

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING – AUGUST 9, 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, August 9, 2012 can called to order. Council Chairman Gary Spillman requested that all electronic devices be silenced and recognized Edward Robertson, who led everyone in the pledge of allegiance.

Roll call was taken with the following members being present:

Messrs. Phil Porto, Jr., Chris “Fish” Kershaw, Ricky Loupe, Gary M. Spillman, Edward G. “Bob” Robertson, Barry Hughhins

Absent: Ms. Charlene Gordon, Mr. Randal “Randy” Mouch, Ms. Naomi Fair

Parish President Riley Berthelot, Jr. was also present.

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Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized, reviewed the bids received and opened 8/7/12 for South Westport Road and Commercial Drive Improvements Project. Mr. Gravois confirmed the low base bid was submitted by Industrial Enterprises, Inc. at \$159,392.00 for South Westport and additive alternate no. 1 for Commercial Drive at \$297,174.00 for a total bid of \$456,566.00, and recommended award. Mr. Gravois stated these jobs had been going for about \$125.00 to \$130.00 square yard; this is \$103.00 a square yard due to interest of 10 bidders. Mr. Gravois clarified Commercial Drive work, and Finance Director Phillip Bourgoyne explained budget amendments for the work would be considered later in meeting.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Phil Porto to accept the total base bid of Industrial Enterprises, Inc. received and opened 8/7/12 in the amount of \$456,566.00 for South Westport Road and Commercial Drive Improvements Project as recommended by Administration and Project Engineer, and authorizing the President to sign all required documentation. (Bid tabulation sheet appears elsewhere in these minutes)

Roll call vote on the motion was recorded as follows:

YEAS: 6 (Messrs. Porto, Kershaw, Loupe, Spillman, Robertson, Hughhins)

NAYS: 0 (None)

ABSENT: 3 (Ms. Gordon, Mr. Mouch, Ms. Fair)

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

Ms. Gordon and Ms. Fair entered the meeting at this time.

Mr. Gravois reviewed the bids received and opened 8/7/12 for 2012 Road Maintenance Program and confirmed the low bidder was Barber Brothers Contracting Company, LLC. Mr. Gravois clarified base bid and three (3) alternates taken. The base bid was for Burnside, Cypress, and Balis By-Pass, additive alternate no. 1 was for Sid Richardson on the west side of Highway 1, additive no. 2 was for Lukeville Lane Extension, and additive no. 3 was for the striping of First Street in Addis for a total of \$860,194.00 (noted last year \$95.00 a ton – this year \$80.00 a ton), and recommended bid award to Barber Brothers. Mr. Bourgoyne clarified schedule in connection with Louisiana Community Development Block Grant funding.

A motion was made by Mr. Barry Huggins, seconded by Mr. Edward Robertson to accept the total base bid of Barber Brothers Contracting Company, LLC received and opened 8/7/12 in the amount of \$860,194.00 for 2012 Road Maintenance Program as recommended by Administration and Project Engineer, and authorizing the President to sign all required documentation. (Bid tabulation sheet appears elsewhere in these minutes)

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

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

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Messrs. Spillman and Berthelot requested amending the agenda for permission to advertise for bids for the LRA funded Rosedale Road Drainage Project (City of Port Allen).

A motion was made by Ms. Charlene Gordon, seconded by Mr. Phil Porto, Jr. to amend the agenda to consider authorizing permission to advertise for bids for the Louisiana Recovery Authority (LRA) funded Rosedale Road Project (City of Port Allen).

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

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 Ms. Gordon was recognized under item 7 (communications with council members and/or elected or appointed officials) and requested Public Works Director Kevin Durbin provide status on Rosedale Road grant. Mr. Durbin reported Capital Region Planning Commission had approved the project, which is currently being reviewed by the Department of Transportation & Development.

Mr. Porto announced that Keep West Baton Rouge Beautiful Director had placed two (2) car magnets, copy of new business guide as well as copy of 5<sup>th</sup> graders anti-litter pledge (read into record) in members' mailboxes. Mr. Porto informed that Keep Louisiana Beautiful provided litter camera to Parish for use in areas experiencing dumping problems.

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Mr. Mouch entered the meeting at this time.

Partner Louis McKnight of Hawthorn, Waymouth & Carroll, CPA was recognized and made summary presentation on 2011 audit report including review of financial statements, required communications with the Council, graphs on revenues, expenditures and transfers as presented in connection with the December 31, 2011 Audited Financial Statements performed by said firm. Mr. McKnight stated that the Parish had received the highest level audit opinion, offered to answer any questions, and thanked staff for assistance. Chairman Spillman expressed appreciation to Mr. McKnight for the presentation.

A motion was made by Mr. Randal Mouch, seconded by Ms. Charlene Gordon to accept the December 31, 2011 West Baton Rouge Parish Primary Government Financial Statements as prepared and presented by the firm or Hawthorn, Waymouth & Carroll, Certified Public Accountants.

Roll call vote on the motion was recorded as follows:

YEAS: 9 (Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Hughhins, Porto, Kershaw)

NAYS: 0 (None)

As a result of the roll call vote the motion was unanimously adopted.

