

**REGULAR MEETING - WEST BATON ROUGE PARISH COUNCIL
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
AUGUST 14, 2014 – 6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, August 14, 2014. Council Chairman Gary Spillman called the meeting to order and requested that all electronic devices be placed on silent and recognized Barry Huggins, who led everyone in the pledge of allegiance.

Roll-Call Pro System recorded the following members as being present:

Messrs. Randal “Randy” Mouch, Chris “Fish” Kershaw, Ms. Naomi Fair, Mr. Ricky Loupe, Ms. Charlene Gordon, Messrs. Phil Porto, Jr., Gary M. Spillman, Barry Huggins, Edward G. “Bob” Robertson

Absent: None

Parish President Riley Berthelot, Jr. was also present.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Ricky Loupe to approve the minutes of the Regular Meetings of June 12, 2014, June 26, 2014 and July 24, 2014 as published in the Parish Official Journal.

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

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

NAYS: 0 (None)\

As a result of the votes the motion was unanimously adopted.

Public comments were requested at this time and the Erwinville Volunteer Fire Department Assistant Fire Chief Daryn Taylor was recognized and asked if reason for consolidation of fire service was cost savings as salaries of fire chief and assistant would cost more. Mr. Taylor expressed disappointment in receiving communications from media rather than proper channels.

Mr. Spillman clarified consolidation was for fire ratings, equipment & resources, and requested department allow time work.

Mr. Taylor stated change made department lose ability to make decisions, assistant chief appointment came too quickly, moral down, and losing volunteers.

Mr. Mouch clarified consolidation primary purpose was to achieve fair funding distribution.

Mr. Porto stated unresolved formula issues led to consolidation legislation.

Mr. Huggins discussed volunteer consolidation fears & concerns and character of fire chief.

Mr. Loupe suggested making chief aware of issues and ideas. Mr. Mouch recommended making Council aware of any changes prior to media.

Executive Assistant Jason Manola clarified revenues were all in one pool and Finance Director Phillip Bourgoyne confirmed savings on administrative fees and insurance.

The following were recognized under item 7 (communications with council members and/or elected or appointed officials):

Port Allen Councilman Hugh “Hootie” Riviere expressed support for the City of Port Allen unanimous resolution favoring naming the newly constructed street connecting 14th Street with Louisiana Avenue within the city limits near Williams & Lee Park “Eddie Payne III Drive” after a local pastor/advocate for disadvantaged children. Mr. Riviere briefly commented on community workshop for implementation of smart growth master plan for the City of Port Allen scheduled 8/21/14 at the WBR Museum from 6 to 9PM;

Director of Public Works Kevin Durbin confirmed Rosedale Road Sidewalk DOTD Project was moving forward although right-of-way concerns were expressed at recent meeting;

Ms. Gordon held discussion on participation in & donations for “Veterans on Parade” event and Parish Attorney is to check on legality and report findings;

Mr. Huggins requested publishing balance sheet from last audit to show public the Council is taking care of business. Mr. Bourgoyne confirmed previously published.

Mr. Spillman was recognized under item 8 (consider naming connector roadway through Williams & Lee Park) regarding invalidity of last 3 to 2 vote on the matter 7/24/14. Mr. Spillman stated Parish Attorney research determined Home Rule Charter specified if 7 members are present action requires 4 votes for approval.

Ms. Gordon requested approval of naming roadway “Eddie Payne III Drive” after Mr. Payne because of good work with children based on number of concurring calls received, and to express appreciation.

Mr. Robertson agreed on Mr. Payne’s character, reminded currently have Payne Street in system in Winterville area, and requested naming roadway in remembrance of Cohn High School (Isadore Cohn Street).

Mr. Porto explained abstained last meeting as previous instances had resulted in unanimous votes, and didn’t feel wanted to take position to drive wedge between members over naming this roadway. Mr. Porto further explained had since offered to support Mr. Bob and wanted to hold firm to commitment, but was unaware of the Port Allen resolution until tonight, and wants to do what City of Port Allen wanted.

Seidda Herbert and Vernon Williams were recognized and offered lengthy statements commending Mr. Payne and offering support of naming Eddie Payne III Drive.

City of Port Allen Mayor Lee was recognized and offered support for City’s previously submitted unanimous resolution.

Mr. Spillman stated the City of Port Allen should be involved the naming of said roadway located within its jurisdiction although the Council had committed to upkeep. Mr. Spillman clarified he had abstained last time because didn’t know either individual, but was going to have to support Port Allen’s wishes.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Ricky Loupe to name the newly constructed street connecting 14th Street with Louisiana Avenue within the city limits of the City of Port Allen near Williams & Lee Park “Eddie Payne, III Boulevard” as aforementioned.

