

MINUTES  
Of the Regular Meeting, of  
The Claiborne Parish Police Jury  
10:00 a.m.  
May 10, 2023  
Police Jury Chambers  
507 West Main Street  
Homer, LA 71040

The Claiborne Parish Police Jury met in regular session in the Jury Chambers of the Claiborne Parish Police Jury Complex, located at 507 West Main Street in Homer, LA at 10:00 a.m. on the 10th of May 2023. On being called to order by President, Scott Davidson, the following jurors were present:

James Laird, Mark Furlow, Kevin Gray, Mary McDaniel, Paul Cook, Joseph Merritt, Jr., Tommy Sanders, Gil Dowies, and Rev. Willie Young, Sr.

There were 14 others in attendance which included Secretary-Treasurer Dwayne R. Woodard, Interim Parish Co-Road Superintendents Chad Verdin and Brant Cupp, Sheriff Sam Dowies, District Attorney Danny Newell, OOC Executive Director April Childress, , CMMC CEO Tina Haynes, Claiborne Parish Fire District #6 Board Member Mr. Stevie Aycock, Parish Coroner Dr. Mark Haynes, Mrs. Destiny Hightower of LSU Ag Center, CPPJ Digital Navigator Mr. Jerry Hillidge, Main Street and TOH Council Member Jimmy Hand, Haynesville Mayor Roderick Hampton and Mr. Jerry Whitton of Homer.

There was a Personnel Committee Meeting held at 9:00 am in the Police Jury Conference Room.

There was a Road Committee Meeting held at 9:15 am in the Police Jury Conference Room.

President Scott Davidson called the meeting to order.

The meeting was opened with a word of Prayer led Rev. Willie Young, Sr., followed by the Pledge of Allegiance led by Paul Cook.

Upon motion by Kevin Gray, duly seconded by Mark Furlow, the Jury unanimously voted to adopt the Regular Agenda as presented.

Upon motion by Joe Merritt, duly seconded by Mary McDaniel, the Jury unanimously voted to amend the regular agenda to include the following item:

1. Request from the Town of Haynesville Public Works Department, in a letter dated May 8, 2023, requesting one (1) load of SB2 and one (1) load of cold-mix be delivered to their City Shop located on Spring Street.

Upon motion by Joseph Merritt, duly seconded by Tommy Sanders, the Jury unanimously approved the following consent agenda:

**Consent Agenda**

1. Approval of the April 5, 2023, regular meeting minutes.
2. Payment of the April 2023 bills as approved by the Claims Committee.

President Scott Davidson requested that the Jury act upon the addition to the regular agenda at this time.

Upon motion by Tommy Sanders, duly seconded by Mark Furlow, the Jury unanimously approved the request from the Town of Haynesville for one (1) load of SB2 and one (1) load of cold-mix be delivered to their City Shop located on Spring Street.

**Regular Agenda**

President Scott Davidson reminded everyone that all Parish Employees are required to complete one (1) hour of ethics training by December 31, 2023.

President Scott Davidson also reminded everyone that one (1) hour of Preventing Sexual Harassment training is required to be completed by December 31, 2023, by all parish employees – Department Heads and Jury Officers have a two (2) hour training requirement.

Reminder - Juror's Personal Financial Disclosure Statements for 2022 are due by Monday, May 15, 2023.

President Scott Davidson read aloud a notice that the District Attorney Employees' Retirement System employer rate for the fiscal year July 1, 2023, to June 30, 2024, will increase to 12.00% (+2.50%) and the employee rate will remain at 8.00%.

Upon motion by Gil Dowies, duly seconded by Rev. Willie Young, the Jury unanimously adopted Resolution 2023-007 – Resolution Certifying the April 29, 2023, Election Results (Library Continuation and Renewal 6.19 mills) after the Resolution was read aloud by President Scott Davidson.

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The following resolution was offered by Gil Dowies and seconded by Rev. Willie Young:

**RESOLUTION 2023-007**

A resolution providing for canvassing the returns and declaring the results of the special election held in the Parish of Claiborne, State of Louisiana, on Saturday, April 29, 2023, to authorize the continuation of a special tax therein.

