

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING – JULY 26, 2012  
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was on Thursday, July 26, 2012 can called to order. Council Chairman Gary Spillman requested that all electronic devices be silenced and recognized Phil Porto, Jr., who led everyone in the pledge of allegiance.

Roll call was taken with the following members being present:  
Messrs. Phil Porto, Jr., Ricky Loupe, Gary M. Spillman, Randal “Randy” Mouch, Edward G. “Bob” Robertson, Ms. Naomi Fair, Mr. Barry Hughhins

Absent: Mr. Chris “Fish” Kershaw, Ms. Charlene Gordon

Parish President Riley Berthelot, Jr. was also present.

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A motion was made by Mr. Randal Mouch, seconded by Mr. Phil Porto, Jr. to approve the minutes of the Regular Meetings of June 14, 2012 and June 28, 2012 as published in the Parish Official Journal.

Roll call vote on the motion was recorded as follows:

YEAS: 7 (Messrs. Porto, Loupe, Spillman, Mouch, Robertson, Ms. Fair, Mr. Hughhins)

NAYS: 0 (None)

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

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

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Ms. Gordon entered the meeting at this time.

President Berthelot was recognized at this time and explained had received one bid 5/17/12 for 9-1-1 System Upgrade for Office of Homeland Security, Emergency Preparedness and 9-1-1 from Intrado for \$84,820.65 (budgeted amount \$90,000.00), previously postponed to clarify documentation now completed, and Department and Administration recommend proceed with approval. There were no questions.

A motion was made by Mr. Barry Hughhins, seconded by Ms. Charlene Gordon to accept the lone bid of Intrado in the amount of \$84,820.65 received and opened 5/17/12 for 9-1-1 System Upgrade for the Office of Homeland Security, Emergency Preparedness and 9-1-1 as recommended by said Department and Administration, and authorizing execution of contract.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Hughhins, Porto)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

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Mr. Berthelot was again recognized and explained Town of Brusly has purchased culvert under Parish's supply contract in past through signed agreement with concurrence from provider and direct billing. Mayor Joey Normand was recognized and stated saves Town from advertising for bids for small amount of culverts purchased. There were no questions.

A motion was made by Ms. Naomi Fair, seconded by Mr. Edward Robertson approving Town of Brusly's request to purchase culverts under the Parish's current supply contract, contingent upon execution of an agreement between both parties and provider concurrence.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

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Chairman Spillman stated that the Parish President had requested amending the agenda for an item to put out some surplus property. Mr. Berthelot explained the amendment would be to declare surplus equipment for the Utilities Department.

A motion was made by Mr. Ricky Loupe, seconded by Ms. Gordon to amend the agenda to consider declaring equipment as surplus for the Utilities Department.

YEAS: 8 (Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto, Ms. Gordon)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

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Public comments were requested at this time and there were none.

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At this time Mr. Normand was recognized under item 9 (communications with council members and/or elected or appointed officials) and thanked the Council on behalf of the Town of Brusly for allowing to piggyback on the Parish's culvert supply contract every year.

Finance Director Phillip Bourgoyne was recognized, reviewed and explained the spreadsheet report on Council's top ten funds showing percentage as to revenues and expenditures to date vs. last year in connection with mid-year budget amendments. Mr. Bourgoyne requested members contact him if there were any question or for clarification on proposed budget amendments.

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Council 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 an ordinance to amend Chapter 104 Zoning for rezoning request of Chatelain & Graham Investments, LLC, Rosedale Road, Port Allen, La. described as Tract SG-1 of Westover Plantation Company from R-SF-1 (Residential Single Family District containing 7,000 square feet) to A (Agricultural District). Recognized Cletus Langlois of Patin Engineers and Surveyors representing Jerry Luke LeBlanc (applicant) as well as Chatelain & Graham (property owner) and confirmed with Mrs. Cline that rezoning could be continued to 8/23/12 meeting. Mr. Langlois stated that owner requested continuance in order to obtain additional information due by August. Discussion held on proposed continuance dates, clarified entire acreage/rezoning area/surrounding property zoning designations, lot sizes, confirmed required advertising, buffer distances, and compromise proposed. Mr. Spillman discussed area residents' objections due to change in zoning designation. Mr. Langlois confirmed for record requested residents attend meetings to provide reasons for rezoning objections.

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.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Ricky Loupe to continue the public hearing on adoption of an ordinance to amend Chapter 104 Zoning for rezoning request of Chatelain & Graham Investments, LLC, Rosedale Road, Port Allen, La. described as Tract SG-1 of Westover Plantation Company from R-SF-1 (Residential Single Family District containing 7,000 square feet) to A (Agricultural District) to 8/23/12 meeting per request of developer representative.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Messrs. Spillman, Mouch, Robertson, Ms. Fair, Messrs. Hughhins, Porto, Ms. Gordon, Mr. Loupe)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

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Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:  
Reminded hosting Police Jury Association of Louisiana Region III Meeting scheduled for August 16<sup>th</sup> at Port Allen Community Center for 9 parish area and requested RSVP;  
Issues addressed through committees at National Association of Counties Conference in Pittsburg recently attended. Provided background on Pittsburg bridges and municipalities;  
Meeting held with company out of California (Public Finance Infrastructure/PFIC) interested in providing unsolicited proposal on I-10/La. 1 Connector next month or so. Legal advice will be sought to comply with state statues regarding advertising, competing proposals and other issues;  
Requested review packet emailed on mid-year budget adjustments for projects and contact if there were any questions;  
Reviewed letter received from State Department of Health & Hospitals in packet expressing concern on water south of Intracoastal Canal and recommendation that entire water system be operated by single entity, and meetings held with Water District No. 2 to determine best long-term route for future. Mr. Berthelot stated would be happy to answer any questions.