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

YEAS: 7 (Mr. Mouch, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins)

NAYS: 2 (Messrs. Kershaw, Robertson)

As a result of the votes the motion was adopted by a majority of the members.

Mr. Spillman thanked everyone for comments.

Mr. Manola was recognized under item 10 (consider status report, change order and/or other matters as required on current projects) regarding the following:

Road Overlay project – all paving in Lynndale & Treuil Road to be completed by Monday followed by striping and dressing shoulders;

Charles Drive project – breaking-up concrete road followed by repair work & limestone compaction;

Lukeville Sewer Project – progressing on time;

Next Year Budget – Request for Proposals for service, maintenance & testing of generators;

Next Year Budget – additional tractors and operators to service grass-cutting of canals and ditches.

Mr. Spillman made brief comment on terrible road overlay job done by Sullivan and upcoming meeting to discuss contact.

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

Thanked volunteer firemen for service and comments;

Informed of notice from railroad that Peter Messina Road scheduled to be closed from Friday morning until Saturday morning;

Realtor notified prospect for old Wal-Mart store has requested facility be rezoned I-1;

In process of acquiring right-of-way for connecting La. Highway 1148 & Sid Richardson Road through Capital Outlay Project;

Requested Providence proposal escape route (Ed LeJeune-Choctaw Connector) for Addis be considered at the 8/28/14 meeting;

Announced WBR 911 recognized through certification award from the National Center for Missing & Exploited Children at recent national conference in New Orleans;

Announced meeting scheduled with Senior Vice President of Genesis Entergy on Baton Rouge Terminal project to be located on approximately 90 acres of land near the Port;

Announced area youngster football league scheduled to entertain during half-time at Saints 8/28/14 game.

Mr. Mouch discussed park accessibility to residents during tournaments and provided "Civic Center" definition as rented facility for profit.

Mr. Loupe clarified that Genesis terminal would be located between the Intracoastal Canal off of North Line Road.

Ms. Gordon confirmed that "Eddie Payne, III Boulevard" would be included in road overlays.

Messrs. Spillman & Berthelot discussed use of road paver equipment on small road projects up to \$150,000.00.

Mr. Porto requested to be included in industrial rezoning required for old Wal-Mart facility due to dissatisfaction with recent industrial rezoning in district.

Gary Spillman was recognized under Council Chairman's Report and discussed educating public on renewal millages (drainage, library & recreation) prior to upcoming election. Mr.

Berthelot confirmed information on projects accomplished provided through Visions West magazine and power-point presentations at recent civic meetings, and requested support.

Discussion held to clarify the below listed three (3) resolutions prior to adoption, which appear elsewhere in these minutes:

Resolution A - Authorize President to execute agreement for road transfer of Plantation Avenue (Highway 987-3 spur) from DOTD to Parish;

Resolution B – Documenting technical assignments for participation in the Community Development Block Grant (CDBG) Program: Citizen Participation, Procurement, Residential Anti-displacement, 504 Handicap, Equal Opportunity, Labor Compliance, Fair Housing, Financial Management, and Section 3 Plan;

Resolution C – West Baton Rouge Council commitment to provide 20 per cent match to the Capital Region Planning Commission and Department of Transportation & Development for the La. 1 & La. 415 Connector Project.

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Ricky Loupe

A Resolution authorizing the Parish President to execute the agreement for road transfer of Plantation Avenue Loop (La. State Highway 987-3 Spur) as shown on attached document entitled “Proposed Road Transfer Opportunity” from the Louisiana Department of Transportation & Development to West Baton Rouge Parish according to agreed upon terms and conditions as outlined within said agreement

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President to execute the agreement for road transfer of Plantation Avenue Loop (La. State Highway 987-3 Spur) as shown on attached document entitled “Proposed Road Transfer Opportunity” from the Louisiana Department of Transportation & Development to West Baton Rouge Parish according to the agreed upon terms and conditions as outlined therein.

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

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

NAYS: 0 (None)

As a result of the votes the resolution was unanimously adopted.

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 August 14, 2014 at which meeting all of the members were present and voting.