BE IT RESOLVED by the Police Jury of the Parish of Claiborne, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Claiborne, State of Louisiana (the "Parish"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the Parish of Claiborne, State of Louisiana, on SATURDAY, APRIL 29, 2023 (the "Election"), to authorize the continuation of a special tax therein pursuant to the following proposition (the "Proposition"):

**PROPOSITION  
(MILLAGE CONTINUATION)**

Shall the Parish of Claiborne, State of Louisiana (the "Parish"), levy a tax of six and nineteen hundredths (6.19) mills on all the property subject to taxation in the Parish (an estimated \$729,200 reasonably expected at this time to be collected from the levy of the tax for an entire year), for an additional period of eight (8) years, beginning with the year 2036 and ending with the year 2043, for the purpose of constructing, maintaining and operating public libraries in the Parish, said millage to represent a nine hundredths of a mill (0.09) increase (due to reappraisal) over the 6.10 mills tax authorized to be levied through the year 2035 pursuant to an election held on October 22, 2011?

This Governing Authority does further proceed to examine and canvass the returns of the Election thereof.

SECTION 2. Election Results. According to the official certified tabulation of votes cast at said Election, there was a total of **526** votes cast **IN FAVOR OF** Proposition and a total of **193** votes cast **AGAINST** Proposition, resulting in a majority of **333** votes cast **IN FAVOR OF** Proposition. The Proposition was therefore duly **CARRIED** by a majority of the votes cast by the qualified electors voting at the Election.

SECTION 3. Promulgation of Election Result. The results of said election shall be promulgated by publication in the manner provided by law, after receipt from the Secretary of

State’s office of the actual costs of the election, as required by Act 205 of the Regular Session of the Legislature of Louisiana for the year 2019.

SECTION 4. Declaration. The foregoing results of the Election are hereby declared by this Governing Authority and shall be published as required by law.

SECTION 5. Procès Verbal. A *Procès Verbal* of the canvass of the returns of the Election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of Claiborne, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

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

<u>MEMBERS</u>	<u>YEAS</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINING</u>
James Laird	X _	_____	_____	
Mark Furlow	X _	_____	_____	_____
Kevin Gray	X _	_____	_____	
Mary McDaniel	X _	_____	_____	
Paul R. Cook	X _	_____	_____	
Scott Davidson	X _	_____	_____	
Joseph Merritt, Jr.	X _	_____	_____	
Tommy Sanders	X _	_____	_____	
Gil Dowies	X _	_____	_____	
Willie J. Young, Sr.	X _	_____	_____	

And the resolution was declared adopted on this, the 10<sup>th</sup> day of May, 2023.

/s/ Dwayne R. Woodard  
Secretary-Treasurer

/s/ Scott Davidson  
President

PROCÈS VERBAL OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE PARISH OF CLAIBORNE, STATE OF LOUISIANA, ON SATURDAY, APRIL 29, 2023.

BE IT KNOWN AND REMEMBERED that on Wednesday, May 10, 2023, at 10:00 a.m., at its regular meeting place, the Jury Chambers of the Police Jury Complex, 507 West Main Street, Homer, Louisiana, the Police Jury of the Parish of Claiborne, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Claiborne, State of Louisiana (the "Parish"), and being the authority ordering the special election held therein on Saturday, April 29, 2023, with the following members present:

James Laird, Mark Furlow, Kevin Gray, Mary McDaniel, Paul Cook, Scott Davidson, Joseph Merritt, Tommy Sanders, Gil Dowies, and Rev. Willie Young;

There being absent: NONE;

did, in open and public session, examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of the said election, there having been submitted at said election the following proposition, to wit:

PROPOSITION  
(MILLAGE CONTINUATION)

Shall the Parish of Claiborne, State of Louisiana (the "Parish"), levy a tax of six and nineteen hundredths (6.19) mills on all the property subject to taxation in the

Parish (an estimated \$729,200 reasonably expected at this time to be collected from the levy of the tax for an entire year), for an additional period of eight (8) years, beginning with the year 2036 and ending with the year 2043, for the purpose of constructing, maintaining and operating public libraries in the Parish, said millage to represent a nine hundredths of a mill (0.09) increase (due to reappraisal) over the 6.10 mills tax authorized to be levied through the year 2035 pursuant to an election held on October 22, 2011?

There was found by said count and canvass that there was a total of **526** votes cast **IN FAVOR OF** Proposition and a total of **193** votes cast **AGAINST** Proposition, as hereinabove set forth, and it was further found and determined that there was a majority of **333** votes cast **IN FAVOR OF** Proposition as hereinabove set forth.

Therefore, the Governing Authority did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition as hereinabove set forth was duly **CARRIED** by a majority of the votes cast by the qualified electors voting at the said special election held in the Parish on Saturday, April 29, 2023.

Results by precinct are available from the Secretary of this Governing Authority during regular business hours or via the Louisiana Secretary of State's website (voterportal.sos.la.gov).

**Exhibit "A"** attached hereto and made a part of this *Procès Verbal* is a copy of the Notice of Special Election and proof of publication thereof.

