

September 11, 2006
Jonesboro, Louisiana
www.jacksonparishpolicejury.org

The Jackson Parish Police Jury met in regular session Monday, September 11, 2006, at 6:00 PM in the Jackson Parish Community Center located at 182 Industrial Drive, Jonesboro, Louisiana. Members present: Mr. Carl Atkins, Mr. Eddie Langston, Mr. Darrell Magee, Mr. Nathaniel Zeno, Mr. Leslie Thompson and Mr. Troy Smith. Absent: Dr. Charles Garrett. Also present: Mr. Douglas Stokes, Assistant District Attorney.

The meeting was called to order by the president. Before giving the invocation, Mr. Thompson called for a moment of silence in memory of those who lost their lives on Sept 11, 2001. Mr. Smith led the recitation of the Pledge of Allegiance.

Motion Mr. Smith seconded Mr. Thompson to amend the agenda to include:

Adopt minutes of August 18, 2006

Request of St. Rest Missionary Baptist Church

Request of Public Service Commissioner Foster Campbell to use community center for community meeting on September 29, 2006. Motion carried.

Motion Mr. Atkins seconded Mr. Langston to open the Board of Review for the 2006 Tax Assessment. Motion carried.

Mr. Eddie Gatlin, Jackson Parish Tax Assessor, addressed the Jury concerning the 2006 tax roll. The Jury then sat as a Board of Review for the 2006 Tax Roll. There were no complaints from those in attendance.

Motion Mr. Langston seconded Mr. Smith to affirm and accept the 2006 tax roll as presented by the Jackson Parish Tax Assessor. Motion carried.

Motion Mr. Magee seconded Mr. Atkins to close the Board of Review for the 2006 Tax Assessment. Motion carried.

There were no public comments.

The president recognized Mr. Frank Morris of Tri-State Consultants. He discussed the implementation of Act 12 of the 1995 Extraordinary Session requiring all parishes to comply with the International Building Code.

Motion Mr. Smith seconded Mr. Thompson to adopt the minutes of the August 14, 2006 jury meeting, the August financial report and the payment of all bills. Motion carried.

Motion Mr. Langston seconded Mr. Smith to adopt the minutes of the August 18, 2006 special jury meeting. Motion carried.

Mr. Atkins presented the report of the road committee:

“Road Committee
August 30, 2006

The Road Committee of the Jackson Parish Police Jury met Wednesday, August 30, 2006, at 1:00 PM in the Jackson Parish Community Center. Members present: Mr. Carl Atkins, Mr. Eddie Langston and Mr. Darrell Magee. Also present: Mr. Nathaniel Zeno, Jr. and Mr. Troy Smith.

The meeting was called to order by the chairman, Mr. Atkins. Mr. Magee gave the invocation and Mr. Zeno led the Pledge of allegiance. There were no public comments.

Paul Riley gave the Engineer’s Report. It was determined that the solid waste bins located on Tisdale Road should be moved for approximately one week while soil cementing the road.

Motion Mr. Langston seconded Mr. Magee to amend the agenda to discuss revenue sharing for municipalities. Motion carried.

Motion Mr. Langston seconded Mr. Magee to table the request of the Village of Quitman and the Town of Chatham for further review. Motion carried.

Motion Mr. Magee seconded Mr. Langston to adjourn. Motion carried.”

Motion Mr. Magee seconded Mr. Langston to adopt the minutes and recommendations of the August 30, 2006 Road Committee Meeting. Motion carried.

Mr. Thompson presented the report of the solid waste committee:

“Solid Waste Committee
August 30, 2006

The Solid Waste Committee of the Jackson Parish Police Jury met Wednesday, August 30, 2006, at 1:55 PM in the Jackson Parish Community Center. Members present: Mr. Eddie Langston and Mr. Darrell Magee. Absent: Mr. Leslie Thompson. Also present: Mr. Carl Atkins, Mr. Nathaniel Zeno, Jr. and Mr. Troy Smith.

The meeting was called to order by Mr. Langston. There were no public comments.

Motion Mr. Magee seconded Mr. Langston to recommend that the jury set the hours of operation of the Jackson Parish C & D landfill from 7:00 AM until 3:30 PM Monday through Saturday in the permit application. Motion carried.

Motion Mr. Langston seconded Mr. Magee to recommend that the jury authorize the president to sign the Permit Application for the Jackson Parish C & D Landfill. Motion carried.

