

April 18, 2018

On Wednesday, April 18, 2018 at 9:00 a.m., the Police Jury of Sabine Parish, State of Louisiana met in open and regular session.

The Agenda was as follows:

1. Call to Order
2. Roll Call
3. Prayer
4. Pledge of Allegiance
5. Amend the Agenda
6. Adopt the Agenda
7. Accept the Minutes of the Previous Meeting, March 21, 2018
8. Steve Brown- Discuss an Ordinance for Roads, Bridges, Culverts, and Ditches
9. Planning Commission
- 9a. Consider Abandonment of Buckley Extension
10. Consider Appointment of a Replacement for Mr. John W. Pickett to the Board of Directors of the Ware Youth Center
11. Award the Bid for a Dump Truck for Road District 4 and Road District 20
12. Consider Transfer of \$35,000 From Road District 19 to the General Fund with the Money to be Restricted for Elevator Repair and Improvement
13. Adopt a Fair Housing Proclamation
14. Ratify Hiring of John Farmer as Equipment Operator
15. Authorize Payment of Approved Bills
16. Appropriate Sales Tax for April Operations (\$215,000)
17. Committee Reports
18. Operations
19. Adjournment

1. Call to Order

President Ronald L. Bison called the meeting to order.

2. Roll Call

The roll was called by the Secretary Treasurer. The following jurors were present: Willes Funderburk, Mike McCormic, "Charlie" Brown, William E. Ruffin, "Ronny" Bison, Eric Garcie, Ricky "K-Wall" Sepulvado, Kenneth M. Ebarb, and "Randy" Byrd.

3. Prayer

Prayer was led by Mr. William E. Ruffin.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Charlie Brown.

5. Amend the Agenda

Resolution No. 8055

Motion by Brown and seconded by Garcie to amend the agenda to include the following item:

Item 9a - Consider Abandonment of Buckley Extension

Prior to a vote on the motion to take up a matter not on the agenda by this public body the Police Jury President allowed an opportunity for public comment on the motion. There being no public comments the vote was as follows:

Yeas: 9      Nays: 0      Absent: 0

Police Jury President, Ronald L. Bison, allowed a period of public comment on any item on the agenda. Mr. Bison 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.

6. Adopt the Agenda

Resolution No. 8056

Motion by Sepulvado and seconded by Ebarb to adopt the agenda as amended.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

7. Accept the Minutes of the Previous Meeting, March 21, 2018

All Police Jurors have previously been provided a written copy of the minutes of the regular meeting held March 21, 2018.

Resolution No. 8057

Motion by Ebarb and seconded by McCormic to accept the minutes of the March 21, 2018 Police Jury meeting.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

8. Steve Brown- Discuss an Ordinance for Roads, Bridges, Culverts, and Ditches

During the March 21, 2018 meeting, the Police Jury tabled consideration of an ordinance for roads, bridges, culverts, and ditches.

President Bison emphasized that Police Jury desires to work with the various industries using the parish roads while protecting those roads.

Mr. Steve Brown, Parish Administrator for DeSoto Parish, was in attendance and addressed the Jury concerning DeSoto Parish's Code related to roads, bridges, culverts, and ditches. Mr. Brown stressed that the vast majority of individuals working in the oil and gas and timber industries are good people who want to do what is right and want to work with the Police Jury to repair excessive damage to the parish roads.

He reminded the Jury that they are required to hold all industries to the same standards. He emphasized that the Jury's primary obligation is to protect the road system for the citizens of the parish. However, the Jury should be reasonable and fair.

Mr. Brown expressed his belief that there should be a 'partnership' between the Police Jury and the various industries within the parish with both working to promote the profitability of the businesses while maintaining good road conditions. However; at the end of the permit, the responsible party must make the repairs necessary to return the condition of the road to that prior to the beginning of the project.

Mr. Brown informed the Jury that DeSoto Parish will soon begin charging a fee for hauling permits to generate funds to pay administrative and enforcement costs.

Mr. Ruffin noted that Sabine Parish depends heavily upon the timber industry. He stated that the ordinance adopted by DeSoto Parish would need to be modified to fit the needs of Sabine Parish. Mr. Ruffin suggested that the Jury get input from the various industries using the parish roads before adopting an ordinance affecting them.

Mr. Bison noted that DeSoto Parish's ordinance has been in effect for a long period of time and that the Sabine Parish Police Jury's Road and Shop Committee has thoroughly reviewed and studied the ordinance and recommends adopting it for use in Sabine Parish.

