

MINUTES OF THE MEETING OF THE  
CADDO PARISH COMMISSION  
HELD ON THE 19<sup>TH</sup> DAY OF AUGUST, 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, Smith and Thibodeaux (12). ABSENT: None.

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

It was **moved by Mr. Dominick**, seconded by Mr. Smith, *that the Minutes of the Regular Meeting held on August 5, 2010, be adopted.* Motion carried

**SPECIAL RESOLUTIONS**

At this time the President Escude asked Mr. Chester T. Kelley and his family to come forward. Commissioner Epperson then read the following resolution:

**RESOLUTION OF RECOGNITION**

to  
**MR. CHESTER T. KELLEY**

**WHEREAS**, it is the desire of the Caddo Parish Commission to always afford appropriate and well-deserved acknowledgment and appreciation to those citizens of this Parish whose lives have been distinguished by egregious community-mindedness and selfless, generous public service; and

**WHEREAS**, Mr. Chester T. "Catfish" Kelley has established himself as an institution in this community as both an accomplished restaurateur/businessman and as a consistently visible and vocal advocate for U.S. military forces and veterans. Owner and operator of Crescent Landing Catfish Restaurant for 25 years, he began in 1997 an annual tradition of serving free catfish dinners to veterans, and in 13 years he served more than 12,000 of those meals; and

**WHEREAS**, as a decorated Air Force officer and pilot himself, Mr. Kelley flew combat missions over Vietnam. As a citizen of this community he has continued to be active in veterans' organizations and to promote veterans' causes and interests. He also utilized his restaurant as the basis for numerous other community and civic causes, in particular providing free fundraisers or "meet the candidate" nights for any candidate seeking political office in his district; and

**WHEREAS**, "Catfish" Kelley also used his restaurant as a fund-raising device for other causes, such as for the purchase of the Martin Luther King statue for the prayer garden of Greenwood Acres Full Gospel Baptist Church; for funding Southwood High School Band's trip to Washington, D.C., and helping send the Red River Children's Choir to perform in Carnegie Hall in New York, among others. The restaurant also provided thousands of dollars annually in gift certificates to various church, civic and charity groups.

**NOW, THEREFORE, BE IT RESOLVED**, by the Caddo Parish Commission, in legal session convened this 19<sup>th</sup> day of August, 2010, that it does hereby declare and proclaim August 20 - 22, 2010, as

**'CHESTER T. KELLEY WEEKEND'**

in Caddo Parish, Louisiana, in earnest recognition and heartfelt appreciation for the many ways in which Mr. Kelley has demonstrated himself as a good citizen, good neighbor and true patriot of this community, state and nation.

**BE IT FURTHER RESOLVED**, that this Commission does urge all citizens of this parish to join in these sentiments and share in the expressions thereof.

It was **moved by Mr. Epperson**, seconded by Mr. Cox, *that the foregoing resolution be adopted.* Motion carried.

Then came Mr. Dock Vorhees, Chief Social Worker, Veterans Administration Hospital in Shreveport. He said that he too wished to make a presentation to Mr. Kelley on behalf of the Overton Brooks VA Medical Center.

Mr. Vorhees read a certificate from the Department of Veterans Affairs directed to Mr. Kelley in appreciation for his years of service as a member of the U.S. Air Force and for his exemplary service to the veterans of the Ark-La-Tex. His generosity and unselfish deeds touched thousands of veterans in the community.

Mr. Kelley came forward and introduced members of his family and friends. He then presented the following statement:

"I would be remiss in not first thanking the people who have helped co-sponsor our event at Crescent Landing through the years. From day-one, the radio stations in west Shreveport, beginning with Bill Frye, who owned Empire Broadcasting, who stepped in and said he would do whatever it took to advertise the event. They sold out to Clear Channel, which continued to support us, along with the prodding of Tom Pace here who was my sales representative at the time. Then when Gap Broadcasting took over, Charlie Thomas continued the tradition of sponsoring the event with me. In addition, about five years ago KMSS TV stepped in and began advertising the event.

As you can imagine, the crowd began developing more and more over time. Over the years my food distributor, CONCO Food Service began providing some of the fish. Doug Moran provided pickled tomatoes; ICEE provided soft drinks, and Santa Maria Produce gave us cole slaw. Walmart and Brookshires chipped in.

Also, I cannot begin to accept this honor without talking about my staff and employees at Crescent Landing who always chipped in—it was our favorite day of the year, I promise you.

This all began probably because I was a Vietnam veteran, and as you know, there were no 'welcome home' celebrations for the people returning from that war. In fact, the anti-war crowd tried to place the responsibility for Vietnam on those who served in Vietnam. I always thought that was an example of sheer ignorance and stupidity, because all it takes is a basic high school civics course to know that those who are called on to serve in the military do not have the option of deciding which is going to be a good war or a bad war. They simply follow the directions of the elected civilian leadership. Thank God that is true; that is one of the very hallmarks of the American way of life—that we have that type of government.

I had also noticed that generally our military veterans are taken for granted. They served, often times under extreme duress in hellish combat, and yet no one ever seemed to say, 'Thank you.' So for some years before I actually started doing this I had wanted to do something to say 'Thank you', and finally 14 years ago I decided to start offering free meals to veterans on Veterans Day. It started as a with us serving about 300 meals that first year, and then over the years it grew until before it was all over we were serving more than 1,500 meals and it became a real celebration.