Ms. Gordon inquired about mosquito spraying schedule. Mr. Berthelot confirmed daily spraying prohibited by weather-related factors, five trucks covering parish, and supervisor email reports availability.

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Gary Spillman was recognized under Council Chairman's Report regarding the following:  
Proposed scheduling meetings with municipalities to provide 1990 police jury road issue minute transcription spelling out motion made was the policy that overlaid roads within municipality be returned from that day forward (Finance Director provided list of overlaid roads). Discussed legalities, liability, and requested report on meeting results at 8/23/12 meeting;

Fire tax committee at standstill following entities agreed formula based on call volume (35 per cent), assessed values with exempt properties (45 per cent), protection area (20 per cent). Discussion held scheduling of one more committee meeting, suits, legislation, adoption of resolution and/or ordinance to municipalities requesting concurrence.

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The Council Chairman read by title the below proposed ordinances being introduced and publicized by title, and considered for adoption following public hearing at the meeting of August 9, 2012 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Adopt Amendment to Library 2012 Budget for Transfer of Reserve funds for Roof and Canopy Repairs;

Adopt Amendments to 2012 Council General Fund Revenue & Expenditure and Capital Outlay Budgets for Roads, Buildings, Land & Recreation.

Council Chairman read by title the below proposed ordinances being introduced and publicized by title, and considered for adoption following public hearing at the meeting of August 23, 2012 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of Bernard E. Jackson, 2959 Lukeville Lane, Brusly, La. from Commercial Seasonal Outdoor with Special Use Permit to operate BBQ Take-out to Small-Scale Food Service Business to operate Outdoor Fast Food Restaurant;

Amend Chapter 104 Zoning for rezoning request of Michael & Jan Becnel, 4626 S. River Road, Port Allen, La. from Neighborhood-Scaled Commercial District to Small-Scaled Food Service Business to operate Indoor Entertainment/Recreation.

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Land Surveyor Woody Triche was recognized representing Annette Goudeau Billeaudeau, explained existing 27 acre lot containing 2 residences, 3 heirs want to take title to property located on Landry Lane, and requested variance on road frontage for Lots G-1 & G-2. Mr. Triche clarified one existing lot being divided into three and variance required due to topography of property. Mr. Huggins offered no objection to division of property.

A motion was made Mr. Barry Huggins, seconded by Mr. Phil Porto, Jr. to approve the final plat of map showing subdivision of Lester Goudeau Property (formerly school lot) into Lots G-1, G-2 & G-3 located in Section 13, T6S-R10E for Annette Goudeau Billeaudeau with variance for road frontage of Lots G-1 & G-2 due to topography of property as recommended by the Planning Commission July 17, 2012.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Messrs. Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto, Ms. Gordon, Messrs. Loupe, Spillman)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

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Lynn Cline with Office of Community Planning & Development was recognized, presented site plan, and reviewed variance request application & evaluation form for Emma's Garden, 2013 Forest Drive, Port Allen, La. (behind Spillway Sportsman) not to install the required apron at the entrance. Ryan Fabre with Emma's Garden and Mr. Langlois were recognized, clarified location, confirmed utilities, type of business, and fact that adjacent business had limestone parking. Mr. Loupe offered no objection to the variance due to circumstances, and confirmed adjacent property owners signatures of "no objection".

A motion was made by Mr. Ricky Loupe, seconded by Ms. Naomi Fair approving the variance request of Emma's Garden, 2013 Forest Drive, Port Allen, La. not to install the required apron at the entrance due to circumstances and signatures of "no objection" as aforementioned.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Mr. Robertson, Ms. Fair, Messrs. Huggins, Porto, Ms. Gordon, Messrs. Loupe, Spillman, Mouch)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

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Chairman Spillman requested that the Parish President return to the amended agenda item for the Utilities Department surplus equipment at this time. Mr. Berthelot was recognized and explained the Utilities Department requesting natural gas fuel generator be declared as surplus equipment and sold to the Town of Brusly. There were no questions.

A motion was made Mr. Randal Mouch, seconded by Mr. Barry Huggins to declare the Utilities Department 100 KW natural gas fuel generator as surplus equipment and authorize sale to the Town of Brusly.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Ms. Fair, Messrs. Huggins, Porto, Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson)

NAYS: 0 (None)

ABSENT: 1 (Mr. Kershaw)

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

Mr. Berthelot was again recognized clarifying email notification of road closure (midway-Rosehill Drive), Bueche, La. from July 30<sup>th</sup> – August 30<sup>th</sup> to redo canal.

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At this time under Correspondence Report the Council Clerk read except from the West Baton Rouge Parish Planning & Zoning Commission agenda scheduled for August 7, 2012 announcing cancellation of said meeting due to clear agenda.

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There being no further business, a motion was made by Ms. Charlene Gordon and approved by acclamation at 7:30PM.

/s/Gary M. Spillman

Gary M. Spillman, Council Chairman

/s/Sharon Zito

Sharon Zito, Council Clerk