Mr. Ruffin stated that the ordinance must be enforced if it is to have the desired impact. Mr. Ebarb recommended that the Jury consider hiring two part-time employees to improve enforcement within the Parish.

The Road and Shop Committee recommended adoption of the ordinance for roads, bridges, culverts, and ditches.

## **ORDINANCE 1 of 2018**

### **AN ORDINANCE FOR ROADS, BRIDGES, CULVERTS AND DITCHES**

WHEREAS, Louisiana Revised Statute 48:481 authorizes parish governing authorities (the Police Jury) to pass all ordinances which they think necessary relative to roads, bridges, and ditches and authorizes the Police Jury to impose such penalties to enforce them as they think proper,

NOW THEREFORE BE IT ORDAINED, that the following words, terms and phrases shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

*Commencement of road repairs* means to start or begin repair of roads by moving necessary equipment on to the work site.

*Emergency road condition* means when a road has deteriorated, by either natural disaster or manmade damage, to such an extent as to make the road not only impassable to normal two-wheel drive automobile, but clearly dangerous to travel by any motor vehicle.

*Excessive damage* means damage to a road that is greater than ordinary wear and tear to which the road is normally subjected which renders the road impassable.

*Express notice* means a written notice delivered by hand, by the United States Postal Service, UPS, FedEx, FAX, or electronically delivered by e-mail, properly addressed to the address provided by the road superintendent of the parish police jury or his designee, with postage of fees properly prepaid if same are required.

*Impassable road* means a parish road the condition of which has deteriorated to such an extent as to render a two-wheel drive automobile unable to travel at the posted speed in a manner which is safe to driver or passengers of said two-wheel drive automobile and to the vehicle itself.

*Passable road* means a parish road the condition of which is sufficient enough to allow a two-wheel drive automobile able to travel at the posted speed in a manner which is safe to both driver and passengers of said two-wheel drive automobile and to the vehicle itself.

*Security* means a cash bond, surety bond (commercial), indemnification agreement (containing provisions to fund costs of repair of damage to road, hold harmless provision recognizing right of police jury for specific performance, recognizing right of police jury to seek enforcement in the 11<sup>th</sup> Judicial District Court, Sabine Parish, Louisiana, and the right of jury to seek injunctive relief by summary proceedings.), or any alternative security instrument accepted and approved by the parish police jury.

*Warranty of road repair work.* This warranty is only applicable to faulty repair work performed on a parish road by a permit holder or its designee (because of defective materials or workmanship) which necessitates additional repairs to such repaired portion of this parish road within 180 days following the date of the initial acceptance of such road repair work by the road superintendent or his designee. However, if such road repair work is damaged by a third party as a result of an emergency road condition, excessive damage and/or wet/soft road condition (all as defined hereinabove) prior to the expiration of said 180-day warranty period, then such permit holder/responsible party's warranty shall terminate and be released. The warranted or warranty work done shall not expose the warranting party to any liabilities for injuries to any persons or for any damages to vehicles and/or personal property once the road repair work is accepted by the road superintendent.

*Wet/soft road condition* means a parish road of any type surface, which because of excessive rains or standing water has weakened the surface or the underlying road base to such an extent as to render the road susceptible to extraordinary damage, and

BE IT FURTHER ORDAINED, that no person shall conduct any industrial or commercial activities other than permissible travel and transportation, upon any public road, ditch or right-of-way, and

BE IT FURTHER ORDAINED, that no person shall close, obstruct, or change any public road except upon the order of the police jury. If any public road is closed, obstructed or changed in violation of this provision, the police jury shall summarily open the road, remove all obstructions therefrom, and restore it to its former conditions at the expense of the person who closed, obstructed or changed the road, and

BE IT FURTHER ORDAINED, that no person shall drag or tow any log, pole, pulpwood or similar object on or across any public road, ditch or right-of-way, and

BE IT FURTHER ORDAINED, that no person shall obstruct, close or change any public road or ditches and the drainage system thereof by putting, placing or leaving therein any logs, wood, wood products, limbs, brush, tree tops, poles, trash, rubbish, garbage or refuse of any kind or any fence or other obstruction or by causing the ditch or drainage system of any public road to be filled or blocked with dirt, debris or refuse of any kind, and

BE IT FURTHER ORDAINED, that

(a)

Any person desiring to construct a utility line or other line along or across the right-of-way reserved for parish-maintained roads will first obtain a permit from the police jury in the manner hereinafter provided.