For me, it was a real irony; when we started, so many veterans said things like, 'No one has ever said thank you before—you are the first.' One of the first gentlemen who came commented that he had been pulled off of the streets in a ticker-tape parade in New York City when he had returned from action in the European Theater after World War II by a family that gave him a free meal to express their gratitude. No one else ever said 'thank you' to that gentleman since, until we did.

There is an irony here: all I ever did was to go from table to table shaking hands and saying, 'Thank you for your service to America.' Over time that became an ever more emotional experience for me, to simply look a veteran in the eye and shake their and say, 'Thank you for your service to this country.' Over time I began to really own the honor I had to do that. The irony was that somehow or another these veterans imputed in me some sort of authority, some sort of leadership, as if I was something more than what I was there.

I was aware of that irony, that misplaced perception of authority. In these occasions where we visited and talked and told stories back and forth, I realized that I was more than just a guy giving a free meal. You would not believe the number of times veterans said to me, 'Mr. Kelly, I have never told another living soul the story that I just told you.'

The reason for that is really understandable: the veteran who has been in combat has experienced things that they do not want to share with their wives and their loved ones. I realized that more often than not, I was placed in the role of therapist or clergyman with them. It was not uncommon for me to sit and hold the hand of a veteran who was crying. I often cried with them. It was certainly not uncommon to laugh as we told good stories about fun times, but there were also the times of tears.

I will not ever forget the time that a gentleman came in and just broke down at the table, crying. I asked his wife to help me understand. She said that he had just come from a ceremony at North DeSoto High School. It was the type of ceremony where one of the ROTC cadets and one of the school beauties would come forward with a rose for veterans of each of the various wars. They went from World War I to World War II, and then to Vietnam and the Gulf War. I said to her, 'But they left out the Korean War, didn't they?' She said, 'Yes. This guy sitting next to me was in the trenches in Korea, and lost not just one or two but dozens, dozens, of his fellow soldiers in battle.'

Can you imagine? We do not even study or make an effort to understand the trauma of what it must have been like for those men, so much of the time in temperatures below freezing, seeing not just thousands, but sometimes tens of thousands of the enemy coming at them all at once.

I could go on and on with stories like this, but I will tell only one more, that of a veteran from World War II who entered the service at the age of 16, and who then was engaged in every battle of the South Pacific. I want you to know that even now, 65 years later, he awakes every night in a cold sweat with post-traumatic stress syndrom. I literally did sit and hold his hand for a long time. In moments such as those you learn to appreciate the sacrifice that these men and women have given for our country.

I return to the irony of this situation: I started the free meal event as a way to say 'thank you' to the veterans, but over time it has turned around. I now cannot go out into public without one or two people stopping me. Often I don't recognize them, but they thank me for the Veterans' Day meal, or for whatever else I might have done for veterans. It started as me thanking them, but now they're thanking me and it has been the most rewarding experience of my life.

So, I accept both of the honors that have been given to me today, not as recognition for me individually, but on behalf of the men and women of the military. Thank you, and God bless America!"

Commissioners in turn individually recounted their associations with Mr. Kelley through the years, and voiced their appreciation for his contributions.

### **COMMUNIQUES AND REPORTS**

Administrator Woodrow Wilson asked Mr. Kerry Kirby, Director of stated that a member of the Administrative Staff, Mr. Kerry Kirby, had recently reached a milestone in his life. He retired from the U.S. Army Reserve after a career of 28 years with the rank of Lieutenant Colonel. He then presented Mr. Kirby a plaque of appreciation for his role in the defense of the nation.

Commissioners in turn expressed their appreciation to Mr. Kirby, who voiced his thanks for the recognition and for the sentiments expressed.

Mr. Wilson then asked Mrs. Erica Bryant, Director of Finance, to come forward. He said that Mrs. Bryant has earned certification as Senior Professional in Human Resources from the HR Certification Institute, which is the credentialing body for human resources professionals. The certification is a very coveted and sought-after distinction, he said, signifying that the recipient possesses the theoretical knowledge and practical experience in human resources management necessary to pass a rigorous examination demonstrating mastery of the field.

Mrs. Bryant thanked Mr. Wilson for his support while she was involved in classes and preparing for the exam.

Mr. Epperson then read a letter of appreciation from a constituent, Mr. Dennis Minor, addressed to Mr. Robert Glass, Public Works Director. Mr. Minor commended Mr. James Cloud, Mr. Michael Foret, Mr. Benny Hays, Mr. Alan Tolliver and Mr. Larry Keller, all members of the Public Works South Camp, for a job well-done in cleaning out a lateral ditch by his home on Shirley Francis Road. This solved a flooding problem Mr. Minor has experienced for years. Mr. Minor said that the professional manner in which they carried out their task makes them a credit to the Parish.

