

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING – AUGUST 11, 2011
WEST BATON ROUGE COUNCIL/GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, August 11, 2011 and called to order. Council Chairman Gary Spillman requested that all electronic devices be silenced and recognized Randal Mouch, who led everyone in the pledge of allegiance. At this time Chairman Spillman announced that Mr. Robertson was recovering from surgery and would be out about 3 weeks and that Ms. Gordon would either be very late or not attending tonight's meeting.

Roll call was taken with the following members being present:

Messrs. Randal "Randy" Mouch, Jeff "Petit" Kershaw, Keith K. "Keedy" Washington, Sr., Gary M. Spillman, Ricky Loupe, Phil Porto, Jr., Alethea "Lisa" Johnson

Absent: Ms. Charlene Gordon, Mr. Edward G. "Bob" Robertson

Parish President Riley Berthelot, Jr. was also present.

A motion was made by Mr. Randal Mouch, seconded by Mr. Jeff Kershaw to approve the minutes of the Special Meeting of July 12, 2011 and the Regular Meeting of July 28, 2011 as published in the Parish Official Journal.

Roll call vote on the motion was recorded as follows:

YEAS: 7 (Messrs. Mouch, Kershaw, Washington, Spillman, Loupe, Porto, Mrs. Johnson)

NAYS: 0 (None)

ABSENT: 2 (Ms. Gordon, Mr. Robertson)

As a result of the roll call vote the motion was unanimously adopted by those members present.

Finance Director Phillip Bourgoyne was recognized at this time and stated that item 8 (summary presentation of 2010 audit by Hawthorne, Waymouth & Carroll) had been rescheduled for the 9/8/11 meeting as requested by auditors due to scheduling conflict.

Chairman Spillman announced that the Public Hearing was in order at this time and all interested persons were invited to appear and be heard regarding adoption of the 2011 Drainage and Capital Outlay Budgets Amendments for Energy Efficiency Grant. Mr. Bourgoyne was recognized and explained that amendments were required due to 2011 completion of projects and clarified that the energy efficiency grant was for lighting retrofit and air-conditioning work at named facilities.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 25 of 2011 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Ricky Loupe, seconded by Mr. Phil Porto, Jr.

ORDINANCE NO. 25 OF 2011

AN ORDINANCE ADOPTING THE 2011 DRAINAGE AND CAPITAL OUTLAY BUDGET ADMENDMENTS TO AN OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011 FOR ENERGY EFFICIENCY GRANT FUNDS

BE IT ORDAINED by the Council of the Parish of West Baton Rouge Louisiana, in regular session convened that:

SECTION 1: The attached detailed 2011 Drainage and Capital Outlay budget amendments to estimate of revenues by departments for the fiscal year beginning January 1, 2011, and ending December 31, 2011 be and the same is hereby adopted to serve as an operating budget of revenues for the Parish during the said period.

SECTION 2: The attached detailed 2011 Drainage and Capital Outlay budget amendments to estimate of expenditures by departments for the fiscal year beginning January 1, 2011, and ending December 31, 2011, be and the same is hereby adopted to serve as budget of expenditures for the Parish during the said period.

SECTION 3: The adoption of these 2011 year end adjustments to operating budget of revenues and expenditures be and the same is hereby declared to operate as an appropriation of the amount therein set forth within the terms of the budget classifications.

SECTION 4: Amounts are available for expenditures only to the extent included with the 2011 budget.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 7 (Messrs. Kershaw, Washington, Spillman, Loupe, Porto, Mrs. Johnson, Mr. Mouch)

NAYS: 0 (None)

ABSENT: 2 (Ms. Gordon, Mr. Robertson)

WHEREUPON the ordinance was declared adopted on the 11th day of August, 2011.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

CERTIFICATE

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 11th day of August, 2011.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 8:50 o'clock AM on the 12th day of August, 2011.

IN FAITH WHEREOF witness my official signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on the 12th day of August, 2011.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 15th day of August, 2011.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was returned from the Parish President at 8:50 o'clock AM on the 15th day of August, 2011.

/s/Sharon Zito
Sharon Zito, Council Clerk

President Berthelot was recognized under item 10 (consider status report, change order, and/or other matters as required on current projects) and requested authorization to obtain requests for proposals on lighting project permitted through La. DOTD on Highway 190 at Bueche and Rougon Roads as costs estimated below bid law.

A motion was made by Mr. Randal Mouch, seconded by Mr. Jeff Kershaw to authorize administration to obtain requests for proposals (RFPs) for lighting project permitted through La. DOTD at the intersections of U S Highway 190 & State Highway 983 (Bueche Road) and U S Highway 190 & State Highway 984 (Rougon Road).