(b)

Applications for required permits shall be made in writing to the police jury. Such application may be in the form of a letter and shall contain a clear description of the line to be constructed and its purpose, location, map of location, and the name, address and telephone number of its owner and of a representative designated by such owner who may be contacted by parish officials on future matters related to the construction, installation and maintenance of the line.

(c)

Such applications shall be accompanied by a deposit of a certified, cashiers or company check in the amount of \$1,000.00 for each crossing or excavation as security for costs of returning such parish-owned road to the condition which it was prior to the crossing or excavation. This check will be refunded after 30 days from the notification, in writing, to the police jury that the construction and installation of the line has been completed and after confirmation by the parish road superintendent, or his designee, that the parish road crossed or excavated was placed back in its original condition or better before the crossing or excavation was under taken.

(d)

Within 30 days after receipt of an application which meets the requirements of (b) and (c), the applicant shall receive a permit or will be advised in writing as to why a permit cannot be issued.

(e)

Any utility line or other line on, over, across or through a parish-maintained road or right-of-way shall have an earth covering a minimum two feet. If excavations are required,

they shall be backfilled and tamped in six-inch layers. The line shall be placed at least two feet beyond the top of the road ditch back slope. Adequate road ditch drainage shall be maintained at all times during the installation of the line. Markers shall be installed to clearly indicate the line location.

(f)

The police jury, or its designee, may grant a special exception to any requirement of (e) upon a showing that the fulfillment of such requirement would impose undue hardship upon the owner of the line or that such a requirement is inappropriate due to the existence of special conditions. An exception granted by the jury, or its designee, may be conditioned in any manner they deem necessary or appropriate.

(g)

Any project or facility for which a permit is required may be inspected by the road superintendent, or his designee, both during construction and after completion. If any such inspection reveals substantial deviation from the requirements, the permittee shall be required to rectify such deviation at his sole cost and expense. Should the permittee fail to complete the remedial work within a reasonable time, the police jury may have the work performed at the expense of the permittee.

(h)

If any structure constructed under and in accordance with these provisions interfere with any improvement or public project initiated by or constructed under the authority of the police jury affecting or relating to a parish road or right-of-way, the owners of the line, at its sole cost and expense, shall lower, raise or relocate the line to accommodate such improvement or public project. Such lowering, raising or relocating, at the owner's sole cost and expense, shall be limited to the area within the road or right-of-way as such existed at the time of the issuance of the permit to the owner of the line.

(i)

Any person violating any of the above provisions shall be punished according to the general penalties. For the purposes of applying or enforcing the penalties, each occurrence or crossing location shall be deemed a separate offense and punishable accordingly.

(j)

Notwithstanding anything to the contrary herein provided, no provision shall apply to lines the control, supervision and regulation of which has been pre-empted by any federal or state law, act or statute.

(k)

Public entities shall be exempt from the provisions, and

BE IT FURTHER ORDAINED, that

(a)

The police jury shall inspect all bridges on parish-maintained roads and shall prescribe the necessary regulations and the maximum vehicular tonnage permitted to travel thereon, which maximum may be less than that set forth as a general requirement.

(b)

The road superintendent of the police jury shall be responsible for seeing that clear and understandable signs are erected at the entrance or entrances to such bridges designating the prescribed regulations and maximum tonnage of any vehicle traveling thereon.

(c)

Any person operating a vehicle or conveyance upon a bridge located on a parish-maintained road and is in violation of such prescribed regulations and maximum tonnage shall be condemned to pay all damages to such bridge caused by him and to also be subject to punishment according to the general penalties, and

BE IT FURTHER ORDAINED, that

(a)

No vehicle nor combination of vehicles shall be operated on any road, bridge, or culvert which is maintained exclusively by the parish police jury with a greater weight than 18,000 pounds per single axle, or with a gross weight of more than 58,000 pounds, or a width or length that exceeds the dimensions established in the state department of transportation and development permit system without a written permit granted by the parish police jury to a party responsible for the project and the freight and equipment going to said project over parish roads.

(b)

The parish police jury will issue permits limited to periods of one year or less for the transportation over highways and roads of the parish (other than state highways and public roads within the boundaries of an incorporated municipality) of overweight or oversize or over length commodities which cannot be reasonably dismantled.

(c)

Any party required to have a permit shall contact the road superintendent or his designee and arrange for a meeting to:

(1)

Complete a permit request "form."

