

TO: Lincoln Parish Police Jury

FROM: Finance Committee

SUBJECT: Committee Report

The Finance Committee of the Lincoln Parish Police Jury met in the Police Jury Meeting Room, Third Floor, Lincoln Parish Courthouse, Tuesday, October 14, 2008 at 5:30 p.m. Present were: Jody Backus, Chair; Roy Glover, Skip Russell, Joe Henderson and Mickey Mays.

ABSENT: None

Chair Jody Backus called the meeting to order and Bobby Gray gave the Invocation.

Joe Henderson made a motion, seconded by Mickey Mays to approve the Agenda. The motion carried with the following votes:

YEAS: Backus, Glover, Russell, Henderson, and Mays

NAYS: None

ABSENT: None

Skip Russell made a motion, seconded by Mickey Mays, to increase pay by 2.5% plus twenty cents (\$0.20) an hour for all Police Jury employees. The motion carried with the following votes:

YEAS: Glover, Backus, Russell, Henderson, and Mays

NAYS: None

ABSENT: None

Next on the Agenda was to consider the General Fund Requests for 2009. Jody Backus made a motion, seconded by Mickey Mays, to reduce the Budget Request for the Coordinating and Development Corporation to \$1,000.00. The motion carried with the following votes:

YEAS: Glover, Backus, Russell, Henderson, and Mays

NAYS: None

ABSENT: None

Mickey Mays made a motion, seconded by Jody Backus, to recommend amending the Ordinance 280-06-(8) exempting certain machinery and equipment from sales tax to extend the exemption to December 31, 2009. The motion carried with the following votes:

YEAS: Glover, Backus, Russell, Henderson, and Mays

NAYS: None

ABSENT: None

After a review of the expenditure report, and there being no other business to discuss the meeting was adjourned.

Dennis E. Woodward
Parish Administrator/Engineer

Jody Backus
Chair

TO: Lincoln Parish Police Jury
FROM: Public Property & Buildings Committee
SUBJECT: Committee Report

The Public Property & Buildings Committee of the Lincoln Parish Police Jury met in the Police Jury Meeting Room, Third Floor, Lincoln Parish Courthouse, Tuesday, October 14, 2008 at 6:30 p.m. Present were: Roy Glover, Chair; Hazel Hunter, Jody Backus, Sharyon Mayfield, Annie Brown, and Mickey Mays.

Absent: None

Chair Roy Glover called the meeting to order and gave the invocation.

Sharyon Mayfield offered a motion, seconded by Hazel Hunter, to approve the agenda. The motion passed with the following votes:

YEAS: Hunter, Glover, Backus, Mayfield, Brown, and Mays

NAYS: None

ABSENT: None

Mike Walpole was present to review the space needs report. Mickey Mays made a motion, seconded by Sharyon Mayfield, to accept the report. The motion carried with the following votes:

YEAS: Hunter, Glover, Backus, Mayfield, Brown, and Mays

NAYS: None

ABSENT: None

Next on the agenda was to consider a request from the Sherriff's Office. The Sherriff's Office is requesting to use a corner of the bay area of the ground floor of the Courthouse to affix a set of lockers to store and secure items used by the Special Response Team. Annie Brown made a motion, seconded by Hazel Hunter, to allow the Sherriff's Office to use this space on the east wall of the bay area. The motion carried with the following votes:

YEAS: Hunter, Glover, Backus, Mayfield, Brown, and Mays

NAYS: None

ABSENT: None

There being no other business to come before the committee, the meeting was adjourned.

Dennis E. Woodward
Parish Administrator/Engineer

Roy Glover
Chair

The Lincoln Parish Police Jury met in regular session on Tuesday, October 14, 2008, at 7:00 p.m., at its regular meeting place in the Courthouse, Ruston, Louisiana. Present were: Theresa Moore Wyatt, District One; Hazel D. Hunter, District Two; Bobby Bennett, District Three; Mike Franklin, District Four; David Hammons, District Five; Roy Glover, District Six; Jody Backus, District Seven; R. G. "Skip" Russell, District Eight; Joe Henderson, District Nine; Annie Brown, District Ten; Sharyon Mayfield, District Eleven and R. D. "Mickey" Mays, District Twelve.

ABSENT: None

President Mickey Mays called the meeting to order and Sharyon Mayfield delivered the invocation.

Hazel Hunter made a motion, seconded by Annie Brown, to approve the agenda. The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus, Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Skip Russell made a motion, seconded by Sharyon Mayfield, to approve the minutes of the September 9, 2008 meeting. The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus, Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Theresa Wyatt made a motion, seconded by Hazel Hunter, to approve the minutes of the September 15, 2008 meeting. The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus, Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Bobby Bennett made a motion, seconded by Mike Franklin, to approve the 2009 Annual Plan for Section 8 Housing. The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus, Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

RESOLUTION NO. 2008-48

BE IT HERBY RESOLVED that the Lincoln Parish Police Jury approved the final Annual Plan (2009) for the Section 8 Housing Program.