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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 amendments to the Library 2012 Budget for Transfer of Reserve Funds for Roof and Canopy Repairs. Mr. Bourgoyne was recognized clarified that amendments reflect additional work for Capital Outlay Projects at cost of \$40,082.00 for roof and canopy repairs to be transferred from fund balance. There were no questions.

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. 18 of 2012 appears elsewhere in these minutes.

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The following ordinance was offered by Mr. Barry Hughhins, seconded by Mr. Edward Robertson

ORDINANCE NO. 18 OF 2012

AN ORDINANCE ADOPTING THE 2012 LIBRARY BUDGET AMENDMENTS TO CAPITAL PROJECTS BUDGET OF EXPENDITURES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2012

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

SECTION 1: The attached detailed 2012 Library budget amendments to estimate of expenditures for the fiscal year beginning January 1, 2012 and ending December 31, 2012.

SECTION 2: The attached detailed 2012 Library budget amendments to estimate of expenditures for the fiscal year beginning January 1, 2012 and ending December 31, 2012 be and the same is hereby adopted as budget of expenditures for the Parish Library during the said period.

SECTION 3: The adoption of these 2012 Library budget amendments to capital projects budget of 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 classification.

SECTION 4: Amounts are available for expenditures only to the extent included with the 2012 budget.

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

YEAS: 9 (Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw, Ms. Gordon)

NAYS: 0 (None)

WHEREUPON the ordinance was declared to be adopted on the 9<sup>th</sup> day of August, 2012.

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 the 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 9<sup>th</sup> day of August, 2012.

I further certify that the above and foregoing was submitted to the Parish President at 9:25 o'clock AM on the 10<sup>th</sup> day of August, 2012.

IN FAITH WITNESS my official signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on the 10<sup>th</sup> day of August, 2012.

/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 13<sup>th</sup> day of August, 2012.

/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 9:10 o'clock AM on the 13<sup>th</sup> day of August, 2012.

/s/Sharon Zito  
Sharon Zito, Council Clerk

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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 amendments to the 2012 Council General Fund Revenue & Expenditure and Capital Outlay Budgets for Roads, Buildings, Land & Recreation. Mr. Bourgoyne reviewed list of eleven (11) item amendments and costs. Mr. Durbin was recognized and clarified GIS Hardware (mapping) request, system involving 3<sup>rd</sup> party contactor for publishing used by Assessor, and additional costs involved in piggybacking. Mr. Mouch discussed cost, locations, methods of operation, and public water consumption regarding installation of splash-pads at Erwinville Park, Alexander Park (Brusly), and Port Allen Community Center. Mr. Hughhins voiced concern for luxury item he could not support due to cost estimates and economy. Discussion held on splash pad costs, adjustments, similar facilities, and number required. Mr. Kershaw discussed correct size of the mobile command unit equipment storage at arena facility. Discussion held on verbal roll call vs. electronic voting and Parish Attorney is to provide opinion regarding Home Rule Charter roll call requirement and electronic voting upgrade in Council Chambers. Mr. Mouch suggested adding splash pad in Addis, and Mr. Loupe concurred.

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. 19 of 2012 appears elsewhere in these minutes.

A motion was made by Mr. Barry Hughhins, seconded by Mr. Randal Mouch approving the amendments to the 2012 Council General Fund Revenue & Expenditure and Capital Outlay Budgets for Roads, Buildings, Land & Recreation changing to One (1) Splash-Pad for \$200,000.00 to be built at Port Allen Community Center.

A substitute motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe approving the amendments to the 2012 Council General Fund Revenue & Expenditure and Capital Outlay Budgets for Roads, Buildings, Land & Recreation adding one (1) additional splash-pad in Addis at location to be determined by Administration & Recreation at cost of \$750,000.00.

Roll call vote on the substitute motion was recorded as follows:

YEAS: 6 (Messrs. Robertson, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman)

NAYS: 3 (Mr. Mouch, Ms. Fair, Mr. Hughhins)

As a result of the roll call vote the substitute motion (see Ordinance No. 19) was adopted by a majority of the members and the original motion was moot.

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The following ordinance was offered by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe

#### ORDINANCE NO. 19 OF 2012

AN ORDINANCE ADOPTING THE 2012 COUNCIL AMENDMENTS TO GENERAL FUND REVENUE AND EXPENDITURE BUDGETS AND THE CAPITAL OUTLAY BUDGETS FOR ROADS, BUILDINGS, LAND AND RECREATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2012

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

SECTION 1: The attached detailed 2012 Council budget amendments to estimate of expenditures for the fiscal year beginning January 1, 2012 and ending December 31, 2012.

SECTION 2: The attached detailed 2012 Council budget amendments to estimate of expenditures for the fiscal year beginning January 1, 2012 and ending December 31, 2012 be

and the same is hereby adopted as budget of expenditures for the Parish Library during the said period.

SECTION 3: The adoption of these 2012 Council budget amendments to capital projects budget of 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 classification.

SECTION 4: Amounts are available for expenditures only to the extent included with the 2012 budget.