(2)

Identify the individual who shall represent the party in all matters and be available 24 hours a day, seven days a week.

(3)

Inspect that portion of the parish road system proposed as the route to/from the parties' project and record the existing conditions of said route.

Upon issuance of said permit the recipient shall be known as the responsible party.

(d)

One permit shall be required for each project undertaken at an individual site. The party responsible for developing the project shall be the responsible party (permit holder). All individuals and businesses providing vehicles subject to permitting shall be listed on said permit. The permit shall expire upon completing the project or one year from date of issuance, whichever is first.

(e)

The permit or permit number shall at all times be in the immediate possession of the vehicle operator.

(f)

No permit will be issued to any party until all fines and jury road repair costs associated with prior permits issued to the responsible party have been paid in full. Additionally, responsible parties found in violation of this ordinance shall post a security prior to receiving any permit dated within 90 days of the final determination of said violation. The security shall be valid when the permit is issued and shall remain valid through the warranty period and acceptance of the work by the road superintendent or his designee.

(g)

Should any provision of this section be declared invalid, such shall not invalidate or affect the remaining provisions hereof.

(h)

The act of hauling loads over parish roads without first obtaining or having in immediate possession a permit or the authorized permit number, shall be a misdemeanor and punishable by a fine of \$250.00 on the occasion of the first offense and \$500.00 on the occasion of the second offense. On the occasion of the third offense of operating without a permit or authorized permit number, the fine shall be \$500.00 and the right to obtain a permit shall be forfeited for 90 days from the date of the final determination that an offense did occur unless a security is posted in accordance with this ordinance. Fines and penalties are the responsibility of the responsible party (permit holder).

(i)

Any violation of the permit requirements shall be a misdemeanor and punishable by a fine of up to \$500.00 and 30 days in the parish jail. Fines, penalties, and punishments are the responsibility of the responsible party (permit holder).

BE IT FURTHER ORDAINED, that

(a)

At any time excessive damage is caused to any parish road by the use of motor vehicles or equipment belonging to or under the direction of any responsible party which is beyond the ordinary and normal usage of such roads, such parties shall at their own expense, repair or restore the portion of any road so damaged to a passable condition. It is the express intent of the parish police jury that the parish road department be a last provider of said repair and restoration work.

(b)

The stated policy shall be implemented and placed into effect as to all responsible parties who make extensive use of the parish roads for the purpose of any type construction, development, or industrial projects, including but not limited to the drilling of oil or gas wells, large construction projects, removal of timber or any other type natural resources in the following manner:

(1)

In the event that a portion of a parish road being used by a responsible party becomes impassable by virtue of such usage then:

a.

The responsible party shall immediately give express notice to the road superintendent or his designee and said notice shall include as a minimum the following information:

1.

Road name.

2.

Permit number.

3.

Nature and location of damages or defects.

4.

Method and type of repairs.

5.

Estimated date of completion.

The proposed repair techniques and completion date will be acceptable unless modified by the road superintendent or designee via express mail within two working days of receiving the responsible party's notice.

b.

If the road superintendent or his designee determines that a portion of the parish road being used by a responsible party becomes impassable and an express notice has not been received from the responsible party using the road then the superintendent or his designee will send an express notice containing the information indicated above. If the responsible party consistently relies upon the road department to identify impassable roads and notify all parties instead of proactively doing such work itself then the police jury may impose fees to cover the cost of such work.

c.

The responsible party shall commence repairs within five calendar days of issuing or receiving express notice described above. Said repairs shall be performed in a good, diligent, workmanlike manner until completed.

d.

In the event the parish police jury president declares the road repairs to be an emergency the responsible party shall commence repairs within 24 hours of said declaration and subsequent notice to the responsible party. Said repair work shall then be completed in a good, workmanlike, diligent manner consistent with the declared emergency.

e.

Upon completing the repairs the responsible party shall immediately give express notice that the work has been completed in accordance with the previous express notices and that an inspection of the work is requested. The parish road superintendent or his designee shall then have two working days to accept or reject the work. If an express notice rejecting the work is not sent from the superintendent or his designee within the allowable time then the repair work will be considered accepted.

f.

In the event the responsible party fails to commence repairs in accordance with this ordinance the following shall apply:

1.

The road superintendent or his designee shall give express notice to the responsible party advising the following:

(i)

The repairs identified in the first letter of notice have not been commenced.

(ii)

If the repairs are not commenced within five days of this second notice, (24 hours if an emergency) then the responsible party is in violation of this ordinance.