Motion Mr. Magee seconded Mr. Langston to recommend that the jury accept the low bid of Head & Enquist for the purchase of a new Komatsu excavator at a cost of \$89,900. Motion carried.

Motion Mr. Magee seconded Mr. Langston to recommend that the jury authorize the parish engineer to communicate with Weyerhaeuser Corp for obtaining long term leases for the development of model solid waste collection sites at Chatham and Olive Grove (Cartwright community). Motion carried.

Motion Mr. Langston seconded Mr. Magee to adjourn. Motion carried.”

Motion Mr. Smith seconded Mr. Langston to adopt the minutes and recommendations of the August 30, 2006 Solid Waste Committee Meeting as amended. Motion carried.

Mr. Zeno relinquished the chair to the vice president.

The vice president called for the report of the finance committee.

Mr. Zeno presented the report of the finance committee:

“Finance Committee
August 30, 2006

The Finance Committee of the Jackson Parish Police Jury met Wednesday, August 30, 2006 at 2:15 PM in the Jackson Parish Community Center. Members present: Mr. Carl Atkins and Mr. Nathaniel Zeno, Jr. Absent: Dr. Charles Garrett.

The meeting was called to order by Mr. Zeno. During public comments Mr. Jerreld Robison commented that the failure of municipalities to properly inspect and to require that contractors correct problems with construction projects should not become the problems of the police jury.

Sheriff Brown discussed needed renovations in the sheriff’s office.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the jury expend \$20,000 from the Capital Outlay Fund for renovations in the sheriff’s office. Motion carried.

Mr. Eddie White, LSU Extension Service Agent presented a proposed Cooperative Endeavor Agreement for the 2007 fiscal year for the committee’s consideration.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the jury authorize the president to sign the Cooperative Endeavor Agreement to Support and Administer Louisiana Cooperative Extension Units Off Campus and to place into the 2007 Consolidated Budget. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the jury declare as surplus property:

1 – A B Dick Folding Machine

Motion carried.

Motion Mr. Zeno seconded Mr. Atkins to recommend that the jury authorize the purchase of a telephone system for the LSU Extension Office from Thorn's Communication in the amount of \$3,087.20. Motion carried.

Motion Mr. Zeno seconded Mr. Atkins to recommend that the jury authorize the president to request copies of audits from those agencies that receive appropriations from the jury, and to authorize the withholding of appropriations until financial documentation is provided. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the jury declare as surplus one (1) mobile home acquired through Sheriff's Sale for failure to pay property taxes. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the draft of the Notification of Sellers Ordinance be placed on the September 11, 2006 agenda. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to amend the agenda to include:
Modification of air handling unit in courthouse
Request of Mitchell's Pharmacy
Motion carried.

Motion Mr. Zeno seconded Mr. Atkins to recommend that the jury authorize the modification of the air handling unit on the third floor of the courthouse to be performed by Fitzgerald Contractors in the amount of \$4,007.00. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to authorize the secretary-treasurer to request an opinion of the assistant district attorney concerning use of the community center. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the jury authorize the president to request documentation from the Roberson Estate to assure compliance with the parish's subdivision ordinance. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to amend the agenda to discuss the jury's immunization policy. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to recommend that the jury approve the Immunization Waiver Form for those employees that reject vaccinations provided by the jury. Motion carried.

Motion Mr. Atkins seconded Mr. Zeno to adjourn. Motion carried."

Motion Mr. Smith seconded Mr. Zeno to adopt the minutes and recommendations of Finance Committee Meeting of August 30, 2006 as amended. Motion carried.

Motion Mr. Atkins seconded Mr. Langston to authorize the president to sign the LTAP Grant Application. Motion carried.

Motion Mr. Smith seconded Mr. Langston to authorize the road committee to assign ranking to the LTAP Grant Application. Motion carried.

Motion Mr. Thompson seconded Mr. Smith to use \$25,000 of Capital Outlay Funds as matching funds for the LTAP Grant. Motion carried.

Motion Mr. Smith seconded Mr. Thompson to approve the Engineer's Report. Motion carried.

Motion Mr. Atkins seconded Mr. Thompson to approve the off schedule work for August as presented by the road superintendent. Motion carried.

Motion Mr. Thompson seconded Mr. Magee to approve the permanent employment of Randy Jewitt as Driver in the road department at \$9.39 per hour effective September 15, 2006. Motion carried.

Motion Mr. Thompson seconded Mr. Smith to approve the report of the road superintendent. Motion carried.