THUS DONE AND SIGNED at Homer, Louisiana, on this, the 10<sup>th</sup> day of May, 2023.

ATTEST: /s/ Scott Davidson  
President

/s/ Dwayne R. Woodard  
Secretary-Treasurer

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President Scott Davidson read aloud a THANK YOU note from CPL Library Director Mrs. Pam Suggs, thanking the Police Jury Members supporting the Library Tax Renewal last month.

President Scott Davidson read aloud a THANK YOU note from the Claiborne NAACP Camp for the Police Jury's support of last month's NAACP Banquet.

Upon motion by Paul Cook, duly seconded by Kevin Gray, the Jury unanimously adopted Resolution 2023-008 – A Resolution Approving the Holding of an Election in Claiborne Parish, State of Louisiana, on Saturday, October 14, 2023 (Continuation/renewal ad valorem tax supporting the Building Maintenance 2.77 mills)

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The following resolution was offered by Paul Cook and seconded by Kevin Gray:

**RESOLUTION 2023-008**

A resolution ordering and calling a special election to be held in the Parish of Claiborne, State of Louisiana, to authorize the continuation of a special tax therein, making application to the State Bond Commission and providing for other matters in connection therewith.

BE IT RESOLVED by the Police Jury of the Parish of Claiborne, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Claiborne, State of Louisiana (the "Parish"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Section 26 thereof, the applicable provisions of the Louisiana Election Code, and other

constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, OCTOBER 14, 2023**, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION  
(MILLAGE CONTINUATION)

Shall the Parish of Claiborne, State of Louisiana (the "Parish"), continue to levy a tax of 2.77 mills on all the property subject to taxation in the Parish (an estimated \$326,400 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of 10 years, beginning with the year 2025 and ending with the year 2034, for the purpose of operating, repairing, maintaining and equipping the Parish Courthouse, the Parish Jail and other Parish Buildings, including paying the cost of utilities therefore, said millage to represent a .06 increase (due to reappraisal) over the 2.71 mills tax authorized to be levied through the year 2024 pursuant to an election held on October 19, 2013?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the official journal of the Parish once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the President is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any state or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Jury Chambers of the Police Jury Complex, 507 West Main Street, Homer, Louisiana, on **WEDNESDAY, NOVEMBER 8, 2023**, at **TEN O'CLOCK (10:00) A.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election.

SECTION 4. Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Secretary-Treasurer of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the President and/or Secretary-Treasurer of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Claiborne Parish and the Registrar of Voters of Claiborne Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to continue to levy and collect the

special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

<u>MEMBERS</u>	<u>YEAS</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINING</u>
James Laird	X	_____	_____	
Mark Furlow	X	_____	_____	_____
Kevin Gray	X	_____	_____	
Mary McDaniel	X	_____	_____	
Paul R. Cook	X	_____	_____	
Scott Davidson	X	_____	_____	
Joseph Merritt, Jr.	X	_____	_____	
Tommy Sanders	X	_____	_____	
Gil Dowies	X	_____	_____	
Willie J. Young, Sr.	X	_____	_____	

And the resolution was declared adopted on this, the 10<sup>th</sup> day of May, 2023.

/s/ Dwayne R. Woodard  
Secretary-Treasurer

/s/ Scott Davidson  
President

**EXHIBIT "A"**

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Police Jury of the Parish of Claiborne, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Claiborne, State of Louisiana (the "Parish"), on May 10, 2023, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish on **SATURDAY, OCTOBER 14, 2023**, and that at the said election there will be submitted to all registered voters in the Parish qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

**PROPOSITION  
(MILLAGE CONTINUATION)**

Shall the Parish of Claiborne, State of Louisiana (the "Parish"), continue to levy a tax of 2.77 mills on all the property subject to taxation in the Parish (an estimated \$326,400 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of 10 years, beginning with the year 2025 and ending with the year 2034, for the purpose of operating, repairing, maintaining and equipping the Parish Courthouse, the Parish Jail and other Parish Buildings, including paying the cost of utilities therefore, said millage to represent a .06 increase (due to reappraisal) over the 2.71 mills tax authorized to be levied through the year 2024 pursuant to an election held on October 19, 2013?

Said special election will be held at each and every polling place in the Parish of Claiborne, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541.

The polling places at the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$3,800.

Notice is further given that a portion of the monies collected from the tax described in the Proposition shall be remitted to certain state and statewide retirement systems in the manner required by law.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Jury Chambers of the Police Jury Complex, 507 West Main Street, Homer, Louisiana, on **WEDNESDAY, NOVEMBER 8, 2023**, at **TEN O'CLOCK (10:00) A.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election. All registered voters of the Parish are entitled to vote at said special election and voting machines will be used.