/s/Sharon Zito

On a motion of Mr. Ricky Loupe, seconded by Mr. Chris Kershaw, it was moved to adopt the following resolution:

RESOLUTION dated August 14, 2014

BE IT RESOLVED, that the West Baton Rouge Parish Government, the governing authority and fiscal agent, does hereby document technical assignments for participation in the Community Development Block Grant (CDBG) Program,

WHEREAS, West Baton Rouge Parish Government has been afforded the opportunity to participate in the State of Louisiana Community Development Block Grant (CDBG) Program administered by the Division of Administration; and,

WHEREAS, it is necessary under the program regulations to authorize certain actions and individuals to perform certain designated functions by the State

NOW THEREFORE BE IT RESOLVED, that the West Baton Rouge Parish Government as legal recipient of the CDBG funds does hereby authorize the following actions:

SECTION I

CITIZEN PARTICIPATION

WHEREAS, the State requires Grantees to establish procedures to ensure adequate citizen participation and to deal with citizen inquiries and complaints;

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government, that the attached plan entitled "Citizen Participation Plan and Complaint Procedure" is hereby adopted.

SECTION II

PROCUREMENT

WHEREAS, the State requires the establishment of uniform procedures in compliance with OMB Circular A-102;

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government, that the attached policy entitled "Procurement Procedures Relative to the CDBG Program" is hereby adopted.

SECTION III

RESIDENTIAL ANTI-DISPLACEMENT

WHEREAS, the State requires that all grant recipients adopt a Residential Anti-Displacement and Relocation Assistance Plan,

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government, that the attached plan entitled "Residential Anti-Displacement and Relocation Assistance Plan" is hereby adopted and appoints Jason Manola as the Residential Anti-Displacement Officer.

BE IT FURTHER RESOLVED, that the Chief Elected Official is hereby authorized to execute the attached Residential Anti-Displacement and Relocation Assistance Certification.

SECTION IV

504 HANDICAP

WHEREAS, the State requires grant recipients to adopt a policy to comply with Section 504 of the Rehabilitation Act of 1973 as amended and for communicating information to persons with sensory impairments; and

WHEREAS, the State requires grant recipients to designate a responsible person to coordinate the grant recipients efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended;

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government that the attached “Handicap Policy and Grievance Procedure” and “Policy Statement for Communicating Information to Persons with Sensory Impairments” is hereby adopted and appoints Phillip Bourgoyne as Section 504 Coordinator.

BE IT FURTHER RESOLVED, that the Chief Elected Official is hereby authorized to execute the attached Section 504 Certification.

SECTION V

EQUAL OPPORTUNITY

WHEREAS, equal opportunity regulations of the CDBG program require the appointment by the recipient of an Equal Opportunity Officer (EEO officer) to have the responsibility for maintaining all pertinent EEO files, submitting on a timely basis all reports, answer all related correspondence and monitor all EEO areas;

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government that Phillip Bourgoyne is hereby appointed as EEO officer for the life of the CDBG Disaster Recovery program and as such is charged to faithfully execute all duties and responsibilities herein described.

SECTION VI

LABOR COMPLIANCE

WHEREAS, labor compliance regulations of the CDBG program require the appointment by the recipient of a Labor Compliance Officer, (LCO) to have the responsibility for maintaining all pertinent labor compliance files, submitting on a timely basis all required reports, answer all related correspondence and monitor all labor compliance areas;

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government that Ed Hannum is hereby appointed Labor Compliance Officer for the life of the CDBG program and as such is charged to faithfully execute all duties and responsibilities herein described.

SECTION VII

FAIR HOUSING

WHEREAS, the State requires Grantees to take actions to affirmatively further fair housing in compliance with Title VIII of the Civil Rights Act of 1968, as amended and Executive Order 11063, as amended; and,

NOW THEREFORE BE IT RESOLVED, that Jason Manola is appointed Fair Housing Coordinator.

SECTION VIII

FINANCIAL MANAGEMENT

WHEREAS, it is necessary under the Financial Management regulations of the CDBG program to authorize certain individuals to sign Request for Payment for the purpose of obtaining funds under this program and;

WHEREAS, it is necessary to authorize one individual to certify to the correctness of each signature and;

WHEREAS, it is further necessary under the Financial Management regulations of the CDBG program to designate an official depository for these funds and;

WHEREAS, it is necessary certain individuals to sign checks for these funds;

NOW THEREFORE BE IT RESOLVED, by the West Baton Rouge Parish Government as legal recipient of the CDBG funds, in regular session convened, that Jason Manola, and Phillip Bourgoyne are hereby authorized to sign “Authorized Signature Card for Request for Payment”, and that Riley Berthelot, Jr. shall be the Certifying Officer attesting to the correctness of each signature,

BE IT FURTHER RESOLVED, that American Gateway Bank is hereby designated as the official depository for direct deposit of grant funds for the CDBG project.