Motion Mr. Smith seconded Mr. Langston to accept the report of the Building Superintendent. Motion carried.

Motion Mr. Thompson seconded Mr. Langston to appoint Frank Morris as Certified Building Official for Jackson Parish, and to authorize the president to sign a contract with Tri-State Consultants for CBO and Building Permit services.

Yeas: 2, 3, 4, 5, 7

Nays: None

Abstaining: 1

Absent: 6

Motion carried.

Motion Mr. Smith seconded Mr. Thompson to approve use of community center by Town of Jonesboro on October 31, 2006 with fees waived. Motion carried.

Motion Mr. Atkins seconded Mr. Smith to adopt the following:

RESOLUTION

WHEREAS, certain areas of Jackson Parish, are subject to periodic flooding, causing serious damages to properties within these areas; and

WHEREAS, it is the intent of this Jury to require the recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to laws of the State of Louisiana:

NOW, THEREFORE, BE IT RESOLVED, that the Jackson Parish Police Jury hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force, in those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and

2. Vests the President of the Jackson Parish Police Jury with the responsibility, authority and means to:

- (a) Assist the Administrator, at his/her request, in the delineation of the limits of the area having special flood hazards.
- (b) Provide such information concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow) or flood-related erosion areas as the Administrator may request.
- (c) Maintain for public inspection and furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM), any certificates of floodproofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new construction or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.
- (d) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain, mudslide (i.e., mudflow) or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain, mudslide, (i.e., mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
- (e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of the map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
- (f) Submit an annual report to the Administrator concerning the community's participation in the program, including, but not limited to the development and implementation of floodplain management measures.

3. Appoints the President of the Jackson Parish Police Jury with the responsibility, authority, and means to implement the commitments as outlined in this Resolution.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the adopted floodplain management measures.

APPROVED: _____
President
Jackson Parish Police Jury

DATE PASSED: September 11, 2006

CERTIFICATION

I, the undersigned, Kenneth O. Pardue, Secretary-Treasurer of the Jackson Parish Police Jury, do hereby certify that the above is a true and correct copy of a resolution duly passed by the Jackson Parish Police Jury at a regular meeting duly convened on September 11, 2006.

Secretary-Treasurer

Parish Seal:

Motion Mr. Atkins seconded Mr. Magee to adopt the following:

**FLOOD DAMAGE PREVENTION ORDINANCE
ARTICLE I
STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS**

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Louisiana has in statutes delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Jackson Parish Police Jury, governing body of the Parish of Jackson, State of Louisiana, does ordain as follows:

SECTION B. FINDINGS OF FACT

(1) The flood hazard areas of Jackson Parish are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Insure that potential buyers are notified that property is in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

ARTICLE 2 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

AREA OF SHALLOW FLOODING - means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

BASE FLOOD - means the flood having a one percent chance of being equalled or exceeded in any given year.

BASEMENT - means any area of the building having its floor subgrade (below ground level) on all sides.

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING - means a nonbasement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

EXISTING CONSTRUCTION - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD HAZARD BOUNDARY MAP (FHBM) - means an official map of a community, issued by the Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY - is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY (REGULATORY FLOODWAY) - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior or;

(2) Directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; **provided** that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

START OF CONSTRUCTION - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures

which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE - is a grant of relief to a person from the requirement of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

VIOLATION - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE 3 GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all areas of special flood hazard within the jurisdiction of

Jackson Parish

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

Since areas of special flood hazard have not been identified, water surface elevations have not been provided, nor has sufficient data identifying the floodway or coastal high hazard area been provided by the Federal Emergency Management Agency (FEMA), the community shall obtain, review, and reasonably utilize data available from other Federal, State or other sources.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OR LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE 4 ADMINISTRATION

SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The President is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

(2) Review permit application to determine whether proposed construction or other development, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

SECTION C. PERMIT PROCEDURES

(1) Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B(2);

d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and

e. Maintain a record of all such information in accordance with Article 4, Section B(1).

(2) Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

- a. The danger to life and property due to flooding or erosion damage;
- b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- c. The danger that materials may be swept onto other lands to the injury of others;
- d. The compatibility of the proposed use with existing and anticipated development;
- e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan for that area.

SECTION D. VARIANCE PROCEDURES

(1) The appeal Board as established by the community shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

b. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D(1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

ARTICLE 5

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SECTION B. STANDARDS FOR SUBDIVISION PROPOSALS

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

CERTIFICATION

It is hereby found and declared by the Jackson Parish Police Jury that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately.

Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

APPROVED: _____
Nathaniel Zeno, Jr., President

Passed this 11th day of September, 2006.

I, the undersigned, Kenneth O. Pardue, Secretary-Treasurer of the Jackson Parish Police Jury, do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the Jackson Parish Police Jury, at a regular meeting duly convened on September 11, 2006.

Secretary-Treasurer

Parish Seal:

Motion Mr. Atkins seconded Mr. Thompson to authorize the president to sign the Application to participate in the National Flood Insurance Program. Motion carried.

Motion Mr. Langston seconded Mr. Atkins to authorize the president to sign the contract with the State of Louisiana for the 2006 Louisiana Community Development Block Grant Street Project. Motion carried.

ON A MOTION BY MR SMITH, DULY SECONDED BY MR. THOMPSON, THE FOLLOWING RESOLUTION WAS OFFERED TO WIT:

RESOLUTION

WHEREAS, the Jackson Parish Police Jury has been awarded a Louisiana Community Development Block Grant (LCDBG) for street improvements;

WHEREAS, the LCDBG Program requires the adoption of plans and policies, appointments and authorization of individuals for compliance with the LCDBG regulations;

WHEREAS, it is necessary under the regulations of the LCDBG Program to authorize certain individuals to sign for Requests for Payment for LCDBG funds and to authorize one individual to certify to the correctness of each signature, designate an official depository to hold LCDBG funds and authorize certain individuals to sign checks on the official depository;

NOW THEREFORE BE IT RESOLVED by the Jackson Parish Police Jury in regular session convened that the following plans and policies be adopted; (1) Procurement Policy, (2) Residential Antidisplacement and Relocation Assistance Plan and (3) Policy Statement for Communicating Information to Persons with Sensory Impairments;

BE IT FURTHER RESOLVED that the following appointments and authorization of individuals are made; (1) Handicapped/Section 504 Compliance/Coordinator - Kenneth Pardue (2) Antidisplacement Coordinator - Kenneth Pardue, (3) Equal Employment Officer - Kenneth Pardue, (4) Citizen Complaint Officer - Kenneth Pardue, (5) Labor Compliance Officer - LCDBG Administrator, and (6) Authorize the President to sign all documents pertaining to the LCDBG Program;

BE IT FURTHER RESOLVED that Nathaniel Zeno, Jr. and Eddie M. Langston are hereby authorized to sign for Requests for Payment; Kenneth Pardue shall certify to the correctness of each signature and that the Sabine State Bank is hereby designated as the official depository of all LCDBG funds and that Kenneth Pardue and Nathaniel Zeno, Jr. are authorized to sign checks on the official depository and both signatures are required for each check.

THE ABOVE RESOLUTION, presented at the 11th day of September, 2006, regular scheduled meeting was read and the vote was recorded as follows:

Yeas: 1, 2, 3, 4, 5, 7
Nays: None
Absent: 6
Abstain: None

Motion carried.

Nathaniel Zeno, Jr.
President

Kenneth O. Pardue
Secretary-Treasurer

Motion Mr. Thompson seconded Mr. Langston to authorize the president to sign the 2005 FY Homeland Security Subgrant for equipment. Motion carried.

Motion Mr. Magee seconded Mr. Langston to approve the following purchase requisitions:

| | | |
|---------------------|------------|----------------|
| Covington Sales | \$ 900.00 | Road |
| Quality Tire | \$ 530.00 | Road / Asphalt |
| Parker Wholesale | \$1,050.00 | Road |
| NAPA | \$ 341.76 | Road |
| Diesel Truck Repair | \$ 387.53 | Solid Waste |
| Jim Taylor Ford | \$1,900.00 | Asphalt |
| Walpole Tire | \$ 600.00 | Road |
| CDWG | \$ 600.00 | Local OEP |

Motion carried.

Motion Mr. Atkins seconded Mr. Smith to authorize the parish engineer to contact the St. Rest Missionary Baptist Church for improvements to be made by the church within the parish right of way. Motion carried.

Motion Mr. Atkins seconded Mr. Thompson to approve the use of the community center on September 29, 2006 for a public hearing by Mr. Foster Campbell, Public Service Commissioner. Motion carried.

Motion Mr. Thompson seconded Mr. Langston to adjourn. Motion carried.