STATE OF LOUISIANA  
PARISH OF CLAIBORNE

I, the undersigned Secretary-Treasurer of the Police Jury of the Parish of Claiborne, State of Louisiana (the "Governing Authority"), the governing authority of the Parish of Claiborne, State of Louisiana (the "Parish"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Governing Authority on May 10, 2023, ordering and calling a special election to be held in the Parish of Claiborne, State of Louisiana, to authorize the continuation of a special tax therein, making application to the State Bond Commission, and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Homer, Louisiana, on this, the 10<sup>th</sup> day of May, 2023.

/s/Dwayne R. Woodard  
Secretary-Treasurer

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Upon motion by Tommy Sanders, duly seconded by Kevin Gray, the Jury unanimously approved Resolution 2023-009 – A Resolution for the CPPJ to Join AG Lawsuit against FEMA.

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**Resolution 2023-009**

**WHEREAS**, the Federal Emergency Management Agency (FEMA) “is updating the National Flood Insurance Program’s (NFIP) risk rating methodology through the implementation of a new pricing methodology,” titled “Risk Rating 2.0: Equity in Action”<sup>1</sup>;

**WHEREAS**, FEMA states that Risk Rating 2.0’s “methodology leverages industry best practices and cutting-edge technology to enable FEMA to deliver rates that are actuarially sound, equitable, easier to understand and better reflect a property’s flood risk”<sup>2</sup>;

**WHEREAS**, the Association of Levee Boards of Louisiana, members of both the Louisiana legislature and the federal legislature, members of state government, numerous Parish Presidents

<sup>1</sup> <https://www.fema.gov/flood-insurance/risk-rating>.

<sup>2</sup> <https://www.fema.gov/flood-insurance/risk-rating>.

and their Councils, and many other entities in Louisiana and around the nation have grave concerns about the soundness of Risk Rating 2.0's underlying methodology, its failure to properly take into account any of the numerous improvements Louisiana's Levee Boards have made to the flood protection systems, and its catastrophic effect on Louisiana's flood insurance rates and the ability of Louisiana's homeowners to purchase flood insurance;

**WHEREAS**, many of those entities have repeatedly raised their concerns to FEMA, have asked FEMA for documentation showing FEMA's underlying methodology, and have been passed from one federal office to the next without receiving any meaningful answers to their questions or documents showing FEMA's underlying methodology;

**WHEREAS**, FEMA has denied and continues to deny the efforts of those who are trying to protect their interests, the interests of their members, the interests of many Louisiana industries, and the interests of Louisiana citizens, making what is supposed to be "Equity in Action" an inequitable program across the entire State of Louisiana;

**NOW, THEREFORE, BE IT RESOLVED** that the Claiborne Parish Police Jury joins the Attorney General of Louisiana in litigation against FEMA to challenge Risk Rating 2.0.

Upon a motion by Tommy Sanders and duly seconded by Kevin Gray this motion was carried and officially adopted by the Claiborne Parish Police Jury meeting in regular session convened on Wednesday, May 10, 2023.

Yeas – (10) Laird, Furlow, Gray, McDaniel, Cook, Davidson, Merritt, Sanders, Dowies and Young

Nays – (0) None

Abstain – N/A

Absent – (0)

/s/Dwayne R. Woodard  
Secretary-Treasurer

/s/Scott Davidson  
President

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Upon motion by Kevin Gray, duly seconded by Mark Furlow, the Jury unanimously approved Special Events Permit from Mr. Charles White of 404 Ed White Rd, Haynesville to host White Acres Trail Ride and Horse Show on May 12 and 13, 2023 at 404 Ed White Rd, Haynesville, LA. All paperwork has been submitted and approved.

Upon motion by Gil Dowies, duly seconded by Mary McDaniel, the Jury unanimously approved the renewal of the lease with Section 8 Housing Program for the use of office space in the CPPJ-OOCS Building located at 621 South Main St., Homer, LA for \$300.00 per month.

Upon motion by Kevin Gray, duly seconded by Paul Cook, the Jury unanimously approved the request form Interim Co-Road Superintendents Brant Cupp and Chad Verdin for the Hwy Department to start working the summer 4/10's work week starting Thursday, May 11, 2023. (Work four ten-hour days per week and off on Friday)

At this time, President Scott Davidson presented the items from the Personnel Committee.

