

May 14, 2019

TO: Lincoln Parish Police Jury
FROM: Solid Waste and Recycling Committee
SUBJECT: Committee Report

The Solid Waste and Recycling Committee of the Lincoln Parish Police Jury met in the Police Jury Meeting Room, Third Floor, Lincoln Parish Courthouse, May 14, at 6:00 p.m. Present were: Walter Pullen, Chair, Bobby Bennett, and David Hammons.

ABSENT: Hazel Hunter, Nancy Wilson

Walter Pullen called the meeting to order and delivered the invocation.

David Hammons offered a motion, seconded by Bobby Bennett, to approve the Agenda. The motion carried with the following votes:

YEAS: Bennett, Hammons, Pullen

First on the agenda was to consider the purchase of two new solid waste trailers. Bobby Bennett offered a motion, seconded by David Hammons, to approve the purchase of two new solid waste trailers and to make the necessary adjustment to the Solid Waste budget. The motion carried with the following votes:

YEAS: Bennett, Hammons, Pullen

Next on the agenda was to authorize a piggy back purchase of a new boom truck on a contract from St. Mary Parish Government. After discussion, David Hammons offered a motion, seconded by Bobby Bennett, to authorize the piggy back purchase of a new boom truck with St. Mary Parish. The motion carried with the following votes:

YEAS: Bennett, Hammons, Pullen

Next on the agenda was a discussion on litter abatement. Several options were suggested such as hiring youth for the summer or potentially using a contractor. After further discussion and no other business, the meeting was adjourned.

Courtney Hall
Parish Administrator

Walter Pullen
Committee Chair

May 14, 2019

TO: Lincoln Parish Police Jury
FROM: The Public Works Committee
SUBJECT: Committee Report

The Public Works Committee of the Lincoln Parish Police Jury met in the Police Jury Meeting Room, Third Floor, Lincoln Parish Courthouse, Tuesday, May 14, 2019 at 6:30 p.m. Present were: David Hammons, Chair, Theresa Wyatt, Bobby Bennett, Skip Russell, and Annette Straughter.

David Hammons called the meeting to order and delivered the invocation.

Annette Straughter offered a motion, seconded by Skip Russell, to approve the agenda as presented. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Hammons, Russell, Straughter

First on the agenda was to authorize a long term Governmental Rental of a John Deere 670G Motor Grader for 3 years. After discussion, Skip Russell offered a motion, seconded by Bobby Bennett, to authorize a long term Governmental Rental of a John Deere 670G Motor Grader for 3 years. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Hammons, Russell, Straughter

Next on the agenda was to consider Preliminary Plat approval for the Settlement Subdivision Phases 1 & 2. After discussion, Skip Russell offered a motion, seconded by Bobby Bennett, to approve the Preliminary Plat for the Settlement Subdivision Phases 1 & 2. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Hammons, Russell, Straughter

Next on the agenda was authorization of Change Order No. 2 to the North Louisiana Exposition Center Covered Warm-up Arena for Change (Increase) in contract times. Parish Administrator Courtney Hall explained that due to the weather, the contract needed to be extended by 82 days. Bobby Bennett offered a motion, seconded by Theresa Wyatt, to authorize Change Order No. 2 to the North Louisiana Exposition Center Covered Warm-up Arena contract. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Hammons, Russell, Straughter

Annette Straughter offered a motion, seconded by Bobby Bennett, to approve the request for assistance to the Village of Vienna. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Hammons, Russell, Straughter

With no other business to come before the Committee, the meeting was adjourned.

Courtney Hall
Parish Administrator

David Hammons
Chair

May 14, 2019

The Lincoln Parish Police Jury met in regular session on Tuesday, May 14, 2019, at 7:00 p.m., at its regular meeting place in the Courthouse, Ruston, Louisiana. Present were: Theresa Wyatt, District One; Bobby Bennett, District Three; Randy Roberson, District Four; David Hammons, District Five; Walter Pullen, District Six; Skip Russell, District Eight; Joe Henderson, District Nine; Sharyon Mayfield, District Eleven and Annette Straughter, District Twelve.

ABSENT: Hazel Hunter, District Two; Jody Backus, District Seven; Nancy Wilson, District Ten.

Mr. Randy Roberson called the meeting to order and Joe Henderson delivered the invocation and led the Pledge of Allegiance.

