

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING – SEPTEMBER 26, 2013
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 held on Thursday, September 26, 2013 and called to order. Council Chairman Gary Spillman requested that all electronic devices be silenced and recognized Charlene Gordon, who led everyone in the pledge of allegiance.

Roll-Call Pro System recorded the following members as being present:
Mr. Chris “Fish” Kershaw, Ms. Naomi Fair, Mr. Ricky Loupe, Ms. Charlene Gordon, Messrs. Phil Porto, Jr., Gary M. Spillman, Barry Hughhins, Edward G. “Bob” Robertson

Absent: Mr. Randal “Randy” Mouch

Parish President Riley Berthelot, Jr. was also present

County Agent Stephen Borel was recognized and presented West Baton Rouge Parish Profile, which included LSU Agricultural Center, Program Highlights, Local Issues, Flood Maps, Horticultural Newspaper Articles, and Plans for Year. Mr. Borel also introduced the following members of the County Agent Staff: Assistant Extension Agent Elliott Scroggs, Assistant Area Nutrition Agent Tiffany A. Williams, and Nutrition Educator Mary Stewart.

Following brief discussion confirming municipal consensus, a motion was made by Ms. Charlene Gordon, seconded by Mr. Barry Hughhins to set the time and date for Halloween Trick-or-Treat for the unincorporated areas of West Baton Rouge Parish from 5:30PM – 7:30PM, Thursday, October 31, 2013.

Roll-Call Pro System recorded the votes on the motion as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result the motion was unanimously adopted by those members present.

Margaret Pritchard with Baxley & Associates, LLC, Plaquemine, La. was recognized and made summary presentation for information only on Waterworks District No. 2 final audit report in connection with consolidation with Parish Utilities. Ms. Pritchard apologized for lack of audit report copies, reviewed same, and requested members contact office if there were any questions. Various members requested copy of final audit report.

At this time the West Baton Rouge Parish Council met as the Board of Review for the purpose of considering and hearing complaints from taxpayers desiring to be heard on the 2013 tax assessment values of property as determined by the West Baton Rouge Parish Assessor. Assessor Barney was recognized to certify totals for year 2013, reviewed and read into the record comparison numbers shown on schedules A & B for the tax years 2013 and 2012. Mr. Altazan confirmed total assessed value of \$387,022,650.00 and Public Service

assessments of \$38,450,500.00 as determined by the Louisiana Tax Commission. The Council thanked the Assessor for presentation. Certifying resolution appears elsewhere in these minutes.

The following resolution was offered by Mr. Barry Hughhins, seconded by Mr. Phil Porto, Jr.

RESOLUTION

A Resolution to ratify the total assessed value of the 2013 assessment lists as determined and presented by the West Baton Rouge Parish Assessor and certified to the West Baton Rouge Parish Council acting as the "Board of Review"

WHEREAS, pursuant to Louisiana Revised Statute 47:1992, the West Baton Rouge Parish Assessor has determined the assessment lists of real and personal property in and for the Parish and has exposed same for inspection by the taxpayers and other interested persons for a period of 15 calendar days as advertised, and

WHEREAS, now that said period has expired and the lists have been changed where necessary for clerical errors or erroneous assessments.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby ratify the total assessed value of the 2013 assessment lists as determined and presented by the West Baton Rouge Parish Assessor and certified to the West Baton Rouge Parish Council acting as the "Board of Review" in the amount of \$387,022,650.00.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Louisiana Tax Commission and West Baton Rouge Parish Assessor.

Roll call vote on the resolution was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result the resolution was unanimously adopted by those members present.

CERTIFICATE

I, Sharon Zito, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of September 26, 2013 at which meeting a majority of the members were present and voting.

/s/Sharon Zito

Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized under item 12 (consider status report, change order and/or other matters as required on current projects) and reviewed 2013 Road Maintenance Program change order no. 1 for final adjustment reducing the contract amount by -\$28,895.35 and certificate of substantial completion as of 9/20/13 (R. J. Daigle & Sons Contractors, Inc.) out of Gonzales.

A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw to approve Change Order No. 1 for final adjustment reducing the contract amount by -\$28,895.35 to reflect actual quantities used in construction and Certificate of Substantial Completion as of 9/20/13 for 2013 Road Maintenance Program (R. J. Daigle & Sons Contractors, Inc.) as recommended by the Project Engineer and Administration, and authorizing the Parish President to execute same, contingent upon contractor completing punch list.

Roll-Call Pro System recorded the votes on the motion as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result the motion was unanimously adopted by those members present.

Mr. Gravois was again recognized for review of 2013 Commercial Drive Improvements change order no. 2 for final adjustment increasing the contract amount by +\$9,098.40 and certificate of substantial completion as of 9/12/13 (Hard Rock Construction, LLC) out of Metairie. Mr. Gravois clarified change order reflected widening of intersection at Old Wal-Mart location off of Court Street owned by Parish.