Upon motion by Mark Furlow, duly seconded by Rev. Willie Young, the Jury unanimously approved, upon recommendation from the Personnel Committee, to hire applicant Lee Wells as Operator II with a pay increase of \$0.50 per hour to an hourly rate of \$14.50 per hour. Effective with the payroll period beginning May 11, 2023, for the PJ's standard a 6-month probationary period.



Upon motion by Kevin Gray, duly seconded by James Laird, the Jury unanimously approved, upon recommendation from the Personnel Committee, to advertise a position of Truck Driver. This position will be open to the public for application and promoted through Man Power of Ruston.

Upon motion by Kevin Gray, duly seconded by Mark Furlow, the Jury unanimously approved the recommendation from Interim Co-Road Superintendents Brant Cupp and Chad Verdin requesting that Mechanic Helper Kaden Williams be given a \$1.00 per hour pay increase to \$13.75 per hour effective May 11, 2023. Mr. Williams has completed his 6-month probationary period.

Upon motion by James Laird, duly seconded by Kevin Gray, the Jury unanimously appointed Mr. Mark Aulds and Mr. Danny “Doc” Lee to the Claiborne Parish Fire Protection District #6.

Upon motion by Kevin Gray, duly seconded by James Laird, the Jury unanimously accepted a letter of resignation Mr. Wade Holloway, in a letter dated April 21, 2023, from the Claiborne Parish Watershed District Board effective immediately.

Upon motion by Gil Dowies, duly seconded by Tommy Sanders, the Jury unanimously voted to fill the vacancy left on the Claiborne Parish Watershed District by electing Mr. Graham A. Cowie, who, expressed interest in serving, in a letter dated April 13, 2023.

Upon motion by Mark Furlow, duly seconded by Mary McDaniel, the Jury unanimously approved the introduction of Proposed Ordinance No. 796 – An Ordinance to Provide for the Sale of Adjudicated Properties and Further Providing with Respect Thereto for its standard 30-day review period. The Jury plans to present the ordinance for a formal vote at the regularly scheduled June 7, 2023, meeting.

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\_\_\_\_\_, seconded by \_\_\_\_\_ offered the following ordinance for adoption.

**ORDINANCE NO. 796**

**AN ORDINANCE TO PROVIDE FOR THE SALE OF ADJUDICATED PROPERTIES; AND, FURTHER PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Parish of Claiborne has an interest in the health, safety and welfare of its citizens; and

**WHEREAS**, numerous properties have been adjudicated to the Parish for nonpayment of taxes; and

**WHEREAS**, Act 819 was enacted by the 2008 Legislative Session, revising La. R.S. 47:2121, *et seq.* to establish procedures for the sale of adjudicated properties, and the Parish of Claiborne desires to establish and adopt such procedures in order to place such adjudicated properties back into the economic stream of commerce for the benefit of its communities; and

**WHEREAS**, R.S.47:2201, authorizes a political subdivision to adopt general ordinances governing the public sales and donations of adjudicated property.

**NOW THEREFORE:**

**I. ADMINISTRATION**

Claiborne Parish Police Jury hereby establishes the Claiborne Parish Adjudicated Property Program, which shall be administered by the Claiborne Parish Police Jury (hereinafter “CPPJ” or “Parish” or “Police Jury”). The Parish shall either handle the process internally or shall contract with a third-party administrator or management company (hereinafter "Management Company") to administer the sale or donation of adjudicated properties in the Parish.

The PPPJ hereby authorizes, pursuant to La. R.S.47:2196, the public sale of all properties adjudicated to the Parish since January 1, 1975, and for a period of at least three (3) years. The sale of said properties shall be governed by the laws of the State of Louisiana and this Ordinance.

## II. PUBLIC INFORMATION AND DISCLOSURE

Forms and instructions shall be accessible to the public from the web site or printed publication produced and provided by Claiborne Parish for such purposes, to include the following:

- A. Listing of all properties adjudicated to the Parish with links to the Parish Assessor's online database, if possible.
- B. Notice to Buyers, which shall contain instructions, disclosure of rights, and contact information.
- C. Persons questioning the status of their property taxes shall be instructed to contact the Parish Tax Collector's office.
- D. Copy of Parish Ordinance regulating policies and procedures for sale of adjudicated properties.
- E. Definitions and citation to Louisiana Revised Statutes.
- F. Offer to Purchase Form with instructions for completion and assistance.

## III. PRE-BIDDING PROCESS

### A. Initiation of Sale

The Parish Assessor shall make best efforts to annually compile a list of names and addresses of adjudicated properties from the tax roll records and make such list available to the public. The Parish Assessor shall also forward such list to the Management Company.