### **PUBLIC HEARING ON ORDINANCES**

At this time the President stated that the Commission would hold a public hearing on ordinances scheduled for final consideration. The Clerk presented the following ordinances:

- Ordinance No. 5003 of 2010, amending the Budget of Estimated Revenues and Expenditures for the Riverboat Fund in the amount of \$25,000 for the Red River Revel, Inc., for the year 2010
- Ordinance No. 5004 of 2010, to authorize the Caddo Parish Administrator to execute an intergovernmental agreement with the Village of Rodessa concerning recreational services
- Ordinance No. 5005 of 2010, proposing an amendment to the Caddo Parish Home Rule Charter for presentation to the electorate, providing for the removal of term limits on Commission terms of office
- Ordinance No. 5006 of 2010, to deem property surplus (heavy equipment and air filters) and to authorize the sale of surplus property
- Ordinance No. 5007 of 2010, to lease a portion of land in Earl Williamson Park for placement of an ice machine to serve park patrons

- ❑ Ordinance No. 5008 of 2010, to deem property surplus and to authorize the sale of surplus property
- ❑ Ordinance No. 5009 of 2010 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 any of the above ordinances.

Mrs. Lola Kendrick, 9446 Blom Boulevard, Shreveport, came forward and stated that she wished to speak in support of Ordinance No. 5005, relative to term limits. She said she has been a member of the Caddo/Bossier League of Women Voters for 30 years, and she served on the state League board for eight years.

Mrs. Kendrick said that she is asking that the Commission allow the question of term limits to go to the voters and let them decide the issue. The League of Women Voters opposes term limits because it already exists in the form of elections every four years. Voters can end the term of any office holder they decide has not done a good job of representing constituents.

Next came Mrs. Susan Bettinger, 3814 Creswell Avenue, Shreveport. She said she is also a member of the League of Women Voters, and she too supports the passage of Ordinance No. 5005.

There being no other speakers, the President declared the public hearing to be concluded and directed the Clerk to present those ordinances for final passage..

**ORDINANCES: (For final passage)**

**ORDINANCE NO. 5003 OF 2010**

BY CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE RIVERBOAT FUND FOR THE YEAR 2010 TO PROVIDE AN APPROPRIATION OF \$25,000 FOR THE RED RIVER REVEL, INC AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Red River Revel, Inc. is a multi-arts festival that provides the general populace a celebration of the arts and is designed to be primarily educational in nature; and

WHEREAS, the Red River Revel is seeking an appropriation from the Commission to offset expenses associated with the production of the Red River Revel Arts Festival; and

WHEREAS, the Red River Revel is being held October 2-9, 2010; and

WHEREAS, it is necessary to amend the 2010 Budget to provide an appropriation in the amount \$25,000 to Red River Revel, Inc; 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 Riverboat Fund for the year 2010 is hereby amended as follows:

<u>Line Item</u>	<u>Budget Increase (Decrease)</u>
Red River Revel	\$ 25,000
Fund Balance	\$ (25,000)

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

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

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

It was **moved by Mr. Linn**, seconded by Mrs. McCulloch, *that Ordinance No. 5003 of 2010, amending the Riverboat Fund Budget in the amount of \$25,000 for the Red River Revel, Inc., for the year 2010, 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. 5004 OF 2010**

BY THE CADDO PARISH COMMISSION:

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

WHEREAS, the Village of Rodessa desires to upgrade its parks and recreational facilities by purchasing new playground equipment in its town square; and

WHEREAS, the Village of Rodessa has requested financial assistance in the amount of \$29,000 for its recreational services to purchase and install new playground equipment; and

WHEREAS, the Department of Parks and Recreation for Caddo Parish has within its 2010 budget funds necessary to assist in the development of community parks; and

WHEREAS, the Parish of Caddo desires to assist the Village of Rodessa by providing funding in an amount not to exceed \$29,000 toward the acquisition and installation of parks and recreation improvements on an reimbursement basis, monthly, as costs are incurred by the Village of Rodessa in the purchase and acquisition of parks and recreation improvements of new playground equipment.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, regular and legal session convened, that the Caddo Parish Commission does hereby authorize an Intergovernmental Agreement between the Parish of Caddo and the Village of Rodessa substantially in accordance with the terms outlined herein.

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

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

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

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

It was **moved by Mr. Dominick**, seconded by Mrs. McCulloch, *that Ordinance No. 5004 of 2010, authorizing the Caddo Parish Administrator to execute an intergovernmental agreement with the Village of Rodessa concerning recreational services, 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.

It was **moved by Mr. Cox**, seconded by Mr. Pierson, *that Ordinance No. 5005 of 2010, proposing an amendment to the Caddo Parish Home Rule Charter for presentation to the electorate, providing for the removal of term limits on Commission terms of office, be adopted.*

Mr. Cox said that as was pointed by the earlier speakers, the intent of this ordinance is to return the question of term limits to the voters and let them decide if they should be in place. Citizens have voted on this idea before, he said, but years have passed and there are now new voters who perhaps have a different perception. Removing term limits does not take away any citizen rights, he said. Instead it gives them the right to vote for whomever they wish in any election.

Mr. Pierson said that he has given this matter much thought and he has determined that term limits is somewhat analogous to an employer who after 12 tells an employee that although he has worked hard and done an excellent job, he must be terminated because his 12 years is up and it is time to get someone new. There is something wrong with that kind of thinking, he said. The people should be the ones who ultimately determine whether their elected officials are doing a good job.

