

November 17, 2021

On Wednesday November 17, 2021, at 9:00 a.m., the Police Jury of Sabine Parish, State of Louisiana met in open and regular session.

AGENDA

1. Call to Order
2. Roll Call
3. Prayer
4. Pledge of Allegiance
5. Amend the Agenda
6. Adopt the Agenda
7. Public Comments
8. Accept the Minutes of the Previous Special Called Meeting Held November 3, 2021
9. Planning Commission
10. Fenstermaker Engineers- Presentation of Professional Capabilities
11. Consider Activation of the Sabine Parish Ambulance Board
12. Approve Contract for Title V Permit Modification Assistance
13. Approve Contract for Air Compliance Assistance
14. Adopt Resolution to Lease D5 17VP Dozer
15. Set Date and Time for Public Hearing on Proposed Budget for Fiscal Year Ended December 31, 2022
16. Discuss Progress on Obtaining a Tractor for the Ditching Machine
17. Discuss Enforcement of Ordinance for Utility Permitting
18. Discuss Removal of a Dead Tree in the Parish Right-of-Way
- 18a. Consider an Ordinance to Authorize an Act of Sale by the Parish of Sabine to Sell Certain Adjudicated Properties (Parcels 8011010600, 80760000100, & 807601353) by Public Auction: and, Further Providing with Respect Thereto.
- 18b. Discuss and Consider Approval of a Handicapped Driveway
19. Capital Improvement Program Priority List (3 Years – 2022,2023, 2024)- Reminder Only
20. Consider Authorizing the Sale of Scrap Metal Through Govdeals.com
21. Discuss Permitting Concrete Trucks
22. Authorize Payment of Approved Bills
23. Appropriate and Transfer Sales Tax for November Operations (\$250,000)
24. Committee Reports
25. Operations
26. Adjournment

1. Call to Order

President Mike McCormic called the meeting to order.

2. Roll Call

The roll was called by the Secretary Treasurer. The following jurors were present: Mike McCormic, William E. Ruffin, “Jeff” Davidson, Eric Garcie, Ricky ”K-Wall” Sepulvado, Kenneth M. Ebarb, and “Randy” Byrd.

The following jurors were absent: “Bo” Stewart and Stephen Steinke.

3. Prayer

Prayer was led by Mr. William E. Ruffin.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Ricky Sepulvado.

5. Amend the Agenda

Public comments on the motion to amend the agenda were allowed prior to any vote to add an item to the agenda.

Resolution No. 8893

Motion by Sepulvado and seconded by Garcie to amend the agenda to include the following items:

Item 18a. – Consider an Ordinance to Authorize an Act of Sale by the Parish of Sabine to Sell Certain Adjudicated Properties (Parcels 8011010600, 80760000100, & 807601353) by Public Auction: and, Further Providing with Respect Thereto.

Item 18b. Discuss and Consider Approval of a Handicapped Driveway.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

6. Adopt the Agenda

Resolution No. 8894

Motion by Sepulvado and seconded by Davidson to adopt the agenda.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

7. Public Comments

Police Jury President, Mike McCormic, allowed a period of public comment on any item on the agenda. Mr. McCormic advised everyone that they would be allowed to comment later during the meeting on particular agenda items, if they desire. There were no public comments at this time.

8. Accept the Minutes of the Previous Special Called Meeting Held November 3, 2021

All police jurors have previously been provided a written copy of the minutes of the special called meeting held November 3, 2021.

Resolution No. 8895

Motion by Ruffin and seconded by Garcie to accept the minutes of the special called meeting held November 3, 2021.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

9. Planning Commission

No member of the Sabine Parish Planning Commission was in attendance.

10. Fenstermaker Engineers- Presentation of Professional Capabilities

Mr. Rawley L. Webber, Mr. Gary O’Neal, and Mr. Rene P. Escuriex, representatives of Fenstermaker Engineers, addressed the Police Jury. Mr. Webber informed the Jury that they have the capability to be a “one shop stop” for all the needs of the Parish. Fenstermaker Engineers is a family-owned business located in Louisiana for over 70 years that concentrates on providing service to parish and municipal clients. The Company has approximately 300 employees in eleven office locations.

Fenstermaker Engineers has a grant writing department and can help the Parish from conception and grant application and approval through project completion. Mr. O’Neal briefly described some grants that the Parish might qualify to receive.

11. Consider Activation of the Sabine Parish Ambulance Board

All jurors were provided a letter from Fire District 1, Wards 3 and 4, signed by Fire Chief Scott Gowen and Homeland Security Director David Davis, requesting that the Police Jury activate the Sabine Parish Ambulance Board.