Pursuant to La. R.S 2203, the sale of such adjudicated property may be prompted by individual interest (whether it be a natural person or juridical person) or at the request of the Parish or Police Jury, at any time.

An individual submitting a request for the sale of specific property shall submit an application with a certified check or money order in the amount of \$1,000.00 for each piece of property, payable to *E&P Consulting Services, LLC*. This fee is an administrative fee for the work performed by the Management Company to prepare and sell the identified adjudicated property. It shall be fully refundable to the interested purchaser until a Written Offer to Bid has been signed.

Upon receipt of application and fee, the Management Company shall conduct a preliminary investigation to confirm that the property has been adjudicated, has not been redeemed and has not been determined as needed for a public purpose. The Management Company shall communicate as necessary with the office of the tax collector and tax assessor for the purpose of calculating the Minimum Bid (set forth in (3) below) and shall prepare and provide the interested purchaser with a written Offer to Bid containing the minimum bid figure. In the event that the interested Purchaser rejects the minimum bid offer, he/she shall receive a full refund of the administrative fee.

If the written minimum bid offer is accepted, the Management Company shall:

1. Conduct Title Research - Title research shall include copies of all documents from the public record. If necessary, surrounding properties may be researched to ascertain the physical location and boundaries of subject properties. Management Company shall utilize abstracting services of insured abstractors at its discretion. Said title search shall include tax certificates obtained from the Claiborne Parish Tax Collector, mortgage certificates obtained from Claiborne Clerk of Court, and any records obtained from Parish Assessor's office. Copies of surveys and maps of record may also be provided.
2. Effect Public Notice - The public sale by auction shall be advertised at least twice in the

official journal for the Parish of Claiborne once at least thirty days prior to the date of the public sale, and once no more than seven days prior to the date of the public sale. The notice shall provide for the minimum bid, the latest date written bids will be accepted, the time and date of in-person bidding, if any, and any other terms of sale.

3. Other Administration and Determination of Minimum Bid Amount – The Management Company shall prepare reports, send statutory notices to all interested parties, and confirm the minimum bid price, based upon total amount of liens and taxes due, and acquisition costs. Pursuant La. R.S. 47:2202, Claiborne Parish hereby establishes that there is no minimum bid at the public sale of an adjudicated property; however, unless circumstances demand otherwise, recommended bidding to ensure equivalent value shall not be less than the lesser of:
  - a) The total amount for which the property was adjudicated, including all interest, costs, penalties, and the amount of any state, parish, city, levee district charges and all subsequent taxes and other local improvement or code enforcement charges or
  - b) Two-third the assessed value.

#### **IV. BIDDING AND PUBLIC SALE**

Except as otherwise provided in this ordinance, or by La. R.S. 47:2121 *et seq.*, the auction shall be governed by R.S. 9:3151 *et seq.* Following notice of sale being published in the official journal of the Parish of Claiborne, the following shall occur:

##### **A. Public Auction**

Public auction of adjudicated property shall be held at the Claiborne Parish Police Jury office located at 507 West Main Street, Homer, LA 71040 and shall be handled by the office of Parish Secretary/Treasurer. All bid amounts are subject to final approval by the Parish. The Parish is hereby authorized to accept and/or reject any or all bids, and to execute any and all documents necessary to finalize the sale of properties sold pursuant to these procedures. If in any event a property is not sold at such public auction, the property shall remain adjudicated to the Parish.

##### **B. Terms for Sale of Adjudicated Property**

All Acts of Sale of adjudicated property shall contain provisions, acceptable in form and substance to the Parish, which provide that all such sales shall be for cash and shall be without warranty of title and without any warranty of merchantability or fitness; shall be "as is, where is"; that it shall be the obligation of the purchaser to obtain title insurance, if it is desired; that all such sales shall be subject to such encumbrances, liens, mortgages, real charges or other burdens reflected in the public records; and that the Act of Sale for such adjudicated property shall contain a condition which shall require the purchaser of such property to improve/renovate/make use of the tract, to the satisfaction of the administration, within 365 days of the passage of the Act of Sale and that, if the purchaser fails to timely comply with this provision, the Parish Jury shall have the right to rescind, dissolve or cancel the sale.

##### **C. Notice to Tax Debtor and Tax Parties**

(a) The Management Company, on behalf of the Parish for the benefit of the potential purchaser, shall give notice to any tax sale party whose interest that a prudent purchaser would intend to terminate, as determined by the Management Company, in its discretion, that he has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale: (i) depending on the date of adjudication, either six months or the sixty days from the date of the notice provided in this Subsection; or (ii) the filing of the act of sale transferring the property.