Ms. Lynch said that in 1991 the voters of the Parish overwhelmingly approved an amendment to the Caddo Parish Home Rule Charter approving three four-year terms for members of the Commission. The voters reinforced their preference for term limits in 1999. She said that the framers of the Charter provided that any changes to the Charter should be recommended by a citizens' review committee, assembled every four years. The review committees of 2003 and 2007 did not make such a recommendation, she said, and there is no evidence that a sentiment exists among the voters to repeal term limits.

She said she believes the Commission is a better institution because of term limits, because it realizes that the basis for its existence does not rest upon one or two Commissioners. It survives the departure of Commissioners, whatever the reason for their departure. Term limits has been successful, and it should not be changed, she said.

Mr. Dominick agreed; term limits has served the Parish well, and he sees no reason to place the question back before the people.

Mr. Epperson said that one of the most common complaints he receives from constituents is that elected officials often seem oblivious to the wishes and desires of the public. He said he believes it would be doing a disservice to the voters to arbitrarily select for public review one issue such as term limits, in an effort to circumvent the process.

Mr. Thibodeaux said that initially he generally supported term limits. However, since observing that process at work, he has changed his thinking. He said that through the years he has not observed any decline in quality of elected bodies as a result of the loss of particular members though the expiration of their terms. Term limits does not guarantee a higher-quality individual. The only thing that will guarantee the quality of office holders is for the voters to be educated and concerned about public affairs, and to vote to replace those who are not productive, he said.

The ordinance now before the Commission will not change term limits, he said, and Commissioners are not being asked to revoke term limits. The ordinance will merely provide the voters an opportunity to change the term limit requirement if they so choose. There is no additional cost to place this issue on the ballot because there will be a November election anyway.

Mr. Smith said that he too has been a proponent of term limits, but he has had occasion to give further consideration to the matter and has come to realize the value of having public officials who are familiar with their responsibilities and who know how to accomplish their objectives. There is much for a new elected official to learn, and it requires much time and experience for them to become proficient, he said.

Mr. Smith pointed out that he, like Mr. Thibodeaux, does not plan to be on the Commission long enough to benefit from a repeal of term limits. Even so, he said, he believes the voters should be allowed to decide this question for themselves.

Mrs. McCulloch said that as a third-term Commissioner she would benefit from the repeal of term limits should she not be successful in her quest for a City Council seat in the upcoming election. Having the option to continue serving as a Commissioner would give her the opportunity to utilize the knowledge and experience she has acquired to this point.

Mrs. McCulloch said that at various conferences she has attended she has discussed term limits with attendees from other parts of the state and nation. The indication she receives, she said, is that Caddo Parish is one of the few places in the nation that has term limits.

Mr. Escude said that he too was caught up in the idea of term limits when it arose some 20 years earlier. Now, however, he is able to see its effects, both good and bad. Also, he said, the people who proposed the idea did not impose it upon themselves.

He said that the framers of the U.S. Constitution did not provide for term limits. If they did not consider it worthy of inclusion in the Constitution there were probably very good reasons. The voters are generally very good at ridding themselves of officials who do not measure up, he said. He will suggest to the people of Caddo Parish that they are not intelligent enough to re-visit this issue and to reaffirm it or revoke it.

At this time Mr. Cox's motion failed, as shown by the following roll call vote: AYES: Commissioners McCulloch, Pierson, Baker, Escude, Thibodeaux, Cox and Smith (7). NAYS: Commissioners Dominick, Linn, Jenkins, Lynch and Epperson (5).

ABSTAINING: None. ABSENT: None.

**ORDINANCE NO. 5006 of 2010**

THE CADDO PARISH COMMISSION:

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

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

1. GA-916 2000 Gradall G3WD-E, VIN# 0135388, hours 5,548
2. TK-810 1995 Ford F-700, VIN# 1FDPF70J7SVA77304, mileage 142,376
3. MG-950 1990 Dressor A450E, VIN# G750004N012255, hours 3,459
4. TK-512 1994 Ford Oiler, VIN# 1FDPF70JSVA07527, mileage 8,436
5. TK-507 1991 International 4600 Oiler, VIN# 1HTSAZRN7MH318779, mileage 17,986

WHEREAS, the Parish of Caddo owns the following obsolete air filters that are no longer being used:

- |                        |                        |
|------------------------|------------------------|
| 1. Napa Gold 2039 (4)  | 12. Napa Gold 2133 (1) |
| 2. Napa Gold 2044 (2)  | 13. Napa Gold 2359 (1) |
| 3. Napa Gold 2073 (4)  | 14. Napa Gold 2234 (1) |
| 4. Napa Gold 2093 (3)  | 15. Napa Gold 2236 (2) |
| 5. Napa Gold 2095 (3)  | 16. Napa Gold 2342 (2) |
| 6. Napa Gold 2103 (2)  | 17. Napa Gold 2362 (3) |
| 7. Napa Gold 2116 (1)  | 18. Napa Gold 2286 (4) |
| 8. Napa Gold 2121 (4)  | 19. Napa Gold 2759 (3) |
| 9. Napa Gold 2122 (3)  | 20. Napa Gold 6166 (2) |
| 10. Napa Gold 2124 (2) | 21. Napa Gold 6246 (1) |
| 11. Napa Gold 2126 (1) | 22. Napa Gold 6084 (1) |

WHEREAS, the Parish of Caddo no longer needs the above equipment and said equipment should be deemed surplus, obsolete or unused for present and future parish needs; and

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

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

WHEREAS, the Caddo Parish Commission concurs in the finding that the items described above are surplus and are no longer needed for public purposes.

