

A G E N D A

REGULAR MEETING
THURSDAY, AUGUST 20, 2009
5:30 P.M.

1. Call to order by President McMillin.
2. Invocation. (Dr. Mackey)
3. Pledge of Allegiance.
4. Roll Call.
5. Presentation of a plaque to Mrs. Sylvia Stelly, Executive Director of *La Familia Resource Center*, in recognition of the Center's Grand Opening. (Mr. Syas)
6. Receive update from Ms. Angela Jouett, Coordinator of the Calcasieu Parish Medical Reserve Corps, on the Corps' operations and ongoing efforts.
7. Receive report on the highlights of the recent annual Conference of the National Association of Counties (NACo). (Mr. Syas)
8. Take appropriate action on applications for liquor and beer permits. (Mr. Vickers) (No action required due to the fact that no applications have been submitted.)
9. Consideration of approval of the minutes of the Regular Meeting of the Police Jury dated July 22, 2009.
10. Take appropriate action on RZ03-010-09 which is a request by Duane and Kelly Gifford to rezone from I-2 (Heavy Industrial) to R-MHP (Manufactured Home Park) to allow a recreational vehicle park (22 spaces). (8626 Big Lake Road in Ward Three, Police Jury District 8, Mr. Brame)

[The Planning and Zoning Board met on Tuesday, August 18, 2009, and voted unanimously to recommend that the request be granted with the following stipulations: 1) that the development adhere to the site plan on file with the Division of Planning and Development; 2) that security lighting must be installed prior to permit issuance; 3) that the proposed pads and driveways be hard surfaced; 4) that the existing trees and shrubbery be preserved; and 5) that a landscaping plan must be submitted and approved by the Division of Planning and Development. That trees and shrubbery must be installed every 50 feet along the north property line within 60 days of zoning approval.]

11. Take appropriate action on RZ01-009-09 which is a request by Hunter Lundy to rezone from R-2 (Mixed Residential) to R-M (Multi-Family Residential) to allow multi-family residential development (5 duplexes). (Armistead Road in Ward One, Police Jury District 1, Mr. Spell)

[The Planning and Zoning Board met on Tuesday, August 18, 2009, and voted unanimously to recommend that the request be granted with the following stipulations: 1) that the development adhere to the site plan on file with the Division of Planning and Development; 2) that the duplexes must have a brick or stucco façade; 3) that a 6' wood privacy fence must be installed along the north property line upon completion of the first duplex; 4) that a 6' wood privacy fence must be installed around the dumpster upon completion of the first duplex; 5) that the driveway and parking must be hard surfaced; and 6) that all drainage must flow to the green space shown on the site plan.]

12. Take appropriate action on RZ01-008-09 which is a request by Kenneth Howard Nichols to rezone from A-1 (Agricultural) to R-M (Multi-Family Residential) to allow multi-family residential development (12 duplexes). (Mohawk Drive in Ward One, Police Jury District 1, Mr. Spell)

AGENDA NOTE: *the Planning and Zoning Board met on Tuesday, June 16, 2009, and deferred action for sixty (60) days to allow the petitioner additional time to meet with the residents to further explain the proposed development.*

[No action necessary; case was withdrawn prior to the meeting of the Planning and Zoning Board.]

13. Consideration of adopting an ordinance amending Ordinance No. 3416, which was adopted by the Police Jury on April 15, 1993, relative to Zoning Case RZ07-014-93, to delete the following stipulations contained in said ordinance: (1) the owners shall agree to pay 75% of the cost to improve Toomey Road, and the Parish shall pay 25% of the cost, in accordance with written agreement to be executed between the owners and the President of the Police Jury, and if no agreement is reached, then this ordinance shall be declared null and void, (2) the applicants shall be required to install a ten-foot privacy fence along the north, south, and west sides of property owned by Mr. Jimmy Wilson, and (3) no running 18-wheelers shall be parked within 100 feet of the south line of property owned by Mr. Jimmy Wilson.

AGENDA NOTE: on April 15, 1993, the Police Jury adopted Ordinance No. 3416, which rezoned property at the intersection of Old Highway 90 and Toomey Road in Ward Seven (RZ07-014-93) from A-1 (Agricultural) and C-3 (Central Business Commercial) to C-3 (Central Business Commercial) to allow a truck stop, motel, and business complex, but the property was never developed. The Division of Planning and Development recommends that the property remain zoned C-3 but that the stipulations be deleted since they are no longer applicable.