(b) The Management Company, on behalf of the Parish for the benefit of the

potential purchaser, shall cause to be published in the official journal of Claiborne Parish a notice that any tax sale party whose interest that a prudent purchaser would intend to terminate has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction, the potential sale of the property: (i) Sixty (60) days or six (6) months from the first publication of the notice provided for in this Subsection; or (ii) The filing of the sale or donation transferring the property.

(c) The Management Company shall make available during business hours to any potential bidder, upon reasonable request, the notices, the publication and the results of such notification and publication.

(d) The Management Company on behalf of the Parish for the benefit of the potential purchaser or the successful bidder may file with the recorder of mortgages of Claiborne Parish a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. Pursuant to the provisions of La. R.S. 47:2206(C), the recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the Management Company or the successful bidder.

#### D. Closing Transaction

Within 10 business days of the six (6) month or the sixty (60) day period set forth in the notices provided above, closing of the transactions should occur. Such date may be extended by mutual agreement of the Management Company, acting on behalf of the Parish, and the potential purchaser or based on the Management Company determination that the closing should occur at a later date in the best interest of the Police Jury. On the day of closing, and immediately prior to closing, Management Company will confirm that the property to be purchased has not been redeemed.

Closings shall be conducted or overseen or arranged by the Management Company to be held at the offices of Management Company or at the Claiborne Parish Police Jury Office. However, purchaser may execute the documents at a more agreeable location, at purchaser's expense.

At closing, the purchaser shall pay the net purchase price for the property as well as all fees to be charged by the Clerk of Court.

All sales are made without warranties whatsoever, except for warranty against eviction based on prior alienation by the political subdivision. Purchaser has the right to obtain title insurance, if available, at its sole cost and expense. All minerals and mineral rights shall be reserved by the Parish, if allowed by law. Cash Sales may contain additional reservations, requirements, restrictions, rights of way, and servitudes imposed by the Parish.

Upon recordation of the sale, disbursement of funds shall occur by Management Company to the Parish Tax Collector with instructions from the Parish Tax Collector. All proceeds after the deduction of costs shall be paid pro rata to holders of statutory impositions and governmental liens, unless otherwise agreed. Any excess amount shall be paid to the Parish or shall be dispersed as determined appropriate by the mutual agreement of the governmental entities.

#### E. Purchaser's Affidavit

1) Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his successors, or assigns, at his own additional expense may file with the recorder of mortgages of Claiborne Parish indicating how the tax sale parties whose interest the acquiring person, his successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication. The affidavit may also contain a statement of the interest to which the purchaser or done takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors. The affidavit shall conform to La. R.S. 47:2208(A).

2) With respect to a sale, the filing of the affidavit provided in Subsection (1) of this Section shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

3) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under Subsection (2) of this Section, only insofar as they affect the property.

4) Purchaser shall be responsible for recording and paying any other recording fees, including, without limitation, fees for recording any affidavits.

**V. LOT NEXT DOOR PROGRAM**

Claiborne Parish Police Jury hereby further authorizes the Parish to sell any eligible adjudicated property to any adjoining landowner for any price set by the Parish without public bidding. In the event that there is more than one adjoining landowner interested in purchasing the property, preference will be given to the landowner that establishes that he or she has maintained the adjudicated property for a period of one year prior to the sale. In the event that more than one adjoining land owner has maintained the property for a period of more than one year, the landowner whose adjoining property has homestead exemption status shall be given the first opportunity to acquire the eligible adjudicated property. Such a sale shall be deemed a public sale, pursuant to La R.S. 47:2202(B). Additionally, in situations involving a property with percentages of the tax bill being taxed to different individual(s)/entity(ies) because of a past tax sale can be considered a Lot Next Door Owner if the adjudication sale will result in a larger percentage of the property being taxed to one owner for the future.

**VI. DONATION OF PROPERTY**

The Claiborne Parish Police Jury hereby further authorizes the Parish, to the extent allowed by the Louisiana Constitution, to donate any eligible adjudicated property to be used only for purposes allowed by the Louisiana Constitution.

**VII. SEVERABILITY**

If any provision contained in this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end, the provisions established herein are declared severable.

This ordinance becomes effective in accordance with dates set forth herein and five (5) days after publication in the Official Journal.

The above ordinance was introduced on the 10<sup>th</sup> of May, 2023

The ordinance was submitted to a roll call vote, and the vote thereon was as follows:

YEAS: (0)  
NAYS: (0)  
ABSTAIN: (0)  
ABSENT: (0)

The ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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At this time, President Scott Davidson announced that there will be a Public Hearing held on the

proposed ordinance on Wednesday, June 7, 2023, at 9:00 am here at the Police Jury Office, located at 507 W. Main St., Homer, LA 71040.