Walter Pullen offered a motion, seconded by David Hammons, to approve the Agenda as presented. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Mayfield, Straughter

Mr. Roberson called for any public comments on the agenda. There were none.

Theresa Wyatt offered a motion, seconded by Bobby Bennett, to approve the minutes of the April 9, 2019 regular meeting. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Mayfield, Straughter

Mr. Keith Barnes not being present, his appointment for Greater Ward One Waterworks District was moved to the next meeting.

After comments from Ms. Mary Jo Cooper, Annette Straughter offered a motion, seconded by Skip Russell, to appoint Ms. Mary Jo Cooper to the Lincoln Parish Library Board of Control for a five-year term. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Mayfield, Straughter

Kip Franklin, Director of Homeland Security and Emergency Preparedness gave a report on the tornado event of April 25, 2019.

Next on the agenda was a resolution supporting ACT Work Ready Communities. Christy Lumpkin, Economic Development Administrator with the City of Ruston, was present to give a report. After discussion, Annette Straughter offered a motion, seconded by Walter Pullen, to authorize a resolution supporting the ACT Work Ready Communities.

Resolution 19-08

WHEREAS, The Lincoln Parish Police Jury supports participation in the ACT Work Ready Communities (ACT WRC) initiative, and:

Whereas, By participating in the ACT WRC initiative, parishes can both identify skill gaps and quantify the skill level of their workforce, helping educators build career pathways aligned to the needs of business and industry and also helping a community stand out and be recognized for its workforce development efforts which provide a tremendous economic development advantage, and;

WHEREAS, The Lincoln Parish Police Jury fully supports the parish engaging in the ACT Work Ready Communities.

NOW, THEREFORE BE IT RESOLVED THAT, The Lincoln Parish Police Jury supports the Parish to participate in the ACT Work Ready Communities Initiative.

/s/ Randy Roberson
Randy Roberson
Lincoln Parish Police Jury President

The motion carried with the following votes:

YEAS: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Mayfield, Straughter

Next on the agenda was to consider an ordinance relating to Transportation Network Companies. Asst. Parish Administrator Kevin Klepzig gave a brief report on the purpose of the

Ordinance. After discussion, Skip Russell offered a motion, seconded by Annette Straughter, to approve an Ordinance relating to Transportation Network Companies.

ORDINANCE NO. 414 OF 2019

AN ORDINANCE CREATING CHAPTER 16 OF THE CODE OF ORDINANCES OF LINCOLN PARISH, LOUISIANA RELATING TO VEHICLES FOR HIRE.

BE IT ORDAINED BY THE POLICE JURY OF LINCOLN PARISH, LOUISIANA:

§1. Chapter 16 of the Code of Ordinances of Lincoln Parish, Louisiana (the "Parish") is created by adding Article I. Transportation Network Companies, and Sec. 16-1 through 16-18 to provide as follows:

Article I. Transportation Network Companies

Sec. 16-1 Compliance, adoption of state law.

The Parish hereby adopts the provisions of Louisiana Revised Statute Title 45, Chapter 4, "The Public Passenger Motor Vehicle Responsibility Law" (R.S. 45:200.1, et seq.), and "The Louisiana Transportation Network Company Motor Vehicle Responsibility Law" (R.S. 45:201.1, et seq.) and regulations of the State of Louisiana pursuant thereto, as amended and to be amended, and except such as are in conflict or inconsistent with this title or other ordinances and except such as by their nature are not applicable. Notwithstanding the foregoing, in the event of a conflict in a provision of this article and a provision of Louisiana law or regulation, the provision imposing the greater obligation shall govern.

Sec. 16-2 Definitions.

The following words and phrases, when used in this article, shall have the meaning respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

Digital network means any online-enabled technology application service, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers.

Prearranged ride means the provision of transportation by a TNC driver to a rider, beginning when a TNC driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the TNC driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include transportation provided using a vehicle operating as a taxicab, limousine, or any other vehicle for hire.

Transportation network company ("TNC") means a corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to this chapter and operating in the Parish that uses a digital network to connect transportation network company rides to transportation network company drivers who provide prearranged rides. A transportation network company may not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract.

Transportation network company driver or *TNC driver* means an individual who receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company and uses a transportation network company vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company.

Transportation network company rider or *TNC rider* means an individual or persons who use a transportation network company's digital network to connect with a transportation network company driver who provides prearranged rides to the individual or persons in the TNC driver's transportation network company vehicle between points chosen by the rider.