Signature /s/ Mickey Mays

Date 10/14/08

Annie Brown made a motion, seconded by Skip Russell, to re-appoint Jack Allen to Waterworks District No. 3.

RESOLUTION 2008-49

BE IT RESOLVED by the Police Jury of Lincoln Parish,
Louisiana, convened in Regular Session this
14th day of October, 2008 that

JACK ALLEN

Is hereby and herewith reappointed, COMMISSIONER

WATERWORKS DISTRICT NO. 3

Lincoln Parish, Louisiana,

For the term of September 9, 2008- September 9, 2013

Signed and Sealed this 14th day of October, 2008

LINCOLN PARISH POLICE JURY

/s/ Mickey Mays
PRESIDENT

/s/ Dennis E. Woodward
PARISH ADMINISTRATOR

The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Skip Russell made a motion, seconded by David Hammons, to approve the resolution for the Off System Bridge Program Annual Inspection Certification.

RESOLUTION NO. 2008-50

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of Lincoln Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Lincoln Parish.

THEREFORE, BE IT RESOLVED by the governing authority of Lincoln Parish (herein referred to as the Parish) that the Parish in regular meeting assembled does hereby

certify to the Louisiana Department of Transportation and Development (herein referred to the DOTD) that for the period 1 October, 2007 through 30 September, 2008:

1. The Parish has performed all interim inspections on Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. Bridges owned or maintained by the Parish have been structurally analyzed and rated as to the safe load capacity in accordance with AASPHTO Manual for Maintenance Inspection of Bridges. The load information that has been determined by the LA DOTD for all bridges where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.
3. Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8 All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.
4. Bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the La. DOTD are noted. These stipulations are prerequisites to participation by the Parish in the Off-System Bridge Replacement Program.

The resolution was considered section by section and as a whole and upon motion of Skip Russell, being seconded by David Hammons, was unanimously adopted by the following votes on this the 14th day of October 2008.

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

I, DENNIS E. WOODWARD, Parish Administrator, Lincoln Parish Police Jury, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Police Jury of Lincoln Parish, Louisiana, convened in regular session on the 14th day of October, 2008 at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL Signature and Seal of Office this 14th day of October, 2008.

/s/ Dennis E. Woodward
DENNIS E. WOODWARD
ADMINISTRATOR/ENGINEER
LINCOLN PARISH POLICE JURY

Annie Brown made a motion, seconded by Sharyon Mayfield, to approve the Rural Public Transit Operating And/Or Assistance Resolution for Humanitarian Enterprises of Lincoln Parish.

RESOLUTION NO. 2008-51

Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under 49 CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5209, Discretionary Program.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of the Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Police Jury of Lincoln Parish, Louisiana, convened in regular session this 14th day of October, 2008:

1. That the President is authorized to execute and file an application on behalf of Lincoln Parish with the Louisiana Department of Transportation and Development, to aid in the financing of operating and/or capital assistance projects pursuant to the rural Public Transit Program, 49 CFR 5311 and/or the Discretionary Capital Program, 49 CFR 5309.
2. That the President is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposed of Title VI of the Civil Rights Act of 1964, as amended.
3. That the President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.
4. That the President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the President is authorized to execute grant contract agreements on behalf of the Lincoln Parish Police Jury with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. This resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

/s/ Dennis E. Woodward
DENNIS E. WOODWARD, P.E.
ADMINISTRATOR/ENGINEER
LINCOLN PARISH POLICE JURY

/s/ Mickey Mays
Mickey Mays
PRESIDENT
LINCOLN PARISH POLICE JURY

The motion carried with the following vote:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Mike Franklin made a motion, seconded by Bobby Bennett, to authorize advertisement for bids for asphaltic concrete pavement mixture, unleaded gasoline, diesel fuel, gravel materials, culvert materials, and cold mix asphalt. The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

David Hammons made a motion, seconded by Annie Brown, to declare the 1997 Ford F-150 Pickup and Kubota L2050 Tractor, both used by Lincoln Parish Park, as surplus property. The motion carried with the following votes:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Theresa Wyatt stated that the Solid Waste and Recycling Committee met on October 13, 2008, at 4:00 pm and the Committee recommends:

1. Approving the letter seeking clarification of the Police Jury's financial obligations for the sanitary landfill to LDEQ with the changes recommended by the Parish Attorney.

Hazel Hunter made a motion, seconded by Sharyon Mayfield, to approve the minutes of the Solid Waste and Recycling Committee. The motion carried with the following vote:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Jody Backus stated that the Finance Committee met this day at 5:30 pm, and the Committee recommends:

1. Increasing pay for all Police Jury employees by 2.5% plus twenty cents (\$0.20) an hour.
2. Reduce the Budget Request for the Coordinating and Development Corporation to \$1,000.00.
3. Amending the Ordinance exempting certain machinery and equipment from sales tax extending the time until December 31, 2009.