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

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

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

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

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

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

It was **moved by Ms. Lynch**, seconded by Mrs. Baker, *that Ordinance No. 5006 of 2010, to deem certain Parish property to be surplus (heavy equipment and air filters) and to authorize the sale of same, 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. 5007 OF 2010**

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO LEASE A PORTION OF LAND IN EARL WILLIAMSON PARK FOR PLACEMENT OF AN ICE MACHINE TO SERVE PARK PATRONS, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Parish of Caddo owns Earl Williamson Park; and

WHEREAS, the Parish of Caddo has received a written request from Johnson Brothers Service, Inc. to lease an area of the Old Sheriff's Substation located in Earl Williamson Park large enough to house an 8 x 15 foot building to store and dispense ice for the benefit of park patrons; and

WHEREAS, the lease of said property will be opened for public bid in accordance with the Public Lease Laws of the State of Louisiana; and

NOW, THEREFORE, BE IT ORDAINED by the Caddo Parish Commission in due, regular and legal session convened, that an area of the Old Sheriff's Substation located in Earl Williamson Park will be leased in accordance with the Public Lease Laws of the State of Louisiana.

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. Dominick**, seconded by Mr. Pierson, *that Ordinance No. 5007 of 2010, to lease a portion of land in Earl Williamson Park for placement of an ice machine to serve park patrons, be adopted.*

Mr. Epperson asked Mr. Larry Raymond, Director of Parks and Recreation, if consideration has been given to placement of ice machines at any other high-use parks. Mr. Raymond pointed out that such ventures are precipitated by independent business people. They are interested only in sites they consider a good business choice, and that will be profitable to them. The Parish is always open to any such ventures, he said.

Mr. Dominick's motion then carried, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierson, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

**ORDINANCE NO. 5008 OF 2010**

BY THE CADDO PARISH COMMISSION:

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

WHEREAS, the Parish of Caddo owns certain supplies, materials and equipment itemized on the attached Exhibit "A" that is no longer being used; and

WHEREAS, the Parish of Caddo submits that these items identified on the attached Exhibit "A" are surplus, obsolete or unused for present and future parish needs; and

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

WHEREAS, the Parish of Caddo desires to dispose of, by public auction, the items described in Exhibit "A" attached hereto and made a part hereof, which has been determined to be surplus, obsolete or unused for present and future parish needs; and

WHEREAS, the Caddo Parish Commission concurs in the finding that the items described in the attached Exhibit "A" are surplus and are no longer needed for public purposes.

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

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

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

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

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

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

It was **moved by Mr. Pierson**, seconded by Mr. Linn, *that Ordinance No. 5008 of 2010, declaring various Parish properties to be surplus and to authorize the sale of same, 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. 5009 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 6, Blk F, Pine Grove Addn., a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171403-007-0006)

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

Property No. 2: 1.04 Acres – M/L W 100 feet of Lot 657, Jones-Mabry Subd., Unit 10 less N 150 feet of Lot 657, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA

(GEO #181417-030-0724)

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

Property No. 3: Lot 48, Cooper Heights Subdivision, Unit 2 a subdivision in the City of Shreveport, Caddo Parish, Louisiana per that plat recorded in the conveyance records of Caddo Parish, LA

(GEO #181418-020-0048)

**PURCHASE PRICE: \$503.33 APPRAISED VALUE: \$755.00**

Property No. 4: Lot 10, Lincoln Memorial Sub, Caddo Parish, LA, a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish, LA

(GEO 181421-032-0010)

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

Property 5: Lot 17, Blk 3, Currie Sub., a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO #171402-023-0017)

**PURCHASE PRICE: \$2,666.67 APPRAISED VALUE: \$4,000.00**

Property 6: Lot 5, Blk 33, Morningside Sub., a subdivision located within the City of Shreveport, Caddo Parish, LA, as per that plat recorded in the conveyance records of Caddo Parish, LA

(GEO 171414-050-0005)

**PURCHASE PRICE: \$7,100.00 APPRAISED VALUE: \$2,000.00**

Property 7: Lot 15, Blk 14, West End Sub., a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171402-052-0015)

**PURCHASE PRICE: \$2,334.00 APPRAISED VALUE: \$3,500.00**

Property 8: Lot 12, Blk 9, Mayfair Sub, Caddo Parish, LA, a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish, LA

(GEO 181435-085-0012)

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

Property 9: Lots 12, 13 & 14, Blk S. Forest Glen Sub, a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA

(GEO #171409-013-0054)

**PURCHASE PRICE: \$1,333.34 APPRAISED VALUE: \$2,000.00**

Property No.10: Lot 203 & East 15 feet of Lot 202, Caddo Heights Sub., a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA

(GEO #171413-108-0502)

**PURCHASE PRICE: \$833.19 APPRAISED VALUE: \$2,500.00**

Property No. 11: Lot 6, Page Bayou Sub., Unit 2, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA

(GEO #171426-031-0236)

**PURCHASE PRICE: \$11,101.00 APPRAISED VALUE: \$5,000.00**

Property No. 12: Lot 170, Linwood Sub, a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA (GEO #171423-022-0170)