(iii)

If the responsible party does not commence the road repairs as required within five days of this second notice (24 hours if an emergency), the responsible party will be denied future road use permits unless a bond or other acceptable security is provided in accordance with this ordinance for those who are determined to be violators.

(iv)

If the responsible party does not commence the road repairs within five calendar days of this second notice (24 hours in an emergency) the parish police jury may make the needed repairs and shall seek reimbursement for all costs of the repairs including overhead. The invoice for said costs shall be paid within 30 days of receipt by the responsible party.

(v)

If the responsible party does not commence making the road repairs as required within five calendar days of this second notice (24 hours if an emergency), the responsible party will be fined the sum of \$500.00 for each violation.

(vi)

The responsible party has a right to a hearing before the road committee of the parish police jury by requesting same through its secretary treasurer within five calendar days of this second notice to dispute being held in violation of this ordinance.

2.

If after the second notice, the responsible party again fails to commence the required repairs to the impassable road, then a violation is deemed to have occurred and the road department may commence with the repairs. The responsible party has a right to an appeal before the police jury to dispute a violation of this ordinance by requesting same through its secretary treasurer within 14 calendar days of the second notice.

(2)

a.

Upon completing the project, the responsible party shall give express notice to the parish road superintendent or his designee that the project is complete and an inspection of the road used by the responsible party is requested.

b.

Within ten working days of receiving the express notice the responsible party and the parish road superintendent or his designee shall meet to determine what damage, if any, was caused by the responsible party's use of said road and what restoration work is necessitated by such use to restore the road as much as practicable to its condition at the time the permit was issued.

c.

Subsequent to the meeting described in (b)(2)b of this ordinance, the responsible party and road superintendent or his designee shall follow the procedures established in (b)(1)a of this ordinance for the road restoration work.

d.

If the responsible party fails to immediately initiate the express notice required in (b)(1)a then the road superintendent or his designee will issue express notice to the responsible party containing the information described in (b)(1) a.

e.

The responsible party shall commence the restoration work within 14 calendar days, or 24 hours if an emergency as described in (b)(1)a, from issuing or receiving express notice as described in (b)(2)c and d. Said work shall be performed in a good, diligent workmanlike manner until completed.

f.

Acceptance of the completed work shall follow the procedure described in (b)(2)e.

g.

A 180-day warranty on the restoration work will commence upon acceptance of said work by the road superintendent or his designee as described in (b)(2)f. If no restoration work is performed, then the warranty shall be for the repair work performed in (b)(1).

h.

Thirty days prior to the expiration of the 180-day warranty the responsible party shall give express notice to the road superintendent or his designee that the restoration work is in good condition and a final inspection is requested. The parish representative will then have ten working days to send express notice of rejection to the responsible party or said work will be deemed acceptable.

i.

Any work rejected by the road superintendent or his designee shall be repaired or restored in accordance with (b)(1).

j.

Upon acceptance of said work by the road superintendent or his designee the responsible party will be released from additional road repair/restoration work associated with the use of roads while constructing the project.

k.

In the event the responsible party fails to commence repairs/restoration within the time allowed in (b)(2)e then the procedures described in (b)(1)f.1 and 2 shall be followed.

BE IT FURTHER ORDAINED, that

a.

The repair or restoration work described in (b)(1) or (2) of this ordinance may be provided by the responsible party's own employees, contractors or other entity/individuals acceptable to the police jury.

b.

Any responsible party receiving a final finding that they are in violation of any provision of this ordinance shall be guilty of a misdemeanor.

c.

The security shall be in an amount equal to 50 percent of the permitted mile road value to guarantee the payment of any damages to any road or bridge sustained as a consequence of the transportation authorized by the permit. The per mile road values as of January 1, 2010, are \$300,000.00 for asphalt roads with 12-inch base, \$200,000.00 for other asphalt roads, and \$100,000.00 for all other roads. The per mile road values will be evaluated on an annual basis by the parish road department and adjustments thereto recommended to the jury.

d.

Whenever two or more responsible parties share all or part of a road described in their respective permits, all parties shall contribute/share in the cost of any repair and restoration work on a pro rata basis. The determination of respective liability between parties shall be determined by the road superintendent or his designee.

e.

Should any provision of this ordinance be declared invalid, such shall not invalidate or affect the remaining provisions hereof.

f.