BE IT FURTHER RESOLVED, that Jason Manola, Phillip Bourgoyne, Riley Berthelot, Jr. be designated to sign checks for the CDBG project.

SECTION IX

SECTION 3 PLAN

WHEREAS, the State requires the Grantee to the greatest extent feasible to provide opportunities for training and employment to lower income residents of the project areas and contracts for work in connection with the project area be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project in compliance with Section 3 of the Housing and Urban Development Act of 1968;

NOW THEREFORE BE IT RESOLVED, that the attached “Section 3 Plan” for the Parish of West Baton Rouge is hereby adopted.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

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

NAYS: 0 (None)

ABSENT: 0 (None)

And the motion was declared adopted on the 14th day of August, 2014.

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 August 14, 2014 at which meeting all of the members were present and voting.

/s/Sharon Zito

The following resolution was offered by Mr. Chris Kershaw, seconded by Mr. Phil Porto, Jr.

RESOLUTION

A resolution acknowledging the West Baton Rouge Parish Council's commitment to provide 20 per cent match to the Capital Region Planning Commission Project for the La. 1/La. 415 Connector Project

WHEREAS, the West Baton Rouge Parish Council agrees that the referenced 20 per cent match to Capital Region Planning Commission Project for the La. 1/La. 415 Connector Project will cover the following items:

Update to the Environmental Assessment;
Value Engineering Study;
Vessel Survey.

NOW THEREFORE BE IT RESOVED that the West Baton Rouge Parish Council does hereby commit to provide 20 per cent match to the Capital Region Planning Commission Project for the La. 1/La. 415 Connector Project, which will cover the aforementioned items.

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

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

NAYS: 0 (None)

As a result of the votes the resolution was unanimously adopted.

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 August 14, 2014 at which meeting all of the members were present and voting.

/s/Sharon Zito

The Assistant Coordinator of Planning & Zoning read by title into the record the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearing at the meeting of September 25, 2014 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of Cody Firmin, 1037 Layla Lane, Port Allen, La. designated as Lot 14-C-2 from Agricultural District to Residential Minor Subdivision District;

Amend Chapter 104 Zoning for rezoning request of Jeremy Prejean, 4363 Raymond LaBauve Drive, Brusly, La. designated as Lot HT-8-C from Residential Mobile Home District to Agricultural District.

Mr. Durbin was recognized under item 18 (consider planning commission meeting minutes, subdivision plats, condemnation and/or variances and matters related thereto) and stated the one item had been tabled at the request of the applicant. Mr. Durbin explained in 2013 the Department of Environmental Quality had informed West Baton Rouge Parish of 5 year deadline to develop management plan and apply for storm-water discharge permit as part of the clean water act to operate and maintain storm-water ditches within the unincorporated areas. Mr. Durbin distributed proposed plan scheduled to be considered at the next meeting. There were no questions.

At this time under Correspondence Report the Council Chairman read excerpt into the record from the West Baton Rouge Parish Planning & Zoning Commission meeting agenda scheduled for Tuesday, August 19, 2014.

Mrs. Cline confirmed that Steve Jones had requested reappointment to the Board of Adjustments (Zoning), and a motion was made by Mr. Randal Mouch and adopted by acclamation to reappoint Mr. Jones to said board for another 5 year term, commencing September 24, 2014.

Mrs. Cline confirmed that John Tilton, III & Leo LeBlanc, Jr. had requested reappointment to the Capital Resources Conservation & Development Council, and a motion was made by Mr. Randal Mouch, seconded by Mr. Phil Porto, Jr. and adopted by acclamation to reappoint Messrs. Tilton & LeBlanc to said board for 2 year terms, commencing September 30, 2014.

E911 Director Dean Moran's email recommendation for appointments to the Communications Board of Commissioners was reviewed, and a motion was made by Mr. Randal Mouch, seconded by Ms. Charlene Gordon to appoint and/or reappoint the following to said board representing the listed entities for 4 year terms, commencing August 10, 2014:

Law Enforcement	-	Dale Simoneaux;
Fire	-	Chris Neusetzer;
Parish	-	Phillip Bourgoyne;
Municipal	-	Joey Normand;
Industry/Emergency Response Task Force/ Local Emergency Planning Committee (LEPC)		Kenny Carr, Jr.;
Port of Greater Baton Rouge	-	Barry Wilkinson;
Parish Council	-	Chris Kershaw

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

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

NAYS: 0 (None)

As a result of the votes the motion was unanimously adopted.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 8:45PM.

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

/s/Sharon Zito
Sharon Zito, Council Clerk