

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING—DECEMBER 11, 2014  
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, December 11, 2014 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent and recognized Sharon Zito, who led everyone in the pledge of allegiance.

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

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

Absent:           None

Also present were Riley Berthelot, Parish President, Phillip Bourgoyne, Director of Finance and Michelle Tullier, Clerk of Council.

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A motion was made by Mr. Randal Mouch, seconded by Ms. Charlene Gordon to approve the minutes of the 2015 Year Budget Meetings of November 3, 2014 and November 5, 2014 and the regular meeting of November 13, 2014 as published in the Parish Official Journal.

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

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

NAYS:           0 (None)

ABSENT:        0 (None)

As a result of the votes the motion was unanimously adopted

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Chairman Spillman requested to amend tonight’s agenda for the following items:

Resolution to Authorize the Parish President to enter into an agreement with the Louisiana Housing Corporation to comply with the Low Income Home Energy Assistance Program (LIHEAP).

Resolution to Authorize the Parish President to submit an application through the Office of Community Development, Local Government Assistance Program (LGAP) for the purpose of securing funds to overlay Landry Lane.

A motion was made by Mr. Randal Mouch, seconded by Mr. Barry Huggins to amend tonight’s agenda as aforementioned.

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

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

NAYS:           0 (None)

ABSENT:        0 (None)

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

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Director of Finance Phillip Bourgoyne was recognized and explained the Low Income Home Energy Assistance Program (LIHEAP) Grant Program and is requesting a resolution for the Parish President to sign said agreement. Mr. Bourgoyne noted the grant program total amount for year 2015 is \$124,151.00.

A motion was made by Mr. Phil Porto, seconded by Ms. Charlene Gordon to authorize the Parish President to sign aforementioned agreement; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

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

#### RESOLUTION

A Resolution authorizing the Parish President to enter into an agreement with the Louisiana Housing Corporation in order to comply with the requirements of the Low Income Home Energy Assistance Program (LIHEAP) Grant

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President to enter into an agreement with the Louisiana Housing Corporation as aforementioned.

Roll call vote on the resolution was recorded as follows:

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

NAYS: 0 (None)

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

#### CERTIFICATE

I, Michelle Tullier, 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 December 11, 2014, at which meeting all of the members were present and voting.

/s/Michelle Tullier  
Michelle Tullier, Council Clerk

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Parish President Riley Berthelot was recognized and asked for authorization to submit application for funds through the Local Government Assistance Program (LGAP) in order to overlay Landry Lane. A motion was made by Mr. Randal Mouch, seconded by Mr. Ricky Loupe to authorize the Parish President apply for funds through LGAP as aforementioned; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

#### RESOLUTION

WHEREAS the WEST BATON ROUGE PARISH GOVERNMENT is in need of FUNDS TO OVERLAY LANDRY LANE; and

WHEREAS grants for this project may be available through Office of Community Development, Local Government Assistance Program and,

WHEREAS the West Baton Rouge Parish Council is in support of this project.

NOW, THEREFORE, BE IT RESOLVED, by the WEST BATON ROUGE PARISH COUNCIL of WEST BATON ROUGE PARISH GOVERNMENT that:

Section 1. The PARISH PRESIDENT is hereby authorized to submit an-application to the Office of Community Development on behalf of WEST BATON ROUGE PARISH GOVERNMENT for the purpose of securing funds toward these road projects.

Section 2. The PARISH PRESIDENT is further authorized to furnish such additional information as may reasonably be requested in connection with the application; and,

Section 3. The PARISH PRESIDENT is hereby designated as the Official Project Representative for the WEST BATON ROUGE PARISH GOVERNMENT for any project that may result from the submission of the application.

A MOTION TO ADOPT the above resolution was made by Mr. Randal Mouch, seconded by Mr. Ricky Loupe, and resulted in the following vote:

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

NAYS: 0 (None)

ABSENT: 0 (None)

#### CERTIFICATE

We the undersigned do certify that the foregoing resolution is a true and correct copy of a resolution adopted at a meeting held on the 11th day of December 2014 at which meeting a quorum was present and voting.