Safety devices shall be properly positioned in the road right-of-way by the responsible party immediately upon issuing or receiving a first notice of impassable road conditions and while performing work in said right-of-way. Said safety devices shall be properly maintained in accordance with LA-DOTD standards until all work is completed and accepted by the road superintendent or his designee.

BE IT FURTHER ORDAINED, that

(a)

The use of wet and soft parish roads by heavy and oversize vehicles is strictly prohibited when declared impassable by the parish road superintendent or his designee. Express notice of such conditions shall be given to responsible parties by said superintendent. Said notice shall identify the following:

(1)

Road name and permit number.

(2)

Approximate location of the closure.

(3)

Estimated date of re-opening.

(4)

Alternate route to travel.

(b)

The misuse of parish roads by the owner or operator of other vehicles, such as four-wheel drive vehicles, all-terrain vehicles or any other recreational-type vehicles is prohibited, when, in the opinion of the parish road superintendent or his designee said misuse is of a malicious or deliberate nature.

(c)

Any responsible party or owner/contractor violating the provisions of (a) and (b) shall be guilty of a misdemeanor and shall be fined in the amount of \$250.00 on the occasion of the first offense and \$500.00 on the occasion of the second offense and all future offenses. In addition, on the occasion of third offense, the violator shall forfeit his permit privileges to use any and all roads in the parish for a period of 90 days from the date of said third offense or be required to post security.

Should any provision be declared invalid, such shall not invalidate or affect the remaining provisions hereof.

BE IT FURTHER ORDAINED, that

(a)

It shall be unlawful for anyone to erect, install, or place upon the public rights-of-way of the parish any road or street signs which contain the name or purport to contain the name of any road or street.

(b)

These provisions shall not apply to the employees of the police jury who are acting under the direction of their supervisors.

(c)

Violation of this section shall constitute a misdemeanor and shall be punishable according to the general penalties.

BE IT FURTHER ORDAINED, that

The minimum size for a culvert, metal or concrete, to be placed in a ditch and to be used as a driveway is 15 inches.

BE IT FURTHER ORDAINED, that

No person shall operate or cause to be operated on any public road or right-of-way any vehicle trailer, or combination thereof, that exceeds the maximum limitations and requirements on width, loads, height, length, load care and precautions and trailers and towed vehicles provided by the revised statutes, title 32.

BE IT FURTHER ORDAINED, that

(a)

It shall be unlawful to operate any wheeled or tracked vehicle which has a gross weight per axle in excess of 10,000 pounds, on any street or side street or alley within a recognized approved subdivision within the parish.

(b)

Any person, firm or corporation violating this provision will be liable for the cost of any repair to roads, shoulders, ditches and rights-of-way, reasonably attributed to the passage of such vehicle across such roads, shoulders, ditches or rights-of-way.

(c)

The vehicles owned by the police jury which are used in the maintenance and repairs of streets are exempted from this requirement.

BE IT FURTHER ORDAINED, that

(a)

No person shall operate or cause to be operated, over any bridge or culvert in the parish road system, any vehicle or vehicle and trailer having a gross weight in excess of ten tons.

(b)

This ten-ton limit applies to all bridges and culverts not posted with lower maximum load limits. Where lower load limits are posted, such lower limits will apply to the particular bridge or culvert so posted.

(c)

Violation of this section shall subject the violator to damages in an amount necessary to repair the damages resulting from such excessive loads.

(d)

Persons traveling across bridges or culverts do so at their own risk.

BE IT FURTHER ORDAINED, that

The legal load limit is posted upon the entrance of each bridge, making it known to the general public the capacity of each bridge.

BE IT FURTHER ORDAINED, that

(a)

The following words, terms and phrases shall have the following meanings ascribed to them except where the context clearly indicates a different meaning:

*Through traffic* means the traffic or use of parish roads by operators of any wheeled or tracked vehicles who do not have as a destination or starting point a house or place of business on said parish road on which the vehicle is operated.

(b)

It shall be unlawful to operate any wheeled or tracked vehicle which has a gross weight per axle in excess of 10,000 pounds on any parish roads which have been closed to through traffic.

(c)

Any person, firm, or corporation violating this provision will be liable for the cost of any repair to roads, shoulders, ditches, and rights-of-way reasonably attributed to the passage of such vehicles across such roads, shoulders, ditches or rights-of-way.

(d)

The operators of vehicles owned by utility companies, vehicles used for emergency purposes, and vehicles owned by the parish police jury or persons, firms, or corporations contracted by the parish police jury which are used in the maintenance and repairs of roads are exempted from the provision.