Transportation network company vehicle or *TNC vehicle* means a vehicle that is used by a transportation network company driver and is:

- (a) Owned, leased or otherwise authorized for use by the transportation network company driver; and
- (b) Not a taxicab, limousine, luxury vehicle for hire, or any other vehicle for hire.

Sec. 16-3 TNC permit required.

A person shall not operate a TNC in the Parish without first having obtained a permit from the City of Ruston. A person holding a valid Permit from the City of Ruston shall not be required to obtain a permit from the Parish.

Sec. 16-4 Agent.

The TNC shall maintain with the Secretary of State a registered agent for service of process in the State of Louisiana.

Sec. 16-5 Fare Collected for Services.

On behalf of a TNC driver, a TNC may charge a fare for the services provided to riders provided that, if a fare is collected from a rider, the TNC shall disclose to the rider the fare calculation method on its website or within the software application service. The TNC shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the TNC driver's vehicle.

Sec. 16-6 Identification of TNC vehicles and drivers.

The TNC's software application or website shall display a picture of the TNC driver, and the license plate number of the motor vehicle utilized for providing the prearranged ride before the rider enters the TNC driver's vehicle.

Sec. 16-7 Electronic Receipt.

Within a reasonable period of time following the completion of a trip, a TNC shall transmit an electronic receipt to the rider on behalf of the TNC driver that lists:

- (a) The origin and destination of the trip;
- (b) The total time and distance of the trip; and
- (c) An itemization of the total fare paid, if any.

Sec. 16-8 Financial responsibility of transportation network companies.

TNCs and TNC drivers shall comply with the insurance requirements set forth in the Transportation Network Company Motor Vehicle Responsibility Law, R.S. 45:201.1 et seq. The TNC shall provide the Parish with a certificate of insurance providing evidence that the TNC has purchased all insurance required by law.

Sec. 16-9 Zero tolerance for drug or alcohol use.

- (a) The TNC shall implement a zero-tolerance policy regarding a TNC driver's activities while accessing the TNC's digital platform. The zero-tolerance policy shall address the use of drugs or alcohol while a TNC driver is providing prearranged rides or is logged into the TNC's digital network but is not providing prearranged rides, and the TNC shall provide notice of this policy on its website, as well as procedures to report to the TNC a complaint about a driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.
- (b) Upon receipt of such rider complaint alleging a violation of the zero-tolerance policy, the TNC shall suspend such TNC driver's access to the TNC's digital platform within forty-eight (48) hours from the initial reporting, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.
- (c) The TNC shall maintain records relevant to the enforcement of this requirement for a period of at least two (2) years from the date that a rider complaint is received by the TNC.

Sec. 16-10 TNC driver requirements.

- (a) Before allowing an individual to accept trip requests through a TNC's digital platform the following conditions shall be met:

- (1) The individual shall submit an application to the TNC, which includes information regarding his or her address, age, driver's license, motor vehicle registration, automobile liability insurance, and other information required by the TNC.
 - (2) The TNC shall conduct, or have a third-party conduct, a local and national criminal background check for each applicant that shall include:
 - (A) A search of the multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with a validation (primary source search); and
 - (B) A search of the National Sex Offender Public Website maintained by the United States Department of Justice;
 - (3) The TNC, or a third party on behalf of the TNC, shall obtain, and review, a driving history research report for each potential TNC driver.
- (b) The TNC shall not permit an individual to act as a TNC Driver on its digital platform if the individual:
- (1) Has had more than three (3) moving violations in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license);
 - (2) Has been convicted, within the past seven (7) years, of a felony; misdemeanor for driving under the influence of drugs or alcohol, hit and run, or other driving-related offense; or a misdemeanor for a violent offense or sexual battery;
 - (3) Is a match in the United States Department of Justice National Sex Offender public website;
 - (4) Does not possess a valid driver's license;
 - (5) Does not possess proof of registration for the motor vehicle(s) used to provide prearranged rides;
 - (6) Does not possess proof of automobile liability insurance for the motor vehicle(s) used to provide prearranged rides; or
 - (7) Is not a least nineteen (19) years of age.

Sec. 16-11 Vehicle safety.

Before allowing a TNC driver to accept trip requests through the TNC's network, the TNC shall ensure that any motor vehicle(s) that TNC Driver is authorized to use to provide prearranged rides meets the State of Louisiana's vehicle safety requirements for private motor vehicle.