**PURCHASE PRICE: \$333.34 APPRAISED VALUE: \$500.00**

Property No. 13: Lot 20, Replat of Lots 13 to 19 Incd. Blk 4, Fairfield Place Sub, Caddo Parish, a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA (GEO #171423-033-0020)

**PURCHASE PRICE: \$600.00      APPRAISED VALUE: \$900.00**

Property No. 14: Lot 87, N. Cedar Grove Addn, a subdivision in the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish (GEO #171424-053-0087)

**PURCHASE PRICE: \$3,000.00      APPRAISED VALUE: \$4,500.00**

Property No. 15: Lot 88, N. Cedar Grove Addn, a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish (GEO #171424-053-0088)

**PURCHASE PRICE: \$333.34      APPRAISED VALUE: \$500.00**

Property No. 16: N. 100 ft of Lots 466, 467 & 468, Cedar Grove Sub, a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish (GEO #171425-060-0505)

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

Property No. 17: Lot 25, Blk A, Weiller Sub, Caddo Parish, a subdivision located within the City of Shreveport, as per that plat recorded in the conveyance records of Caddo Parish (GEO 171425-038-0025)

**PURCHASE PRICE: \$7,000.00      APPRAISED VALUE: \$2,500.00**

Property No. 18: Lot 34, Blk A, Washington Terrace Sub, a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA (GEO #171416-054-0034)

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

Property No. 19: Lot 34, Mooretown Sub, a subdivision located within the City of Shreveport, per that plat recorded in the conveyance records of Caddo Parish, LA (GEO 171416-066-0034)

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

Property No. 20: Lot 85 & 86, Coleman College, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA (GEO #171421-026-0093)

**PURCHASE PRICE: \$1,100.00      APPRAISED VALUE: \$1,300.00**

Property No.21: Lot 77, Coleman College Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA (GEO #171421-026-0077)

**PURCHASE PRICE: \$290.00  
APPRAISED VALUE:  
\$435.00**

Property No. 22: Lot 127, Coleman College Subdivision, as per plat recorded in the Conveyance Records of Caddo Parish, LA (GEO 171421-028-0127)

**PURCHASE PRICE: \$298.66      APPRAISED VALUE: \$448.00**

Property No. 23: Lot 130 & 131, Coleman College, a subdivision of Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA (GEO #171421-028-0271)

**PURCHASE PRICE: \$597.33      APPRAISED VALUE: \$896.00**

Property No. 24: Lots 121 & 122, Coleman College Subdivision., a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in the Conveyance Records of Caddo Parish, LA (GEO #171421-028-0274)

**PURCHASE PRICE: \$597.33      APPRAISED VALUE: \$896.00**

It was **moved by Mr. Thibodeaux**, seconded by Mrs. McCulloch, *that Ordinance No. 5009 of 2010, 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. 5010 of 2010, to deem property surplus and authorize the transfer of surplus property owned by the Parish of Caddo to Christian Services Program Institute
- Ordinance No. 5011 of 2010, to deem property surplus and authorize the transfer of surplus property owned by the Parish of Caddo to Robinson's Rescue, Inc

- ❑ Ordinance No. 5012 of 2010, amending and reenacting Chapter 14, Section 14-1004 of the Caddo Parish Code of Ordinances to add the street of Smokemont Lane to the list of stop intersections
- ❑ Ordinance No. 5013 of 2010, to accept the streets in Pleasant Hills Road Estates Unit 2 into the Parish of Caddo System
- ❑ Ordinance No. 5014 of 2010, to accept the streets in Southwind Unit 1 into the Parish of Caddo System
- ❑ Ordinance No. 5015 of 2010, to accept the streets in Fountainbleu Estates Unit 12 into the Parish of Caddo System
- ❑ Ordinance No. 5016 of 2010, to accept the streets in Big Oaks Subdivision into the Parish of Caddo System
- ❑ Ordinance No. 5017 of 2010, to accept the streets in Pelican Pointe Unit 2 into the Parish of Caddo System
- ❑ Ordinance No. 5018 of 2010, to authorize the Parish Administrator to grant on behalf of the Parish of Caddo a permanent right of way and servitude on Parish property located in Colworth Place Subdivision, Unit 2
- ❑ Ordinance No. 5019 of 2010 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

### **RESOLUTIONS**

#### **RESOLUTION NO. 42 OF 2010**

BY THE CADDO PARISH COMMISSION:

A RESOLUTION EXPRESSING THE SUPPORT OF AMENDMENT NO. 2 ON THE NOVEMBER 2, 2010 STATEWIDE ELECTION BALLOT TO INCREASE THE CAP ON SEVERANCE TAX REVENUES, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Louisiana Constitution Art. VI 4 provides that 20% of the total State severance tax on minerals is to be distributed to the parish where the mineral production occurred; and

WHEREAS, however, the Louisiana Constitution currently places a cap on that distribution in the amount of \$850,000 annually, which cap is to increase at the rate of inflation each year; and

WHEREAS, the imposition of that cap has resulted in the distribution to the parishes of barely 3% of severance tax revenues, far below the 20% originally envisioned by the Louisiana Constitution; and

WHEREAS, the Louisiana Legislature, in the 2009 Regular Session, adopted HB 765 which proposes to amend the Louisiana Constitution to increase the cap to \$1,850,000 for fiscal year after adoption and then \$2,850,000, then to increase the cap by the rate of inflation each year thereafter; and

WHEREAS, this increase will bring significant dollars to Caddo Parish to be used for infrastructure, roads, bridges and other purposes, including repairs to facilities necessitated by oil and gas exploration and production activities, at no additional cost to Caddo Parish citizens; and

WHEREAS, the proposal is set as Amendment No. 2 on the November 2, 2010 statewide election ballot.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Caddo Parish Commission does hereby endorse and support the passage of Amendment No. 2 on the November 2, 2010 statewide election ballot.