14. Consideration of adopting an ordinance amending Ordinance No. 5320, which allowed Mr. Robert Celestine to purchase the following described adjudicated property for \$1,800.00: AP03-404-07, E 70 F Lot 16 Blk 1 Schindler Place (from Lorena Pradis Ambrose); Assessment No. 546615; NW Corner of Libby and Fournet Streets—vacant lot in Ward Three, Lake Charles, Louisiana, to extend the deadline for completion of the sale. (Police Jury District 3, Mrs. Griffin)

AGENDA NOTE: Mr. Robert Celestine has been unable to complete the necessary requirements in the designated time period. It is the recommendation of the Director of the Division of Planning and Development to extend the deadline for the completion of the sale of the above described property for 120 days.

15. Consideration of adopting an ordinance rescinding Condemnation Ordinance No. 3876 adopted by the Police Jury on May 1, 1997, which ordered demolition of the building or structure located at 6032 Bennie Lane, more particularly described as: Lot 96 and the south half of Lot 97 of Brigas Acres Subdivision Part III, in Ward Three of Calcasieu Parish, Louisiana, and owned by Eric B. Webb and Dora L. Lavern Webb.

AGENDA NOTE: the referenced structure was demolished and the site cleaned; therefore, the owner is in compliance.

16. Consideration of adopting an ordinance amending Chapter 22 of the Code of Ordinances of Calcasieu Parish, Louisiana, relative to provisions regulating storm water drainage and sewers in order to modify/align the existing storm water ordinance with other existing Parish ordinances.

17. Consideration of adopting a resolution authorizing the Division of Planning and Development to submit an application for 319 grant funding to the Louisiana Department of Environmental Quality (LDEQ) for enhancement of the parishwide individual wastewater systems inspection program, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

18. Consideration of adopting a resolution indicating objection/no objection to the following proposed projects in Calcasieu Parish, Louisiana, provided said work meets with the rules and regulations of the Corps of Engineers, Best Management Practices during the course of construction set forth by the Environmental Protection Agency guidelines, and approvals are received from all other appropriate state and federal agencies, and further, that any required permits are obtained from the Division of Planning and Development:

(18.1) Proposal of Citgo Petroleum Corporation to construct a 3,261 linear feet of earthen containment levee around an existing spoil area to prevent encroachment of deposited material into adjacent wetlands. Once completed, the spoil area will be continually utilized to store sediment removed from a clarifier located within the nearby refinery complex. Said project is located approximately 1,500 feet south of the intersection of State Highway 108 and State Highway 1133. The Planning Staff recommends that the Police Jury indicate no objection to this project application.

(18.2) Proposal of Tony Palermo to clear and grade an 18-acre tract, install utility lines, dredge to support and construct drainage facilities, and place approximately 5,300 cubic yards of on-site dredged material and approximately 37,300 cubic yards of hauled-in earthen fill for roads, homesites, and driveways, all to support construction of a 52-lot single family residential subdivision. Said project is located in Section 2, Township 10 South, Range 10 West, in Sulphur. The Planning Staff recommends that the Police Jury indicate no objection to this project application.

AGENDA NOTE: any resolution of no objection to any project, if adopted, will stipulate that such “no objection” is based solely on evaluation by the Parish Planning and Development Staff relative to the project’s compliance with current parish ordinances and provisions, and that no environmental assessment was made, and further, requesting the agencies and/or individuals with environmental expertise to make an evaluation and forward their findings to the U. S. Corps of Engineers.

19. Consideration of adopting a resolution to amend a resolution previously adopted by the Police Jury on June 18, 2009, to change the term of a Joint Services Agreement, between the Police Jury, as governing authority of Ward Three Fire Protection District No. Two, and the City of Lake Charles, for the City to administer and manage fire protection services within the District through the Lake Charles Fire Department, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

AGENDA NOTE: on June 18, 2009, the Police Jury adopted a resolution approving the renewal for a term of eight (8) years. Subsequent to this approval, both parties have since agreed to a primary term of four (4) years and a renewal option for an additional four (4) years.