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

ATTEST:

/s/Michelle Tullier  
Michelle Tullier, Council Clerk

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Mr. Spillman recognized Mr. Ted Denstel and requested him to come to the microphone. Mr. Denstel gave a brief overview of Ms. Sharon Zito's years of service, her loyalty, efficiency and dedication to her job over her years they served together. He thanked her for all of her years of service to him and to the Parish of West Baton Rouge. Mr. Spillman also noted that Mr. Larry Johnson wished he could be here to speak.

Parish President Berthelot presented Ms. Sharon Zito with a plaque recognizing her 34 years of service to the Parish and thanked her for all of the years of dedication. Mr. Randal Mouch thanked Ms. Sharon for her service along with many others in the meeting. Ms. Sharon said a few words thanking everyone for the words of appreciation and noted her enjoyment working for the Parish over the years.

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Mr. Gary Spillman was recognized under public comments. Mr. Spillman recognized Mr. Nicholas White with Acadian Ambulance in the audience and thanked him for his service. There were no other public comments at this time.

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Director of Finance Phillip Bourgoyne was recognized under item 7 (communications with council members and/or elected or appointed officials) and spoke briefly about himself and Mr. Jason Manola attending certification classes and offering their services for volunteer income tax return services. He also noted that he and Mr. Manola processed over 100 returns last year and are ready to help anyone who qualifies for the program.

Ms. Charlene Gordon thanked everyone who contributed to the Toy Drive for this year and noted that over 153 children were served and thanked everyone for their support.

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Councilman Spillman announced that the Public Hearing was in order at this time and all interested parties were invited to appear and be heard on Ordinance 29 of 2014, Adoption of 2015 Operating Budgets of Revenues and Expenditures for WBR Parish Council for the fiscal

year beginning January 1, 2015 and ending December 31, 2015, Capital Road Program, Fire Protection District No. 1, and Five year Capital Expenditure Budget (Including Department of Utilities) as amended November 3<sup>rd</sup> & November 5<sup>th</sup> 2014 and appearing elsewhere in these minutes.

Director of Finance Phillip Bourgoyne spoke briefly and asked that the council adopt this budget as presented at previous meetings.

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. 29 of 2014 appears elsewhere in these minutes.

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

#### ORDINANCE NO. 29 OF 2014

AN ORDINANCE ADOPTING AN OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 FOR THE 2015 BUDGETS, CAPITAL ROAD PROGRAM, FIRE PROTECTION DISTRICT NO. 1, AND FIVE YEAR CAPITAL EXPENDITURE BUDGET (INCLUDING THE DEPARTMENT OF UTILITIES) AS AMENDED NOVEMBER 3 & NOVEMBER 5, 2014

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

SECTION 1: The detailed estimate of revenues by departments for the fiscal year beginning January 1, 2015 and ending December 31, 2015 is hereby adopted to serve as an operating budget of revenues for the Parish during said period.

SECTION 2: The detailed estimate of expenditures by departments for the fiscal year beginning January 1, 2015 and ending December 31, 2015 is hereby adopted to serve as an operating budget of expenditures for the Parish during said period.

SECTION 3: The adoption of this operating budget of revenues and expenditures 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 within said budgets for this period.

NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that this ordinance shall become effective pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety

NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this ordinance which can be given effect without the invalid provisions, items or applications of this ordinance are hereby declared severable.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was declared adopted on the 11<sup>th</sup> day of December, 2014.

ATTEST:

/s/Michelle Tullier  
Michelle Tullier, Council Clerk

CERTIFICATE

I, Michelle Tullier, 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 11th day of December, 2014.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock am on the 12<sup>th</sup> day of December, 2014.

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 December, 2014.

/s/Michelle Tullier  
Michelle Tullier, 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 15<sup>th</sup> day of December, 2014.

/s/ Riley Berthelot  
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 15<sup>th</sup> day of December, 2014.