President McCormic expressed his support to activate the Sabine Parish Ambulance Board. He instructed the Secretary Treasurer to contact Mr. David Davis to meet with the Jury to discuss this matter.

12. Approve Contract for Title V Permit Modification Assistance

The Police Jury has received a proposal from Franklin Engineers & Consultants, LLC to provide Title V permit modification application assistance for the reporting year 2021. The original renewal application did not include the emission associated with a candlestick flare that will be required because the landfill must install and operate a gas collection and control system no later than 60 days after February 6, 2024.

Resolution No. 8896

Motion by Sepulvado and seconded by Davidson to accept the proposal from Franklin Engineers & Consultants, LLC to provide Title V permit modification application assistance for the reporting year 2021 at a lump sum cost of \$13,000.00.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

13. Approve Contract for Air Compliance Assistance

The Police Jury has received a proposal from Franklin Engineers & Consultants, LLC to provide Title V reporting assistance to comply with the requirements of the existing permit. These services will include preparation of the semi-annual reports, preparation of the annual certification of compliance, green-house gas reporting, and the preparation and submission of the annual emissions statement.

Resolution No. 8897

Motion by Sepulvado and seconded by Davidson to accept the proposal from Franklin Engineers & Consultants, LLC to provide Title V reporting assistance to comply with the requirements of the existing permit at a lump sum cost of \$9,300.00.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

14. Adopt Resolution to Lease D5 17VP Dozer

Resolution No. 8898

Motion by Davidson and seconded by Sepulvado:

WHEREAS, the laws of the State of Louisiana (the “State”) authorize Sabine Parish Police Jury (the “Government Entity”) a duly organized political subdivision of the State to purchase, acquire and lease personal property for the benefit of the Government Entity and its inhabitants and to enter into any necessary contracts, and

the Sabine Parish Police Jury wants to lease, purchase and or finance equipment from Caterpillar Financial Services Corporation and /or an authorized Caterpillar dealer by entering into that certain Governmental Equipment Lease-Purchase Agreement (the Agreement) with Caterpillar, and

the form of the Agreement has been presented to the governing body of the Sabine Parish Police Jury at this meeting.

BE IT RESOLVED, that (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Sabine Parish Police Jury enters into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Sabine Parish Police Jury; and

that changes may later be made to the Agreement if the changes are approved by the Sabine Parish Police Jury’s counsel or members of the governing body of the Governmental Entity signing the Agreement (the “Approved Changes”) and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes, and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the “Authorized Persons”):

William E. Weatherford

Secretary Treasurer

be, and each is, authorized, directed, and empowered, on behalf of the Sabine Parish Police Jury, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement, and any related documents, and (ii) take or cause to be taken all actions he deems necessary or advisable to acquire the equipment, including the signing and delivery of the Agreement and related documents, and

that the Secretary Treasurer of the Sabine Parish Police Jury is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents, and

that nothing in these resolutions, the Agreement, or any other document imposes a pecuniary liability or charge upon the general credit of the Sabine Parish Police Jury or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement, and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in the office of the Authorized Persons.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

15. Set Date and Time for Public Hearing on Proposed Budget for Fiscal Year Ended December 31, 2022

Louisiana Revised Statute 39:1307(A) requires a police jury with total expenditures of \$500,000 or more from general fund and any special revenue funds to afford the public an opportunity to participate in the budget process prior to adoption of the budget.

The Sabine Parish Police Jury will adopt its 2022 Budget at a special called meeting which will be held at 9:00 a.m. on Friday, January 28, 2022.

Resolution No. 8899

Motion by Sepulvado and seconded by Garcie to hold a public hearing on the 2022 Budget in the Police Jury Meeting Room in the Courthouse located at 400 S. Capitol Street, Room 101, Many, Louisiana, on January 28, 2022, at 8:30 a.m.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

16. Discuss Progress on Obtaining a Tractor for the Ditching Machine

President McCormic reported that a tractor has been located under state contract. The Jury has previously authorized the purchase of a tractor to pull the ditching machine and the funds for the purchase are available through the ARPA grant.