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

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

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

It was **moved by Mr. Pierson**, seconded by Mrs. Baker, *that Resolution No. 42 of 2010, expressing the support of Amendment No. 2 on the November 2, 2010 Statewide Election Ballot, to increase the cap on severance tax revenues payable to the parishes, 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.

reso 43 **RESOLUTION NO. 43 OF 2010**

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the Parish of Caddo may own certain mineral rights underlying the following described property, to-wit:

Certain tracts of land and tracts of adjudicated property owned by the Caddo Parish Commission, and all that portion of the dedicated highways, roads, streets, alleys and rights-of-way located in Section 17, Township 14 North, Range 16 West, containing 13.71 acres more or less; all of the above described property being located in Caddo Parish, Louisiana and containing a total of 13.71 acres more or less.

WHEREAS, the Parish of Caddo has received a written request from Classic Petroleum Inc., that the Parish seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Parish of Caddo does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Caddo will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Caddo and accepted by lessee is without any warranty of title and without any recourse against the Parish of Caddo whatsoever, either express or implied, and it is expressly agreed that the Parish of Caddo shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

WHEREAS, the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, is available upon the request of Caddo Parish to lease the aforesaid property for oil, gas and other minerals if requested to do so by Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, be and it is hereby requested and authorized to accept nominations and advertise for oil, gas and mineral leases, accept bids and award and execute oil, gas and mineral leases on the aforesaid properties of certain mineral interests owned by the Parish of Caddo.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

BE IT FURTHER RESOLVED that any such lease contain a horizontal pugh provision as follows: Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commission of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of

the leased land embraced in said pooled unit; and this lease shall expire as to that part of the land herein leased not included in such unit; and lessee, its successors and assigns agrees to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commission of Conservation while this lease is in effect.

BE IT FURTHER RESOLVED that any such lease contain a vertical pugh provision as follows: Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such depth determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis.

BE IT FURTHER RESOLVED that any such lease contain a minimum royalty provision as follows: Royalty of not less than 1/4<sup>th</sup> or 25%.

BE IT FURTHER RESOLVED that any such lease contain a minimum bonus provision as follows: Bonus of not less than \$7,000.00 per acre.

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

BE IT FURTHER RESOLVED that any such lease contain a hard or solid mineral exclusion provision as follows: This lease shall exclude free sulphur, potash, lignite, salt and any other hard or solid mineral. Lessee shall not have any rights to explore, drill for, mine, produce or take any action whatsoever in regard to any such hard or solid mineral deposits.

BE IT FURTHER RESOLVED that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

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

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

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

It was **moved by Mr. Smith**, seconded by Mr. Thibodeaux, *that Resolution No. 43 of 2010, to authorize the Caddo Parish Administrator to request and authorize the Louisiana State Mineral and Energy Board and the Office of Mineral Resources to accept nominations and advertise for oil, gas and mineral leases, accept bids, and award and execute oil, gas and mineral leases on certain mineral interests owned by the Parish of Caddo as requested by Classic Petroleum, Inc., 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.

#### RESOLUTION NO. 44 OF 2010

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON

CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF  
CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the Parish of Caddo may own certain mineral rights underlying the following described property, to-wit:

Certain tracts of land and tracts of adjudicated property owned by the Caddo Parish Commission, and all that portion of the dedicated highways, roads, streets, alleys and rights-of-way located in Section 22, Township 17North, Range 15 West, containing 34.53 acres more or less, Section 27, containing 38.11 acres more or less, Section 34 containing 23.38 acres more or less, Section 35 containing 35.01 acres more or less; total of roads being 131.03 acres more or less. Also those certain tracts of land located in Section 34, T17N, R15W, containing 0.39 acres more or less; total land being 0.39 acres more or less. Also those certain tracts of Adjudicated Property located in Section 22, T17N, R15W more specifically described as 2.0 ACS-M/L-THE E. 187.1 FT OF W. 883.65 FT OF S. 465.64 FT OF N. 931.28 FT OF NW/4 OF SEC 22-17-15 Geo# 171522000009200 containing 2.00 acres more or less, A TRACT OF LAND IN SEC 22 (17-15), PER ASSRS COUNTRY PLAT 171515-9-96, Geo# 171515009009600 containing 0.08 acres more or less, Section 27, Township 17N, R15W more specifically described as E/2 Of Lot 67, Broad Acres, Less R/W For T & P Ry, Spur Track, Geo# 171527002019000 containing 4.12 acres more or less, Section 35, T17N, R15W more specifically described as A TR OF LAND OUT OF NE/4 OF NE/4, SEC 35-17-15, Geo# 171535000003100 containing 0.55 acres more or less; total of Adjudicated Property being 6.75 acres more or less; all of the above described property being located in Caddo Parish, Louisiana and containing a total of 138.17 acres more or less.