/s/ Michelle Tullier  
Michelle Tullier, Council Clerk

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Executive Assistant Mr. Jason Manola was recognized under item 9 (consider status report and/or other matters as required on current project) he explained that the administration is looking at a new location for the Lobdell Sewer project as the previous owners have backed out of the agreement. He stated that Mr. Alan Crowe is currently working with the parish to possibly put this Lift Station on Kahn's Road. Mr. Manola also spoke on the new overlay machine being used at the jail, Sheriff's office and currently working on wrapping up a project overlaying the

parking lot at Alexander Park. He noted that next year Erwinville Park parking lot will be taken care of; also that the Winterville project will begin on 1/5/2014.

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Executive Assistant Jason Manola was recognized and asked that the following items be declared surplus in order for them to be sold at the auction on the weekend of January 29, 2014.

2001 INTERNATIONAL 4900 12 YARD DUMP TRUCK;  
2006 FORD F-350 SERVICE TRUCK;  
2007 JOHN DEERE 6615 TRACTOR;  
SIDE MOWER/TIGER FLAIL MODEL #T3F75C;  
REAR MOWER/TIGER FLAIL MODEL #TRF-102  
2003 FORD F250 4X4 VIN#1FTNF21P44EA49433  
1993 BOAZ LOWBOY TRAILER VIN#4LB3J4735RAB65027

Mr. Spillman asked that we check with the Sheriff's office to make sure that they are not in need of any of the above items. Mr. Phillip Bourgoyne was recognized and commented that he had spoke with recreation as these items would be more along the lines of that particular department.

A motion was made by Mr. Randal Mouch, seconded by Mr. Ricky Loupe to declare the aforementioned items as surplus.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

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

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Parish President Riley Berthelot spoke under Parish President's report and wished everyone a Merry Christmas. He spoke briefly on the EBR Mortgage Finance Authority which is a program that can help new homeowners with financing and down payments on qualifying mortgage loans. He encouraged the councilpersons to contact him if they had any questions or wanted to take a look at the program brought, which was recommended to him by Mr. Billy Ward of Champion Builders. He noted that the Multi-purpose arena Mural has been completed and the ribbon cutting would be held in January. Mr. Berthelot updated the council on talks with the City of Port Allen regarding the additional parking for the Community Center at the old City Hall location, and noted that we would take on the first phase of an agreed upon project and take on a few joint agreements moving forward. There were no questions for the Parish President at this time.

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Mr. Gary Spillman spoke under Council Chairman's Report and gave updates that DOTD had restriped the Intracoastal Canal and put up signs on striping to try and help traffic issues, they will also be working with us to try and setup law enforcement in medians; Mr. Berthelot noted DOTD would do some striping on the merge lane as well.

Ms. Charlene Gordon was recognized and noted that DOTD had made the right turn lane on Court St. at the La. 1 red light.

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A motion was made Mr. Phil Porto, seconded by Mr. Barry Huggins authorizing the execution of Letter Agreement with Acadian Ambulance Service, Inc. for 2015; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

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

### RESOLUTION

A Resolution authorizing the Parish President to sign the letter agreement with Acadian Ambulance Service, Inc. for the period January 1, 2015 - December 31, 2015

**WHEREAS**, the West Baton Rouge Parish Council has prepared a letter intended as a memorandum of an agreement concerning a contract with Acadian Ambulance Service, Inc. for ambulance service for the citizens of West Baton Rouge Parish, Louisiana, and

**WHEREAS**, in the past Acadian Ambulance Service, Inc. has concurred by signing said letter agreement.

**WHEREAS**, the West Baton Rouge Parish Council feels said agreement is in the best interest of the citizens of West Baton Rouge.

**NOW THEREFORE BE IT RESOLVED** does hereby authorize the Parish President to sign the Letter Agreement with Acadian Ambulance Service, Inc. for ambulance service for the citizens of West Baton Rouge Parish, Louisiana, for the period January 1, 2015 - December 31, 2015.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

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

**CERTIFICATE**

I, Michelle Tullier, 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 December 11, 2014 at which meeting a majority of the members were present and voting.