Jody Backus made a motion, seconded by Sharyon Mayfield, to approve the minutes of the Finance Committee. The motion carried with the following vote:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,

Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Jody Backus made a motion, seconded by Skip Russell, to amend the Ordinance exempting certain machinery and equipment from sales tax.

ORDINANCE NO. 301-08-(9)

AN ORDINANCE AMENDING SECTION 14-77 OF THE CODE OF ORDINANCES OF LINCOLN PARISH, LOUISIANA RELATING TO THE IMPOSITION OF TAXES UPON THE SALE AT RETAIL, THE USE, THE LEASE OR RENTAL, THE CONSUMPTION, AND STORAGE FOR USE OR CONSUMPTION OF TANGIBLE PERSONAL PROPERTY; TO PROVIDE A TEMPORARY EXEMPTION FROM SUCH TAXES FOR CERTAIN MACHINERY AND EQUIPMENT, TO PROVIDE AN EFFECTIVE DATE FOR SAID ORDINANCE; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

WHEREAS, the Lincoln Parish Police Jury finds it to be in the public interest to temporarily exclude from sales and use taxes levied by the Lincoln Parish Police Jury certain equipment and machinery used in manufacturing; and

WHEREAS, such an exclusion from sales and use taxes is consistent with the provisions of Act 1 of the First Extraordinary Session of the 2004 Louisiana Legislature.

NOW, THEREFORE, BE IT ORDAINED, by the Lincoln Parish Police Jury meeting in regular session that:

SECTION 1

Section 14-77 of the Code of Ordinances of Lincoln Parish, Louisiana is hereby amended by adding Paragraph (22) to read as follows:

Section 14-77. Exempt Tangible Personal Property

The taxes imposed by this article shall not apply to transactions involving the following tangible personal property:

(22)(a) The sale, use, lease or rental of machinery and equipment purchased, used, leased or rented by a manufacturer for use in a plant facility predominantly and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Lincoln Parish, Louisiana.

(b) For purposes of this paragraph, “machinery and equipment”, “manufacturer”, “manufacturing”, “plant facility” and “used directly” shall have the same meaning as defined in R.S. 47:301 (3)(i)(ii).

SECTION 2

It is the intent of this Ordinance that there shall be excluded from sales and use taxes levied by the Police Jury of Lincoln Parish, Louisiana pursuant to the Sales and Use Tax For Solid Waste Management (Section 14-32, et seq.) adopted on November 11, 1974 and the Sales And Use Tax For Detention Center Maintenance (Section 14-236, et seq.) adopted on October 26, 1982, the sale, use, lease or rental of machinery and

equipment purchased, used, leased or rented by a manufacturer for use in a plant facility predominantly and directly in the actual manufacturing process of an item of tangible personal property, which is for the ultimate sale to another and not for internal use, at one or more fixed locations within Lincoln Parish, Louisiana. The exemption or exclusion described herein is being adopted and granted pursuant to the provisions of LSA-R.S. 47:337.10 I.

SECTION 3

The effective date of this Ordinance shall be July 1, 2008 and it shall remain in full force and effect until December 31, 2009 when said Ordinance shall automatically terminate and the provisions thereof no longer have any force or effect.

SECTION 4

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the Lincoln Parish Police Jury without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To that end, the provisions of this Ordinance are hereby declared severable.

SECTION 5

All other ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed.

This above and foregoing Ordinance was introduced by Jody Backus who moved its adoption. The motion was seconded by Skip Russell and after having been considered by sections, was adopted by sections and as a whole by the following YEA and NAY vote:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

WEREUPON, the Ordinance was declared duly adopted this 14th day of October, 2008.

/s/ Dennis E. Woodward
DENNIS E. WOODWARD
PARISH ADMINISTRATOR
LINCOLN PARISH POLICE JURY

Roy Glover stated that the Public Property and Buildings Committee met this day at 6:30 pm, and the Committee recommends:

1. Accepting the Space Needs Report given by Mike Walpole.
2. Allow the Sherriff's Office use of a corner of the bay area of the ground floor to affix a set of lockers to store and secure items used by the Special Response Team.

David Hammons made a motion, seconded by Annie Brown, to approve the minutes of the Public Property and Building Committee. The motion carried with the

following vote:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Under other business, James Ramsaur was present to request permission to travel to the TMBRA Meeting. Theresa Wyatt made a motion, seconded by Joe Henderson, to allow travel. The motion carried with the following vote:

YEAS: Wyatt, Hunter, Bennett, Franklin Hammons, Glover, Backus,
Russell, Henderson, Brown, Mayfield, and Mays

NAYS: None

ABSENT: None

Angela Manning was present to give a report on the High School Rodeo. She stated that there were 650 entries for the three day event. She also noted that all but two weekends have been booked through the end of the year.

There being no other business to come before the Police Jury, the meeting was adjourned.

Dennis E. Woodward
Parish Administrator/Engineer

R. D. "Mickey" Mays
President