: Discussion shall be limited to 3 minutes per person, or a total of 15 minutes for all the proponents of an issue, and 15 minutes for all opponents.

RULE 45: The number of people speaking on each side of a subject shall be limited to 5.

RULE 56: The Commission cannot ask any questions during Public Hearings until both sides, proponent and opponent, have completed their presentations.

#### **ZONING HEARINGS:**

RULE 67: The procedures named for Public Hearings in Rules 1-56 above shall also apply to Zoning Hearings.

#### **SPECIAL PRESENTATIONS:**

RULE 78: The time limit for Special Presentations shall be at the discretion of the President.

#### **RECOGNITION OF VISITORS:**

RULE 89: Visitors who desire to address the Commission will be notified by the President at the beginning of the meeting to fill out a card to be presented to the President prior to recognition.

RULE 94: Discussion is limited to 3 minutes per person.

RULE 104: The number of people speaking on a subject will be limited to 5.

RULE 112: Questions may be asked by Commissioners when the subject appears on the agenda. If the subject being discussed does not appear on the agenda for that day, the Commission will place it on the following Work Session agenda if requested by the visitors.

#### Article XII

#### Travel Policy

#### RULE 2: **DAILY EXPENSES**

A. Meals - Meal charges will be reimbursed at the rates established by the Department of Finance applicable to all Parish employees. ~~of \$30.00 per day for in-state travel, and \$40.00 for out-of-state travel. The administrator shall maintain a listing of high-cost cities and determine an appropriate per diem therefor, based upon a national survey of prevailing meal costs. A special per diem of \$80.00, or actual meal costs supported by receipts, whichever is the lesser amount, is hereby set for travel to New York City due to extremely high costs prevailing there.~~ These rates will include tips. No entertainment expenses in excess of the applicable per diem limits will be allowed unless pre-approved by the Commission.

#### RULE 3: **TRANSPORTATION EXPENSES**

##### C. Personal Car

1. Mileage for use of personal automobiles utilized on Parish business is reimbursed at the rate established by the State of Louisiana ~~(currently \$0.24 per mile)~~. Mileage charged shall be measured by direct route to the destination and may include required local driving upon arrival.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened that the Caddo Parish Commission does hereby amend its Rules and By-laws of the Caddo Parish Commission to read as follows, to-wit:

#### Article II

### Order of Business

RULE 1: The business of each regular Caddo Parish Commission meeting shall be as follows, and shall not be departed from except by a majority vote of the members present.

- B. Roll Call
- C. Invocation
- D. Pledge of Allegiance
- E. Approval of the minutes of any preceding meeting and correction of any error that may exist therein.
- F. Special Resolutions
- G. Communiques and Reports
- H. Administration Report
- I. Suspend rules to allow visitors to address the Commission
- J. Public Hearings
- K. Work Session Minutes
- L. Ordinances
- M. Resolutions
- N. Old Business
- O. New Business
- P. Other Business
- Q. Adjourn

RULE 3: During each regular meeting of the Commission, ~~interested citizens shall be afforded the rules shall be suspended to afford~~ an opportunity to be heard ~~at Commission meetings~~ on any subject relating to Parish government, with the exception of zoning matters which shall be confined to the Commission meeting held on the third Thursday of each month.

### Article III

#### Rights and Duties of Members of the Caddo Parish Commission

RULE 3: Voting shall be by electronic voting machine ~~roll call~~ on ordinances ~~or on~~ upon motion of two or more Commissioners, and the ayes and nays shall be recorded in the minutes of the Commission by the individual vote of each of the Commissioners. Not less than a majority of the membership of the commission shall constitute a quorum to transact business, but if a quorum is lost during a meeting, a smaller number may recess from time to time and compel the attendance of absent Commissioners in the manner and subject to the penalties prescribed by Commission rules. To fill any vacancy or vacancies by appointment, and solely for the purpose of filling any vacancy or vacancies by appointment, a majority of the membership of the Commission shall be a majority of the remaining Commissioners. For the purpose(s) of this Rule 3, vacancy(ies) shall mean the death, resignation, removal or forfeiture of office of any Commissioner.

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~~RULE 5: A full roll call vote shall be taken on any question whenever requested by a member. The election of officers shall be by roll call voice vote. No member shall speak during the call of the roll except to request to be excused from voting. Any member desiring to leave the meeting of the Caddo Parish Commission shall notify the President.~~

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**RULE 3: TRANSPORTATION EXPENSES**

- C. Personal Car
2. Mileage for use of personal automobiles utilized on Parish business is reimbursed at the rate established by the State of Louisiana ~~(currently \$0.24 per mile)~~. Mileage charged shall be measured by direct route to the destination and may include required local driving upon arrival.

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

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

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

It was **moved by Mr. Cox**, seconded by Mrs. Baker, *that Resolution No. 30 of 2010, amending the Rules and By-laws of the Caddo Parish Commission, 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 and Smith (11). NAYS: None. ABSTAINING: None. ABSENT: Commissioner Thibodeaux (1).

**NEW BUSINESS**

It was **moved by Mr. Jenkins**, seconded by Mrs. McCulloch, *that Commissioners be authorized to travel to the forthcoming NOBCo Annual Economic Development Conference, to be held in New Orleans, LA, May 13, 2010 to May 16, 2010.* Motion carried.

It was **moved by Ms. Lynch**, seconded by Mr. Dominick, *that the Louisiana Compliance Questionnaire as required by the Legislative Auditor's Office be accepted.* Motion carried.

It was **moved by Mr. Jenkins**, seconded by Mrs. Baker, *that preparation of a special resolution for Dr. Rickey L. J. Moore, Sr., pastor of Sunrise Baptist Church, recipient of 'Outstanding Preacher of the Year Award' presented by the Evangelical Report Religious Publication, be authorized.* Motion carried.

There being no further business to come before the Commission, the meeting was adjourned at 4:05 p.m.

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John Escude  
President

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Jerry C. Spears  
Commission Clerk