/s/Michelle Tullier  
Michelle Tullier/Council Clerk

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A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw to authorize the signing of the Louisiana Compliance Questionnaire for Council 2014 Audit Engagement; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

The following resolution was offered by Mr. Barry Huggins, seconded by Mr. Chris Kershaw.

**RESOLUTION**

A Resolution authorizing the Parish President, Director- Department of Finance and Council Clerk to sign the Louisiana Compliance Questionnaire for Audit Engagement on behalf of the West Baton Rouge Parish Council for the period January 1, 2014-December 31, 2014 as prepared by the Director- Department of Finance

WHEREAS, as mandated by State Law the West Baton Rouge Parish Council completed the compliance questionnaire for audit engagements as a required part of a financial audit of Louisiana governmental units and quasi-public entities.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President, Director-Department of Finance and Council Clerk to sign the Louisiana Compliance Questionnaire for Audit Engagement for the period January 1, 2014-December 31, 2014 as prepared by the Director-Department of Finance.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

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

### CERTIFICATE

I, Michelle Tullier, 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 December 11, 2014 at which meeting a majority of the members were present and voting.

/s/ Michelle Tullier

Michelle Tullier/Council Clerk

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A motion was made by Ms. Charlene Gordon, seconded by Mr. Phil Porto to authorize the signing of the Execution Letter with Hawthorne, Waymouth & Carroll, LLP for Annual Audit of 2014; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

The following resolution was offered by Ms. Charlene Gordon, seconded by Mr. Phil Porto Jr.

### RESOLUTION

A Resolution authorizing the Parish President to sign the commitment letter with Hawthorn, Waymouth & Carroll, LLP for annual audit for the year 2014

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President to sign the commitment letter with Hawthorn, Waymouth & Carroll, LLP for the annual audit for the year 2014.

Roll call vote on the resolution was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 0 (None)

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

**CERTIFICATE**

I, Michelle Tullier, 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 December 11, 2014 at which meeting all of the members were present and voting.

/s/ Michelle Tullier  
Michelle Tullier/Council Clerk

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A motion was made by Mr. Randal Mouch, seconded by Mr. Barry Huggins for approval & adoption of Parish Benefits Plan (Cafeteria Plan) for 2015; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Barry Huggins.

**RESOLUTION**

Approval and adoption of West Baton Rouge Parish Council Flexible Benefits Plan (Cafeteria Plan) to be effective January 1, 2015

ON THIS DATE the West Baton Rouge Parish Council did meet and discuss the implementation of the West Baton Rouge Parish Council Flexible Benefits Plan to be effective January 1, 2015, and

LET IT BE KNOWN that the following resolution was duly adopted by the West Baton Rouge Parish Council and that such resolution has not been modified or rescinded as of the date hereof, and

BE IT RESOLVED that the form of Cafeteria Plan as authorized under Section 125 of the Internal Revenue Code of 1986 presented at this meeting is hereby adopted and approved and that the proper officers of the Employer are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the Plan, and

BE IT RESOLVED that the Plan Year shall be for a period beginning January 1, 2015 and ending December 31, 2015, and

BE IT FURTHER RESOLVED that the Employer shall contribute to the Plan amounts sufficient to meet its obligation under the Cafeteria Plan in accordance with the terms of the Plan Document and shall notify the Plan Administrator to which periods said contributions shall be applied, and

BE IT FURTHER RESOLVED that the proper officers of the Employer shall act as soon as possible to notify employees of the adoption of the Cafeteria Plan by delivering to each Employee a copy of the Summary Plan Description presented at this meeting, which form is hereby approved.

Roll call vote on the resolution was recorded as follows:

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

NAYS: 0 (None)

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

**CERTIFICATE**

I, Michelle Tullier, 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 December 11, 2014 at which meeting all of the members were present and voting.