Resolution No. 8900

Motion by Davidson and seconded by Garcie to immediately order, under state contract, the tractor designated to pull the ditching machine.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

17. Discuss Enforcement of Ordinance for Utility Permitting

Mr. Jeffrey Davidson reminded the Jury that Ordinance 1 of 2018 established regulations for construction of a utility line or other line along or across the right-of-way reserved for parish-maintained roads. In particular, the ordinance requires obtaining a permit and depositing

\$1,000.00 for each crossing or excavation. The ordinance also requires any utility line or other line on, over, across or through a parish-maintained road right-of-way to have an earth covering of at least two feet and to be placed at least two feet beyond the top of the road ditch back slope.

Mr. Davidson noted that the Parish has been very lax in enforcement of this ordinance. He recommended that the Parish begin strict enforcement of the ordinance.

18. Discuss Removal of a Dead Tree in the Parish Right-of-Way

No action taken concerning this matter.

18a. Consider an Ordinance to Authorize an Act of Sale by the Parish of Sabine to Sell Certain Adjudicated Properties (Parcels 8011010600, 80760000100, & 807601353) by Public Auction: and, Further Providing with Respect Thereto.

ORDINANCE NO. 14 OF 2021

AN ORDINANCE TO AUTHORIZE AN ACT OF SALE BY THE PARISH OF SABINE TO SELL CERTAIN ADJUDICATED PROPERTIES (PARCELS 8011010600, 80760000100, & 807601353) BY PUBLIC AUCTION; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the immovable properties described below were adjudicated to the Parish of Sabine, for nonpayment of taxes; and purchased at a public auction by high bidder:

1. **PARCEL# 8011010600: S ½ OF LOT LYING WEST OF HIGHWAY OF BLOCK 15 IN TOWN OF FLORIEN, CONTAINING .1 ACRES OF LAND LOCATED IN SECTION 2-5-11, ADJUDICATED TO THE PARISH ON 06/01/2017, NO MUNICIPAL ADDRESS**

Purchaser: CHANDRA WHITE Bid: \$769.90 Auction Date: LOT NEXT DOOR

2. **PARCEL# 8076000100: LOT 12 OF BLOCK 15 OF THE TOWN OF PLEASANT HILL, ADJUDICATED TO THE PARISH IN 1982, MUNICIPAL ADDRESS: 2258 W MAIN STREET, PLEASANT HILL, LA.**

**Initial Bidder: BRYAN BUTLER Original Minimum Bid: \$733.33
Purchaser: BRYAN BUTLER Final Winning Bid: \$6,000.00
Auction Date: November 9, 2021**

3. **PARCEL# 807601353: 4 TRACTS LOCATED IN BLOCK 17 OF TOWN OF PLEASANT HILL IN S/2 OF SE/4 OF SECTION 29-10-11 (266108 LESS .596 AC TO DURR IN #266392), NO MUNICIPAL ADDRESS; ADJUDICATED TO THE PARISH IN 1991.**

**Initial Bidder: BRYAN BUTLER Original Minimum Bid: \$3,666.66
Purchaser: STEVEN CAMPBELL Final Winning Bid: \$5,100.00
Auction Date: November 9, 2021**

WHEREAS, the redemption period provided by Art. 7, §25 of the Louisiana Constitution has elapsed, established by Parish Ordinance No: 1 of 2017 and the owner of record has failed to redeem the adjudicated property; and

WHEREAS, LA R.S. 47: 2202 *et seq.* provides that the Parish may sell adjudicated property in accordance with law after the expiration of the period for redemption; and

WHEREAS, the Parish of Sabine has declared the property described above surplus and not needed for a public purpose and to dispose of said property in accordance with LA R.S. 47:2202, *et seq.*; and

WHEREAS, in accordance with L.A. R.S. 47:2202 the Parish of Sabine has set a minimum bid for public sale for each property and

WHEREAS, the Parish offered these properties to the highest bidder at the time of sale and

WHEREAS, the property described herein above was offered at public auction on listed dates.

NOW BE IT ORDAINED by the Sabine Parish Police Jury, that any Act of Sale of the above-described property shall contain the following conditions and requirements:

- 1) The properties shall be sold in accordance with LS-R.S. 47:2201 *et. seq.*, without any warranty, from either the Parish or Management Company, whatsoever, even as to the return of the purchase price.
- 2) The sale shall be on a form approved by the Parish Attorney and that the sales price is paid by certified funds at or near the time of the sale.
- 3) The sale shall include a reservation of all mineral rights to the Parish, but shall convey all surface rights.
- 4) The following shall be completed prior to closing of sale:
 - a. E&P Consulting Services, LLC shall certify in writing to the Parish Attorney that they have examined the mortgage records, conveyance records, probate and civil suit records of the Parish of Sabine and that attached to this certification will be a written list of names and last known addresses of all owners, mortgagees, and any other person who may have a vested or contingent interest in the property, or who has filed a request for notice as provided in the former provisions LS-R.S. 33:4720.17(B), as indicated in those records.
 - b. E&P Consulting Services, LLC has provided notice to those persons identified in accordance with LS-R.S. 47:2201 *et. seq.* Proof of said notice will be filed in the records of Sabine Parish immediately after the Act of Sale.
 - c. At the time of closing, the E&P Consulting Services, LLC will certify in writing to Parish Attorney and Clerk of Court that the number of days mandated by LS-R.S. 47:2201 *et. seq.* has elapsed since the above required notice was made or attempted and that the property has not been redeemed by the payment of the taxes owed.