A valid Louisiana brake tag shall certify compliance of the vehicle herewith.

Sec. 16-12 No street hails.

A TNC driver shall not solicit or accept street hails.

Sec. 16-13 No cash trips.

The TNC shall adopt a policy prohibiting solicitation or acceptance of cash payments for fares from riders and notify TNC drivers of such policy. Any payment of fares for prearranged rides shall be made only electronically using the TNC's digital network or software application.

Sec. 16-14 No discrimination; accessibility.

- (a) The TNC shall adopt a policy of non-discrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, sexual orientation, or gender identity with respect to riders and potential riders and notify TNC drivers of such policy.

- (b) TNC drivers shall comply with all applicable laws regarding non-discrimination against riders or potential riders on the basis of race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation or gender identity.
- (c) TNC drivers shall comply with all applicable laws relating to accommodation of service animals.
- (d) A TNC shall not impose additional charges for providing services to person with physical disabilities because of those disabilities.

Sec. 16-15 Records.

A TNC shall maintain the following customer records:

- (a) Individual trip records for at least one year from the date each trip was provided; and
- (b) Individual records of TNC drivers for at least one year after the date on which a TNC driver last provides a prearranged ride using the TNCs digital network or last logs in to the TNC's digital network, whichever is later.

Sec. 16-16 Confidentiality of records.

The Parish shall have the authority to enforce the requirements of this act, including through inspection of relevant records; provided that any records disclosed to the Parish that are otherwise exempt from the definition of a public record under the Louisiana Public Records Act shall not be disclosed to third parties.

Sec. 16-17 Controlling authority.

Notwithstanding any other provision of this Code, TNCs and TNC drivers are governed exclusively by the chapter.

Sec. 16-18 Penalties.

Any person who shall operate a vehicle upon any street in violation of this article shall be guilty of a misdemeanor, and shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or imprisoned for not less than sixty (60) days nor more than one year, or both.

§2. All other Ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed. To the extent that any provision or provisions of this Ordinance are inconsistent or in conflict with any other provision of the Code of Ordinances or any regulations of the Parish, the provisions of this Ordinance shall be deemed to control.

§3. If any one or more of the provisions of this Ordinance shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Ordinance which validates or makes legal one or more of the provisions of this Ordinance, shall be deemed to apply to this Ordinance. To this end, the provisions of this Ordinance are hereby declared severable.

§4. This Ordinance shall be in full force and effect from and after its promulgation.

The Ordinance was considered, on motion to adopt by Juror Skip Russell, seconded by Juror Annette Straughter, a record vote was taken and the following result was had:

YEA: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Russell, Straughter

NAY:

ABSENT: Hunter, Backus, Wilson

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on the 14th day of May, 2019.

Holly Lowry, Treasurer, gave the budget to actual comparison report on the General Fund and additional major funds.

Under Committee Reports, Walter Pullen stated that the Solid Waste Committee met this day at 6:00 p.m. and the Committee recommends:

1. Purchasing 2 new solid waste trailers.
2. Piggy backing purchase of a boom truck.
3. Potentially using contractor or hiring additional individuals to pick up litter.

Walter Pullen offered a motion, seconded by David Hammons, to approve the minutes of the Solid Waste Committee. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Mayfield, Straughter

David Hammons stated that the Public Works Committee met this day at 6:30 p.m. and the Committee recommends:

1. Authorizing a long term Governmental Rental of a John Deere 670G Motor Grader for 3 years.
2. Approve Preliminary Plat for Settlement Subdivision Phases 1 & 2.
3. Authorizing Change Order No. 2 Increase to North Louisiana Exposition Center Covered Warm-up Arena Contract.
4. Approve request for assistance for the Village of Vienna.

David Hammons offered a motion, seconded by Skip Russell, to approve the minutes of the Public Works Committee. The motion carried with the following votes:

YEAS: Wyatt, Bennett, Roberson, Hammons, Pullen, Russell, Henderson, Mayfield, Straughter

Under Other Business, reports were given by various Department heads.

After public comments from Mr. Billy McBride, Candidate for Tax Assessor, and Mr. George Webb, Candidate for Sheriff, and no others business to come before the Jury, the meeting was adjourned.

Courtney Hall
Parish Administrator

Randy Roberson
Parish President