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

YEAS: 6 (Messrs. Robertson, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman)

NAYS: 3 (Mr. Mouch, Ms. Fair, Mr. Hugghins)

WHEREUPON the ordinance was declared to be adopted on the 9<sup>th</sup> day of August, 2012.

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 the 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 9<sup>th</sup> day of August, 2012.

If further certify that the above and foregoing was submitted to the Parish President at 9:25 o'clock AM on the 10<sup>th</sup> day of August, 2012.

IN FAITH WITNESS my official signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on the 10<sup>th</sup> day of August, 2012.

/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 13<sup>th</sup> day of August, 2012.

/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 9:10 o'clock AM on the 13<sup>th</sup> day of August, 2012.

/s/Sharon Zito

Sharon Zito, Council Clerk

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At this time Executive Assistant Jason Manola was recognized under item 10 (consider status report, change order and/or other matters as required on current projects) regarding the following:

Explained Parish would be piggybacking off of the state contract with Fuel Track for supply of diesel and fuel instead of bidding out weekly;

Estimated opening date of September 1<sup>st</sup> for two (2) new tennis courts in Port Allen;

Maintenance crew currently doing inside work having completed pouring of parking area at Red Cross Shelter (VFW Hall) in Addis, which serves as primary shelter during hurricanes;

Maxine Street and Treuil Road Drainage Projects progressing;

Grass cutting crew currently in Addis.

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Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:

Commented on support and discussion on budget amendments, benefits to recording equipment, and splash-pads;

Requested allowing Wayne Kent & George Bragg with Mosquito Control to make report on same;

Hurricane Ernesto briefing and preparedness meeting held on Monday;

Notified next Wednesday @ 12:30PM Transportation Committee has meeting scheduled with Department of Transportation & Development regarding La. 1/I-10 Connector tie-in;

Reminded of Police Jury Association of Louisiana Region III Meeting scheduled for Thursday, August 16<sup>th</sup> at Port Allen Community Center;

Meeting scheduled tomorrow at 9:00AM with attorney Fred Chevalier of Jones-Walker on La. 1/I-10 Connector;

Commented on savings on bids received on roads due to reduction in per unit cost.

Wayne Kent & George Bragg of Mosquito Control Department were recognized and made slide presentation on mosquito control basics, types of mosquitoes/traps, number of virus cases, integrated mosquito management, surveillance, grants, spraying equipment, public education and awareness, and use of mosquito repellent with active ingredient DEET. Mr. Bragg expressed thanks to Council and staff for support. Mr. Kent confirmed that spraying parish twice weekly currently working on mosquito population.

Mr. Manola was recognized and requested authorizing permission to advertise for bids for the LRA Rosedale Road Drainage Project for the City of Port Allen (amended agenda item).

A motion was made by Mr. Phil Porto, Jr., seconded Ms. Charlene Gordon authorizing permission for the Administration to advertise for bids for the Louisiana Recovery Authority Rosedale Road Drainage Project for the City of Port Allen.

Roll call vote on the motion was recorded as follows:

YEAS: 9 (Mr. Robertson, Ms. Fair, Messrs. Hugghins, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Mouch)

NAYS: 0 (None)

As a result of the roll call vote the motion was unanimously adopted.

Mr. Berthelot was again recognized and announced that the State included the following West Baton Rouge Parish roads in funding:

Arbroth Road (Highway 982);

Highway 413 from Rosedale Road to Pointe Coupee line.

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The Council Chairman read by title the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearing at the meeting of September 13, 2012 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of Raymond Loup & Crystal Lake, LLC, Lukeville Extension, Brusly, La., 13.443 acres located in Sections 20 & 21, T8S-R12E from Agricultural District to Residential Single Family District.

The Council Clerk read by title the below proposed ordinances being introduced and publicized by title, and considered for adoption following public hearings at the meetings as indicated at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of Floyd Edwards, 12125 South Palmer Lane, Port Allen, La., Lot 22-A-1, Poydras Country Estates from Agricultural to Moderate Industrial District scheduled for September 13, 2012;

Amend Chapter 2 Administration, Article IV Community Centers and Parks, Sec. 2-70 Community centers, parks and multi-purpose facility fees scheduled for August 23, 2012.

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Following discussion regarding change in businesses ownership for establishments now operating under current alcohol permits (formerly Brusly Chevron); a motion was made by Ms. Naomi Fair, seconded by Mr. Ricky Loupe to approve the following 2012 permits for Dang Dinh Chau:

Class B Beer and/or Liquor - Brusly Food Mart, 3847 State Highway 1 S, Port Allen, La.;  
Class A Beer Only – Brusly Tavern, 3847-B State Highway 1 S, Port Allen, La.

Roll call vote on the motion was recorded as follows:

YEAS: 9 (Ms. Fair, Messrs. Huggins, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson)

NAYS: 0 (None)

As a result of the roll call vote the motion was unanimously adopted.

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At this time under Correspondence Report the Council Clerk read excerpt of letter and resolution from candidate and the Evangeline Parish Police Jury supporting and endorsing Eric Soileau as Third Vice President to the Police Jury Association of Louisiana due to experience.

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There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 8:05PM.

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

/s/Sharon Zito  
Sharon Zito, Council Clerk