/s/ Michelle Tullier  
Michelle Tullier/Council Clerk

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A motion was made by Mr. Phil Porto, seconded by Mr. Randal Mouch to authorize the signing of the LA State Highway 987-3 Access Road Transfer; said resolution appears elsewhere in these minutes.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the resolution was unanimously adopted

Resolution

WHEREAS, The West Baton Rouge Parish Council agrees to accept ownership of whatever rights the State of Louisiana, through the Department of Transportation and Development (Department), may own, with the exception of any and all mineral rights, in and to the following described property and agrees to accept all future rights, obligations and liabilities, including, but not limited to, all future operation, maintenance, and repairs associated therewith, for its operation and maintenance as a parish road, subject to the reservation of a permanent right of access or egress servitude in favor to the Department, on, over, and across the aforesaid property

for the purpose of access to the state route LA 415 bridge over the Union Pacific Railroad and the conditions stated herein:

The portion of state route LA 415 (known as Lobdell Highway) Access Road east of the state route LA 415 bridge over the Union Pacific Railroad from its intersection with state route LA 987-3 proceeding north approximately 0.06 mile to its terminus and intersection with local road known as Credeur Lane.

WHEREAS, The West Baton Rouge Parish Council also agrees to accept ownership of whatever rights the State of Louisiana, through the Department of Transportation and Development (Department), may own, with the exception of any and all mineral rights, in and to the following described property and agrees to accept all future rights, obligations and liabilities, including, but not limited to, all future operation, maintenance, and repairs associated therewith, for its operation and maintenance as a parish road, subject to the conditions stated herein below:

The portion of state route LA 987-3 from its southern junction with state route LA 987-3 (known as Lafiton Lane) proceeding northerly as Plantation Avenue Loop, then west as Kahns Road to its junction with, and continuation as Plantation Avenue proceeding northerly approximately 1.13 miles to its intersection with state route LA 415 southbound (known as Lobdell Highway). Inclusive of all rights and responsibilities of DOTD in connection with Union Pacific Railroad crossing located approximately 0.05 mile north of a local road known as Jackson Lamotte Lane and identified as DOT #448020C.

The West Baton Rouge Parish Council agrees to accept ownership of whatever rights the Department may own in and to the aforesaid described property at the proper time and under the conditions specified herein below:

CONDITION I: The portions of the state route LA 415 Access Road and state route LA 987-3 shall be transferred to West Baton Rouge Parish in their current condition.

CONDITION II: Provide \$647,150 in road transfer credit for the portions of state route LA 415 Access Road and state route LA 987-3 to be transferred to West Baton Rouge Parish to be applied to the improvements in Conditions III and IV with any remaining balance of the road transfer credit to be applied to the improvements in Condition III with any remaining balance of the road transfer credit being applied towards the Parish's share of funding under a program of the Department affecting the Parish.

CONDITION III: Apply the road transfer credit described in Condition II herein above to satisfy the current Utility Relocation Assistance Fund (URAF) debt owed to DOTD by West Baton Rouge Parish as per agreement No. 08771-A in the amount of \$349,332.33.

CONDITION IV: Reconstruct the Parish owned bridge located in Erwinville on local road known as Oak Street approximately 0.01 mile west of its intersection with state route LA 413 (known as Poydras Bayou Road) and identified by the Department as bridge number P6130316912441 not to exceed the remaining \$297,817.67 in road transfer credit provided in Condition II after satisfaction of Condition III herein above.

BE IT RESOLVED, That the West Baton Rouge Parish Council shall accept ownership of whatever rights the Department may own in and to the aforesaid described property as a binding agreement between the Department and the West Baton Rouge Parish Council, provided the Department complies with the relevant condition stated herein.

BE IT FURTHER RESOLVED, That the West Baton Rouge Parish Council authorizes the presiding President of the West Baton Rouge Parish Council to execute a Cooperative Endeavor Agreement between the Department and the West Baton Rouge Parish Council memorializing the agreement between the parties relative to the above stated property transfers.