20. Consideration of adopting a resolution approving the renewal of a Joint Services Agreement between the Police Jury and Dr. Terry Welke, Parish Coroner, which outlines the duties and responsibilities of the Coroner and the Police Jury in the operation of the Calcasieu Parish Coroner’s Office and Forensic Facility for the current term of the Parish Coroner (2008-2011), and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto.

21. Consideration of adopting a resolution approving all documents between the Police Jury and the State of Louisiana, Department of the Treasury, on behalf of the following special service districts, Act 122 Line Item Appropriations, and further, authorizing the President of the Police Jury, or his designee, when appropriate, to execute all documents related thereto:

- Community Center and Playground District No. Four of Ward One - \$25,000 – center for the elderly;
- Waterworks District No. One of Ward One - \$20,000 – replace the metal roof on office building; and
- Gravity Drainage District No. Eight of Ward One - \$60,000 – purchase of equipment

22. Consideration of adopting a resolution approving the request of the Board of Commissioners of Waterworks District No. Fourteen of Ward Five (Starks) and fixing a per diem to be paid to each commissioner in the amount of \$60.00 for each meeting attended, in accordance with LSA—R.S. 33:3819A.

23. Take appropriate action on a request from the Board of Commissioners of Waterworks District No. Eight of Wards Three and Eight (LeBleu Settlement) for the Police Jury to authorize the Treasurer of said District to pay the commissioners a per diem not to exceed \$100.00 for attending meetings of the board, in accordance with Act No. 470 of the 2009 Regular Session of the Louisiana Legislature.

AGENDA NOTE: the provisions of Act No. 470 are applicable only to the Board of Commissioners of Waterworks District No. Eight of Wards Three and Eight.

24. Consideration of adopting a resolution approving a Memorandum of Understanding between the Calcasieu Parish Consortium Workforce Investment Board (WIB) and the WIA Required One-Stop Partners (Calcasieu Workforce Center, Louisiana Workforce

Commission Office of Workforce Development, Calcasieu Parish Office of Community Services, Louisiana Rehabilitation Services Vocational Rehabilitation Programs, Housing Authority of the City of Lake Charles Department of HUD, Literacy Council of Southwest Louisiana, Inc., Sowela Technical Community College, Experience Works Title V Older Worker Program, and Louisiana Army National Guard) concerning the operations of the workforce development system, which provides for provisions covering core and other services, provisions for funding of the services and operation costs, and methods for referring individuals, and further, authorizing the President of the Police Jury, or his designee, when appropriate to execute all documents related thereto.

25. Consideration of authorizing the Parish Administrator to advertise for bids for Prien Lake Park Improvements, 1-D (Storage Building, Dumpster Enclosures, and Drinking Fountains).
26. Consideration of declaring as surplus one (1) 1992 Gradall G3WD excavator, Asset #010998, and one (1) 1993 Gradall 660E excavator, Asset #011107, formerly used by the Division of Engineering & Public Works, to be sold as a trade-in, or through the E-Gov Auction, Parish Auction or private sale.
27. Consideration of going into executive session to discuss Lawsuit No. 2002-5191 (Edwards vs. Police Jury).

EMERGENCY ITEMS
REGULAR MEETING –AUGUST 20, 2009

The following item(s) were received after the agenda was faxed out on August 14, 2009, and each will require a unanimous vote of those present to suspend the rules to allow for consideration by the Police Jury, said vote occurring after an opportunity is given for public comment on the question of suspension of the rules:

Item No. One:

Take appropriate action to fill a vacancy on the Workforce Investment Board to represent the private sector in Calcasieu Parish as nominated by the Southwest Louisiana Economic Development Alliance. (Mrs. Griffin and Dr. Mackey are the liaisons. Correspondence was received from the Southwest Economic Development Alliance recommending that Ms. Tobie Hodgkins be appointed to fill this vacancy.)

AGENDA NOTE: on June 18, 2009, the Police Jury appointed Ms. Nancy Kelley, as per the nomination of the Alliance, but the State has determined that the appointment did not meet the State criteria.

Item No. Two:

Consideration of adopting a resolution of condolences to the family of Mr. Carl Hanchey.