Roll call vote on the motion was recorded as follows:

YEAS: 7 (Messrs. Washington, Spillman, Loupe, Porto, Mrs. Johnson, Messrs. Mouch, Kershaw)

NAYS: 0 (None)

ABSENT: 2 (Ms. Gordon, Mr. Robertson)

As a result of the roll call vote the motion was unanimously adopted by those members present.

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Invited to attend meeting scheduled with Facility Planning 8/12/11 at 10:00AM to discuss capital outlay budgeted funds (1 million in priority 2 and 10 million in priority 5) for I-10/La. 1 Connector;

Informed of last week's staff hurricane preparedness meeting;
Will request support resolution for Parish's Local Government Assistance Program (LGAP) grant application due 9/15/11 for \$100,000.00 request for additional culvert at Antonio Road to improve area drainage.

Mr. Berthelot explained and discussed highlighted proposed elevated sections and access lanes for I-10/La. 1 Connector project on slide show presentation.

Mr. Loupe complimented Emily Drive north ditch project and discussed flow for side ditch project.

Gary Spillman was recognized under Council Chairman's Report and provided update on Bob Robertson's surgery.

The Council Clerk read by title the following proposed ordinances being introduced by title, publicized by title, and considered for adoption following a public hearing at the meeting of Thursday, September 8, 2011 at 6:30PM in the Council Meeting Room of the Governmental Building, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 101 General Provision, Sec. 101-1 Definitions, and Chapter 104 Zoning, Appendix A Zoning Districts to create new Chapter 4 Adult Businesses for the purpose of providing for licensing and regulation of adult businesses within Parish;

Amend Chapter 102 Planning to create new Article III West Baton Rouge Parish Master Plan: PlanWest for the purpose of adopting and providing for the future enforcement and amendments of West Baton Rouge Parish Master Plan: PlanWest.

Public Works Director Kevin Durbin was recognized under item 15 (consider planning & zoning commission minutes, subdivision plats, condemnations and/or variances and matters related thereto) and reviewed paperwork on projector of the proposed condemnation of derelict structure located at 1645 U S Highway 190 W owned by Judy Lefebvre based on WBR Parish Sheriff's Office complaint of disturbances due to transients. Mr. Durbin requested site be declared condemned and recommended demolition based on report.

A motion was made by Mr. Phil Porto, Jr., seconded by Mrs. Alethea Johnson to ratify the Parish President's signature to proceed with 30 day condemnation process as requested by owner of site located at 1645 U S Highway 190 W, Port Allen, La. based on the inspection and recommendation of the Office of Community Planning and Development.

Roll call vote on the motion was recorded as follows:

YEAS: 7 (Messrs. Washington, Spillman, Loupe, Porto, Mrs. Johnson, Messrs. Mouch, Kershaw)

NAYS: 0 (None)

ABSENT: 2 (Mr. Robertson, Ms. Gordon)

As a result of the roll call vote the motion was unanimously adopted by those members present.

At this time under Correspondence Report the Council Clerk read excerpts from the following:

West Baton Rouge Parish Planning & Zoning Commission Agenda scheduled for Tuesday, August 16, 2011 at 6:30 PM;

St. Martin Parish Council resolution adopted to recognize the Bayou Chene Flood Control Project as part of the Mississippi River Tributary System and that 100% of all costs associated be reimbursed to the facilitating agencies;

Iberia Parish Council resolution adopted of opposition to proposal to the Louisiana Tax Commission for change to the 2012 Rules and Regulations to allow subsurface oil and gas property currently being taxed under Chapter 9 rules be exempt from taxation.

A motion was made by Mr. Randal Mouch and approved by acclamation to reappoint Vonda Albarez and Lytle Chustz to West Baton Rouge Parish Water-works District No. 1 Board for additional 5 year terms commencing September 9, 2011, as recommended by said board, and based upon members confirmation of their desire to continue serve in this capacity.

There being no further business, a motion to adjourn was made Mrs. Alethea Johnson, seconded by Mr. Randal Mouch at 6:55PM.

Roll call vote on the motion was recorded as follows:

YEAS: 7 (Messrs. Loupe, Porto, Mrs. Johnson, Messrs. Mouch, Kershaw, Washington, Spillman)

NAYS: 0 (None)

ABSENT: 2 (Mr. Robertson, Ms. Gordon)

As a result of the roll call vote the motion was unanimously adopted by those members present.

/s/Gary M. Spillman
Gary M. Spillman, Council Chairman

/s/Sharon Zito
Sharon Zito, Council Clerk