BE IT FURTHER ORDAINED, that

No person shall load or unload any cargo, including, but not limited to logs, poles, pulpwood or wood products on any public road, ditch or right-of-way.

BE IT FURTHER ORDAINED, that

(a)

No vehicle or conveyance shall be operated, driven or pulled over or upon the bridges located on parish-maintained roads that have a gross weight more than the legal posted bridge weight limit.

(b)

The person, firm or corporation operating a vehicle or conveyance upon a bridge or bridges located on parish-maintained roads shall be liable for damages caused to bridges as a result of weight in excess of the limits as posted on each bridge.

(c)

This does not apply to bridges on state highways or federal highways in the parish.

BE IT FURTHER ORDAINED, that

(a)

No vehicle nor combination of vehicles shall be operated on any road, bridge, or culvert which is maintained exclusively by the parish police jury with a greater weight than 18,000 pounds per single axle (or a gross weight per axle in excess of 10,000 pounds if in a recognized approved subdivision); or with a gross weight of 58,000 pounds, without a permit granted by the parish police jury as described hereinafter.

(b)

The parish police jury may issue permits limited to periods of 90 days or less for the transportation over highways and roads of the parish (other than state highways and public roads within the boundaries of an incorporated municipality) of overweight or oversize or overlength commodities which cannot be reasonably dismantled, or for the operation over these highways of superheavy or oversize or overlength commodities which cannot be reasonably dismantled.

(c)

The police jury, in its discretion, may require a bond to be executed by an applicant in the amount sufficient to guarantee the payment of any damages to any road or bridge sustained as a consequence of the transportation authorized by the permit. The bond may be in the form of cash, an insurance bond, or a surety

bond signed by the applicant and property owner of the parish, both of whom have a net worth over and above the amount of said bond, to be approved by the police jury.

(d)

It shall be unlawful for and constitute a misdemeanor for any individual, corporation, or association to drive, operate or move, or for the owner to cause or permit to be driven, operated or moved, on any parish road any vehicle which in any respect exceeds the limitations set forth without holding a valid permit. Whosoever violates these provisions fails to comply therewith, shall be subject to punishment according to the general penalties.

(e)

A permit fee per vehicle will be charged for the permit to operate the vehicle on the parish roads. The fee will be used to help defray the expenses for administration of this permit. The amount of the permit fee shall be as established by the police jury, from time to time.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect April 18, 2018 and it shall be published one time in the Official Journal of the Parish of Sabine, State of Louisiana, along with any other minutes of the meeting.

The foregoing ordinance having been offered upon a motion by McCormic and seconded by Ebarb was then submitted to an official vote and the vote thereupon was recorded as follows to wit:

Yeas: Willes Funderburk, "Mike" McCormic, "Ronny" Bison, Ricky "K-Wall" Sepulvado, Kenneth Ebarb, and "Randy" Byrd.

Nays: "Charlie" Brown, Eric Garcie, and William E. Ruffin.

Abstain: 0

Absent: 0.

Thereupon, the President declared this ordinance adopted on this the 18<sup>th</sup> day of April 2018, at the regular meeting of the Police Jury of the Parish of Sabine, State of Louisiana.

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

s/Ronald L. Bison  
Ronald L. Bison  
President

#### 9. Planning Commission

Mr. Peter Nugent with the Sabine Parish Planning Commission was present. There was no business to be conducted.

#### 9a. Consider Abandonment of Buckley Extension

Mr. Brian Masters was in attendance and addressed the Jury requesting the abandonment of Buckley Extension. He noted that the road is frequently damaged by inappropriate use and there is a theft problem in the area.

There are six land owners on Buckley Extension. Mr. Bison asked if the land owners had been contacted about the proposed abandonment of the road. Mr. Masters stated that some of the land owners had been contacted and that there was no opposition to the abandonment.

Mr. Bison informed Mr. Masters that the Police Jury would need signed, written requests for the road abandonment from all land owners accessing their property through the road.

Mr. Masters will bring this item back to the Jury when he has obtained the requested documentation.

10. Consider Appointment of a Replacement for Mr. John W. Pickett to the Board of Directors of the Ware Youth Center.

The Police Jury has received a letter of resignation, dated April 3, 2018, from Mr. John W. Pickett as a member of the Board of Directors of the Ware Youth Center. Mr. Dale Skinner has been recommended to replace Mr. Pickett.