At this time, President Scott Davidson presented the items from the Road Committee.

Upon Motion by Kevin Gray, duly seconded by Rev. Willie Young, the Jury unanimously approved to offer the Town of Homer the option to purchase the surplus Mini Track Hoe in the amount of \$21,500. If the Town of Homer declines offer, the Mini Track Hoe will be listed on GOVDEALS.COM for the amount of \$25,000 as the minimum starting bid.

Upon motion by Rev. Willie Young, duly seconded by Mary McDaniel, the Jury unanimously approved entering into discussions with Justin Carroway concerning the sale of Parcel #8706397168 (1/2 acre located off Moreland Rd) as surplus and gave Secretary-Treasurer Dwayne Woodard the permission to offer the Jury's purchase price of \$3,750 for the sale of this property back to the family. (The Jury purchased this property on July 20, 2006 as part of an LCDBG project for a new water well for the SCWS.) Juror Paul Cook voiced concern over the location of a water well that was drilled on this property for the South Claiborne Water System but was deemed to contain too much iron to be potable for use by the system. District Attorney Danny Newell informed the Jury, this clause needed to be included in the sale documents if an agreement is reached.

Upon motion by Gil Dowies, duly seconded by Tommy Sanders, the Jury unanimously declared the property owned by the Police Jury located at 753 Lyons Hill Rd, Homer, LA Parcel #8730000600C (old Armory Vehicle Building) to be surplus and to advertise for sealed bids for its sale with a minimum bid price of \$5,000.00.

Parish Coroner Dr. Mark Haynes gave his monthly report from the Coroner's Office. There were 11 deaths: (1) CMMC, (1) other, (7) Hospice/ER, (2) for autopsy, (0) on scene, and (0) CECs.

CMMC Director, Mrs. Tina Haynes gave a brief update on the hospital. She stated that admission to the hospital represents a full range of illnesses. CMMC has been full, with all ICU beds being occupied. The ER has been busier than normal. Mrs. Haynes informed the Jury that it was National Hospital Week, and she thanked the community for donating items toward this celebrating this event.

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### **ITEM #30 – May 10, 2023 – AGENDA**

#### **SECRETARY-TREASURER – UPDATE ON GRANTS AND OTHER ITEMS**

1. LGAP Projects –

No open grant contracts at this time.

2. CWEF Projects -

Pinehill Water System  
FY2020-2021 CWEF Grant  
Amount - \$21,225  
Project – Water line extension E D White Road area  
Status – Contract signed and approved by State.

3. LCDBG Grant

Norton Shop Water System  
FY2021 LCDBG  
Amount - \$455,480  
Project – New water well  
Status – Under construction (80% complete).

4. Sales Tax Collections for March 2023 – net of \$111,213 from gross collections of \$114,078  
Net sales tax collections for February 2023 – \$57,078 – increase \$54,135 (94.84%)  
Net sales tax collections for March 2022 - \$67,797 – increase \$43,416 (64.04%)

5. Cash position at April 30, 2023 - \$11,012,478  
Cash position at March 31, 2023 - \$10,753,565 (increase of \$258,913)  
Cash position at April 30, 2022 - \$10,118,341 (increase of \$894,137)

See Deposit Balances by Institution for breakdown at April 30, 2023 –

6. Total Receipts for the month of April 2023 – \$924,240  
7. Upcoming important dates and meetings –

5/18 – Internet Initiative Meeting @ Hill Farm  
5/25 - CPHSD #3 Board  
5/30 – Tentative date for committee meetings if needed  
6/7 - June Regular Meeting

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Additional Public Comments:

Secretary-Treasurer Dwayne Woodard shared the link for the position for the Veteran’s Affairs Representative Job that is still open. He asked everyone to spread the word that if they knew a Veteran that needs a job and was qualified to please have them call the Jury office.

Mr. Jerry Whitton of Airport Loop, Homer, thanked the Jury for placing no littering signs on Airport Loop. He told the Jury that it seems to have helped with some of the litter issue.

Mr. Jimmy Hand of Main Street Homer asked if there was an interested party for the Armory Building that was declared surplus. President Scott Davidson told Mr. Hand that there was an interested party.

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Upon motion by Tommy Sanders, duly seconded by Kevin Gray, the meeting was adjourned.

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Dwayne R. Woodard  
Secretary–Treasurer

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Scott Davidson  
President