BE IT FURTHER RESOLVED, That the West Baton Rouge Parish Council authorizes the presiding President of the West Baton Rouge Parish Council to execute any and all documents necessary to effect the transfer of the aforesaid described property upon the satisfaction of the above stated relevant condition, each such transfer to occur and the appropriate documents to be executed upon the completion of the improvements thereto as set forth herein above.

BE IT FURTHER RESOLVED, That the West Baton Rouge Parish Council hereby represents that it has received approval from a majority of the state legislative delegation from West Baton Rouge Parish of the actions contemplated herein.

On motion by Mr. Phil Porto Jr. and seconded by Mr. Randal Mouch, the above and foregoing resolution was declared duly adopted on this, the 11 day of December, 2014.

/s/ Riley Berthelot

/s/ Michelle Tullier

, President

, Council Clerk

West Baton Rouge Parish Council

West Baton Rouge Parish Council

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I hereby certify that the above and aforementioned resolution was adopted by the West Baton Rouge Parish Council in regular session convened on December 11, 2014 at which a quorum was present, given under my signature and seal of office this 15th day of December, 2014.

/s/Michelle Tullier

Council Clerk

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There were no ordinances to be introduced at this time.

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Public Works Director Kevin Durbin was recognized and wished everyone a Merry Christmas, he introduced Mr. Cletus Langlois of Patin Engineers who represented the Medric LLC Plat. This is a final plat showing the Resubdivision of Lots M-1-A & 2-A-1 of Medric LLC Property into Lots M-1-A-1 & 2-A-1-A Located in Section 93, Township 7 South, Range 12 East SE Land District, West of the Mississippi River Parish of West Baton Rouge, For Medric, LLC of 1006 Bayou Drive Pierre Part, La 70339. Mr. Langlois explained that this was an exchange of land by adjacent property owners to move a property line to run along an existing fence and noted this plat needed a variance for the side setback due to existing shed residing within the side setback of the property. Mr. Spillman asked if any comments from the public, there were no further comments at this time.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto to approve the Plat for Medric, LLC with side setback variance;

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

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

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Mr. Kevin Durbin was recognized under the next item and explained that Ms. Gloria Johnson is requesting a side setback variance for 5512 Flynn Road Port Allen, La for lots 20, 21 & 22 due to a mobile home being placed across a property line. Mr. Durbin noted that there are no neighbors to approve this due to Ms. Johnson owning the abutting lots. Mr. Huggins explained the details of his conversation with Ms. Johnson who has placed the trailer on this property for her handicapped brother and sister and noted that the original house was torn down and the trailer is in the same location as the original house. Mr. Porto questioned for clarification of aerial view and there were no other questions at this time.

A motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to approve the variance on the side setback for Ms. Gloria Johnson at 5512 Flynn Road Port Allen, La.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was unanimously adopted

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A motion was made at this time by Mr. Gary Spillman, seconded by Mr. Phil Porto to approve the 2014 Beer and/or Liquor Permit for Night RV Park Esquivel, LLC dba Cajun Country RV

Park, 4667 Rebelle Lane, Port Allen, La, as same has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

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.

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A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto to approve the 2014 Beer and/or Liquor Permit for Emerald Palace Truck & Casino Plaza LLC, 321 Lobdell Highway, Port Allen, La, as same has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

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.

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Council Clerk Michelle Tullier was recognized under Correspondence Report and noted that the WBR Planning & Zoning Commission has cancelled the next meeting of December 16, 2014 due to a clear agenda, and noted also that the following meeting of the Commission would take place on January 6, 2015 at 5:30PM, a copy of that meeting's agenda was placed in everyone's packets.

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Mr. Spillman asked everyone to accompany the council for refreshments in the meeting room and noted that the Fire Board meeting would commence in about 5 minutes; he also wished everyone a Merry Christmas.

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There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:15pm.

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

/s/Michelle Tullier  
Michelle Z. Tullier, Council Clerk