A motion was made by Mr. Phil Porto, Jr., seconded by Mr. Edward Robertson to approve Change Order No. 2 for final adjustment increasing the contract amount by +\$9,098.40 to reflect actual quantities used during construction and Certificate of Substantial Completion as of 9/12/13 for 2013 Commercial Drive Improvements (Hard Rock Construction, LLC) as recommended by the Project Engineer and Administration, and authorizing the Parish President to execute same, contingent upon contractor completing punch list.

Roll-Call Pro System recorded the votes on the motion as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result the motion was unanimously adopted by those members present.

Cletus Langlois with Patin Engineers and Surveyors, Inc. was recognized and reviewed change order for close-out for Parish splash pad project for decrease in contract amount of -\$17,037.28 for deduction of amount paid for back-flow preventers required by the Department of Health & Hospitals, signage, and \$8,800.00 in liquidated damages and certificate of substantial completion and offered to answer any questions. Mr. Langlois confirmed acrylic coat/sealer life expectancy of 25 years.

A motion was made by Mr. Phil Porto, Jr., seconded by Mr. Edward Robertson to approve Change Order No. 1 reducing the contract amount by -\$17,037.28 as aforementioned and Certificate of Substantial Completion as of June 28, 2013 for Construction of Four WBR Parish Splash Pads at Addis, Brusly, Erwinville and Port Allen Parks (Kingfish Pools/Splash Zone) as recommended by the Project Engineer and Administration, and authorizing the Parish President to execute same, contingent upon contractor completing punch list.

Roll-Call Pro System recorded the votes on the motion as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result the motion was unanimously adopted by those members present.

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Fire Department meeting 9/25/13 for fire district consolidation;
Recommended considering LSU population estimates for adjusting percentages on district sales tax at next meeting.

Finance Director Phillip Bourgoyne was recognized and provided brief overview on the 2010 census data and yearly LSU population estimates (previously handled through Louisiana Tech) for adjusting percentages on district sales tax.

Gary Spillman was recognized under Council Chair's Report regarding consolidation of fire district consolidation efforts.

Brief discussion held on resolution required for annual inspection on bridges. Said resolution appears elsewhere in these minutes.

The following resolution was offered by Ms. Charlene Gordon, seconded by Mr. Chris Kershaw

**RESOLUTION OF ANNUAL CERTIFICATION OF COMPLIANCE
WITH THE STATE OF LOUISIANA
OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM**

WHEREAS, the code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads will be inspected, rated for safety load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges is maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of West Baton Rouge Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation & Development to West Baton Rouge Parish.

THEREFORE BE IT RESOLVED by the governing authority of West Baton Rouge Parish (herein referred to as the Parish) that the Parish in Regular Meeting assembled does hereby certify to the Louisiana Department of Transportation & Development (herein referred to as the DOTD) that for the period January 1, 2013 through December 31, 2013:

1. The Parish has performed all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards;
2. All bridges owned or maintained by the Parish have been structurally analyzed and rated by the Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the Louisiana DOTD for bridges where the maximum legal load under Louisiana State Law determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings;

3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1. 1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting;
4. All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the LA. DOTD are noted.

These stipulations are prerequisite to participation by the Parish in the Off-System Bridge Replacement Program.

Roll call vote on the resolution was recorded as follows:

YEAS: 8 (Mr. Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)
NAYS: 0 (None)
ABSENT: 1 (Mr. Mouch)

As a result of the resolution was unanimously adopted by those members present.

CERTIFICATE

I, Sharon Zito, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is true and correct copy of a resolution adopted by said body at its Regular Meeting of September 26, 2013 at which meeting a majority of the members were present and voting.

/s/Sharon Zito

Lynn Cline read by title into the record the below proposed ordinances being introduced and publicized by title, and considered for adoption following public hearings at the meeting of November 14, 2013 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of Craig Gaspard, 7122 U S Highway 190 W, Port Allen, La., designated as Lot 11-B, Cypress Hall Plantation from A (Agricultural District) to C-1.3 (Regional-Scaled Commercial District);

Amend Chapter 104 Zoning for rezoning request of Harry L. Laws and Company, U S Highway 190 W & Allendale Road, Port Allen, La., designated as Tract A-1 from I-1 (Light Industrial District) to A (Agricultural District);

Amend Chapter 104 Zoning for rezoning request of Joshua Hulseman & Steve Gremillion, 2963 Lafiton Lane, Port Allen, La., designated as Tract B-2-B-1.A from C-1.2 (Community-Scaled Commercial District to C-1.3 (Regional-Scaled Commercial District) with a Special Use Permit.

At this time under Correspondence Report Lynn Cline read excerpt from the West Baton Rouge Parish Planning & Zoning Commission meeting agenda scheduled for October 1, 2013 at 6:30PM.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon at 7:20PM and adopted by acclamation.

/s/Gary M. Spillman

Gary M. Spillman, Council Chairman

/s/Sharon Zito
Sharon Zito, Council Clerk