WHEREAS, the Parish of Caddo has received a written request from Chesapeake Louisiana, L.P., that the Parish seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Parish of Caddo does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Caddo will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Caddo and accepted by lessee is without any warranty of title and without any recourse against the Parish of Caddo whatsoever, either express or implied, and it is expressly agreed that the Parish of Caddo shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

WHEREAS, the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, is available upon the request of Caddo Parish to lease the aforesaid property for oil, gas and other minerals if requested to do so by Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, be and it is hereby requested and authorized to accept nominations and advertise for oil, gas and mineral leases, accept bids and award and execute oil, gas and mineral leases on the aforesaid properties of certain mineral interests owned by the Parish of Caddo.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

It was **moved by Mr. Epperson**, seconded by Mr. Thibodeaux, *that Resolution No. 44 of 2010, to authorize the Caddo Parish Administrator to request and authorize the Louisiana State Mineral and Energy Board and the Office of Mineral Resources to accept nominations and advertise for oil, gas and mineral leases, accept bids, and award and execute oil, gas and mineral leases on certain mineral interests owned by the Parish of Caddo as requested by Chesapeake Louisiana LP, be adopted. That motion carried*, as shown by the following roll call vote: AYES: Commissioners Baker, Cox, Dominick, Epperson, Escude, Jenkins, Linn, Lynch, McCulloch, Pierons, Smith and Thibodeaux (12). NAYS: None. ABSTAINING: None. ABSENT: None.

**RESOLUTION NO. 45 OF 2010**

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the Parish of Caddo may own certain mineral rights underlying the following described property, to-wit:

Certain tracts of land and tracts of adjudicated property owned by the Caddo Parish Commission, and all that portion of the dedicated highways, roads, streets, alleys and rights-of-way located in Section 16, Township 17 North, Range 15 West, containing 3.7576 acres more or less, Section 17 containing 3.7576 acres more or less; total of roads being 7.5152 acres more or less; Also those certain tracts of Adjudicated Property located in Section 16, T17N, R15W more specifically described as Lot B, Partition of Lot 2, Dawson Partition, Geo# 171516002000200 containing 1.20 acres more or less; total of Adjudicated Property being 1.20 acres more or less; all of the above described property being located in Caddo Parish, Louisiana and containing a total of 8.7152 acres more or less.

WHEREAS, the Parish of Caddo has received a written request from Red River Land Services, LLC., that the Parish seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Parish of Caddo does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Caddo will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Caddo and accepted by lessee is without any warranty of title and without any recourse against the Parish of Caddo whatsoever, either express or implied, and it is expressly agreed that the Parish of Caddo shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

WHEREAS, the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, is available upon the request of Caddo Parish to lease the aforesaid property for oil, gas and other minerals if requested to do so by Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, be and it is hereby requested and authorized to accept nominations and advertise for oil, gas and mineral leases, accept bids and award and execute oil, gas and mineral leases on the aforesaid properties of certain mineral interests owned by the Parish of Caddo.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

BE IT FURTHER RESOLVED that any such lease contain a horizontal pugh provision as follows: Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commission of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in said pooled unit; and this lease shall expire as to that part of the land herein leased not included in such unit; and lessee, its successors and assigns agrees to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commission of Conservation while this lease is in effect.

BE IT FURTHER RESOLVED that any such lease contain a vertical pugh provision as follows: Upon the expiration of the primary term hereof or any extension thereof by operations, this

lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such depth determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis.

BE IT FURTHER RESOLVED that any such lease contain a minimum royalty provision as follows: Royalty of not less than 1/4<sup>th</sup> or 25%.

BE IT FURTHER RESOLVED that any such lease contain a minimum bonus provision as follows: Bonus of not less than \$7,000.00 per acre.

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

BE IT FURTHER RESOLVED that any such lease contain a hard or solid mineral exclusion provision as follows: This lease shall exclude free sulphur, potash, lignite, salt and any other hard or solid mineral. Lessee shall not have any rights to explore, drill for, mine, produce or take any action whatsoever in regard to any such hard or solid mineral deposits.

BE IT FURTHER RESOLVED that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

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

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

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

It was **moved by Resolution No. 45 of 2010**, to authorize the Caddo Parish Administrator to request and authorize the Louisiana State Mineral and Energy Board and the Office of Mineral Resources to accept nominations and advertise for oil, gas and mineral leases, accept bids, and award and execute oil, gas and mineral leases on certain mineral interests owned by the Parish of Caddo as requested by Red River Land Services, LLC, 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 Mrs. McCulloch**, seconded by Mr. Dominick, *that Mr. Keenan W. Borland be reappointed to Caddo Parish Sewerage District No. 2, effective immediately, term to expire August 11, 2014.* Motion carried.

It was **moved by Mrs. McCulloch**, seconded by Mr. Dominick, *that Mr. Lonzo Stewart be reappointed to Caddo Parish Lakeview Waterworks District, effective immediately, term to expire March 17, 2015.* Motion carried.

There being no further business to come before the Commission, the meeting was adjourned at 4:40 p.m.

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John Escude  
President

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Jerry C. Spears  
Commission Clerk