Resolution No. 8058

Motion by Brown and seconded by Byrd to accept the resignation of Mr. John W. Pickett, dated April 3, 2018, and to appoint Mr. Dale Skinner as a member of the Board of Directors of the Ware Youth Center.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

11. Award the Bid for a Dump Truck for Road District 4 and Road District 20

The 2018 Annual Budgets for Road District 4 and Road District 20 provides \$100,000 for the purchase of capital equipment. The Police Jury publicly bid a 7-8-yard dump truck for these road districts. The bids were opened and read aloud on April 11, 2018. One bid was received from Kenworth of Louisiana, LLC in the amount of \$73,963.

Resolution No. 8059

Motion by Ebarb and seconded by Byrd to accept the bid for a 7-8-yard dump truck from Kenworth of Louisiana, LLC in the amount of \$73,963 and to authorize President Bison to execute any documentation necessary to purchase said truck for Road District 4 and Road District 20. Road District 4 will be responsible for 75% of the cost and Road District 20 will be responsible for 25% of the cost.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

12. Consider Transfer of \$35,000 From Road District 19 to the General Fund with the Money to be Restricted for Elevator Repair and Improvement

Mr. Kenneth Ebarb, who requested this item to be placed on the agenda, withdrew this item from consideration.

13. Adopt a Fair Housing Proclamation

The Sabine Parish Police Jury has been requested to proclaim April 2018 as Fair Housing Month.

Resolution No. 8060

Motion by Ruffin and seconded by Brown to adopt the following proclamation:

**PROCLAMATION**

WHEREAS, the 50<sup>th</sup> Anniversary of the national Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans – individually and collectively- to rededicate themselves to the principle of freedom from housing discrimination whenever it exists; and

WHEREAS, this law guarantees for each citizen the critical, personal element of freely choosing a home; and

WHEREAS, a fair housing law has been passed by the State of Louisiana, and implementation of the law requires the positive commitment, involvement, and support of each of our citizens; and

WHEREAS, the Sabine Parish Police Jury is to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, barriers that diminish the rights and limit the options of any citizen to freely choose a home will ultimately diminish the rights and limit the options of all.

NOW, THEREFORE, the Sabine Parish Police Jury does hereby proclaim the month of April 2018 as **FAIR HOUSING MONTH**.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

14. Ratify Hiring of John Farmer as Equipment Operator

On April 2, 2018, Mr. John Farmer was hired by Road Superintendent Olivier as an equipment operator working primarily for Road Districts 09 and 16. Mr. Farmer has passed the required physical and drug test.

Resolution No. 8061

Motion by McCormic and seconded by Sepulvado to ratify the April 2, 2018, hiring of John Farmer as an equipment operator. Mr. Farmer will be hired at the beginning rate of \$11.27 per hour and will be subject to the normal Payroll Step Plan increases.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

15. Authorize Payment of Approved Bills

Resolution No. 8062

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

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

16. Appropriate Sales Tax for April Operations (\$215,000)

Resolution No. 8063

Motion by Ruffin and seconded by Garcie to appropriate and transfer \$215,000.00 from the Sales Tax Fund to the Parishwide Transportation Fund for April 2018 operations.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

17. Committee Reports

Courthouse and Jail Committee:

Mr. Sepulvado informed the Jury that Mr. D. J. Rhodes, Maintenance Supervisor, has been in contact with Otis Elevator Company and has received a quote for needed repairs to the elevator located in the Courthouse.

Secretary Treasurer Weatherford noted that, because of the expected cost, the elevator repairs would have to be publicly bid.

Mr. Ebarb expressed his concern that the Police Jury might be required to install an external elevator at the Courthouse.

18. Operations

Mr. Doug Olivier, Parish Road Superintendent, provided each juror a tentative schedule of road paving for this year. He expects paving work to begin within a couple of weeks.

Mr. Bison requested that Mr. Olivier set up a meeting with the parish compactor workers to discuss the low weight of compactor receivers hauled by Waste Connections of Louisiana.

Mr. Olivier informed the Jury that there is a pending change order for Wilbur Road which is included in the LCDBG 2017 Road Improvement Project. The change order is for excavating and filling a section of the road that failed a proof rolling.

19. Adjournment

Resolution No 8064

Motion by Byrd and seconded by Brown to adjourn.

The voting was as follows:

Yeas: 9      Nays: 0      Absent: 0

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

s/Ronald L. Bison  
Ronald L. Bison  
President