BE IT FURTHER ORDAINED, by the Sabine Parish Policy Jury, that the Police Jury President is hereby authorized to execute a Cash Sale of the above-described adjudicated properties to the highest acceptable bidder as named. The Cash Sale shall contain all of the above conditions and requirements and shall be executed within the timelines specified. The above ordinance having been offered upon a motion by Byrd and seconded by Davidson was then submitted to a vote, the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

Thereupon, the President declared this ordinance adopted on this the 17th day of November 2021, at the regular meeting of the Police Jury of the Parish of Sabine.

s/William E. Weatherford
William E. Weatherford
Secretary-Treasurer

s/ Richard M. McCormic
Richard M. McCormic
President

18b. Discuss and Consider Approval of a Handicapped Driveway

Road Superintendent Bobby Hughes informed the Jury that he had been approached by a resident of the Parish requesting assistance in repairing a driveway for a handicapped person in

accordance with Ordinance 5 of 2019. He reported that the request did not meet the criteria established by the ordinance to allow the Parish to assist in the driveway repairs.

There followed a thorough review of all the criteria to be met prior to a resident receiving assistance. It was the consensus of the Jury that the criteria were not met, and no action was taken.

19. Capital Improvement Program Priority List (3 Years – 2022,2023, 2024)- Reminder Only
Jurors were reminded the Jury needs to adopt a three (3) year Parish Transportation Act Priority List for roads for the years 2022, 2023, and 2024. This must be done prior to January 1, 2022, in order to comply with the Parish Transportation Act.

20. Consider Authorizing the Sale of Scrap Metal Through Govdeals.com
Road Superintendent Bobby Hughes requested the Jury to approve the sale of scrap metal through Govdeals.com.

Resolution No. 8901

Motion by Sepulvado and seconded by Davidson to approve and authorize the sale of Road Department scrap metal through Govdeals.com.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

21. Discuss Permitting Concrete Trucks
Road Superintendent Bobby Hughes addressed the Police Jury concerning the permitting of large trucks traveling parish roads. Consideration of this matter was deferred to the Road and Shop Committee.

22. Authorize Payment of Approved Bills

Resolution No. 8902

Motion by Ruffin and seconded by Garcie to pay the approved bills.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

23. Appropriate and Transfer Sales Tax for November Operations (\$250,000)

Resolution No. 8903

Motion by Ruffin and seconded by Garcie to appropriate and transfer \$250,000.00 from the Sales Tax Fund to the Parish-wide Transportation Fund for November 2021 operations.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

24. Committee Reports

Courthouse and Jail Committee:

Mr. Sepulvado reported that the Maintenance Supervisor is searching for a vendor to replace the front door of the courthouse. This repair will be primarily funded through a grant.

25. Operations

There was a discussion concerning Toro Creek Bridge. Road Superintendent Hughes reported that Vernon Parish was not interested in assuming maintenance of the bridge. He noted that the Parish has two options: (i) To close the bridge for a period of five years after which it will be removed from the Parish's bridge inventory, (ii) remove a span from the bridge and it will be immediately removed from the Parish's bridge inventory. However, ownership of the bridge will remain with Sabine Parish. Mr. Hughes reported that the estimated cost to repair the bridge would be approximately \$250,000.

Further discussion concerning the bridge was deferred to the Road and Shop Committee.

26. Adjournment

Resolution No. 8904

Motion by Ruffin and seconded by Garcie to adjourn.

This resolution having been submitted to a vote; the vote thereon was as follows:

Yeas: 7 - McCormic, Ruffin, Davidson, Garcie, Sepulvado, Ebarb, and Byrd

Nays: 0

Abstain: 0

Absent: 2 – Stewart and Steinke

s/William E. Weatherford
William E. Weatherford
Secretary Treasurer

s/Richard M. McCormic
Richard M. McCormic
President