

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING—DECEMBER 10, 2015
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 10, 2015 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent as the meeting opened with the pledge led by Mr. Chris Kershaw whom asked before the Pledge of Allegiance to take a moment of silence for the recent passing of his mother in law, Evelyn Miller.

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

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

Absent: Ms. Naomi Fair

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

A motion was made by Mr. Phil Porto, seconded by Ms. Charlene Gordon, to approve the minutes of the November 12, 2015 regular meeting.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #5 Consider any Amendments to the Agenda and explained to the council a late application for a liquor permit was received and needs to be taken up at this meeting for Flying Foods LLC dba Westside Family Grill as well as an item in reference to the settlement in the case of C & F Fabricators and Construction Company Inc. and Floyd Edwards versus Parish of West Baton Rouge.

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

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

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

Chairman Spillman moved on to the first amended item to be taken up and recognized Mr. Lou Delahaye the Parish Attorney who read into the record the name of the case file “C& F Fabricators and Construction Company Inc. Floyd Edwards versus the Parish of West Baton Rouge, 18th Judicial

District, Parish of West Baton Rouge, suit no. 40,375. Mr. Barry Huggins gave a brief explanation of said settlement, Mr. Delahaye passed out copies of said Stipulated Judgement to the Council Members and explained he was asking for the council to approve the conditions of said agreement in the best interest of the Parish of West Baton Rouge.

A Motion was made by Mr. Phil Porto, seconded by Mr. Chris Kershaw to approve the aforementioned Stipulated Judgement.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

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

A copy of this Judgement appears at the end of these minutes.

Chairman Spillman moved on to the next item on the agenda Parish President's Report, and recognized President Berthelot who opened by letting the council know about a letter received from LADOTD today, notifying the parish they will be letting the Oak St. Bridge project in February of 2018; recognized Mr. Randal Mouch for his 12 years of service on the West Baton Rouge Parish Council, by presenting him with a plaque in recognition of this, followed by a standing ovation; recognized Mr. Kirk Allain who will be replacing Mr. Mouch in January.

Mr. Porto questioned President Berthelot on the removal of the sign recently installed by the foot of the Intracoastal Canal, President Berthelot explained that the cement foundation was already cracking and would need to be redone. President Berthelot finished by thanking Mr. Deano Moran, WBR Homeland Security Director, and all of the Emergency responders for their work and dedication shown recently dealing with the 18 wheeler pile up on the Interstate earlier this week.

Chairman Spillman moved on to item #7 Discussion on LA Hwy 30 Project and recognized Mr. Wilfred Barry of SJB Group who presented the council with a slideshow presentation highlighting details of the proposed widening of LA Hwy 30 project, and finished off by asking the Parish Council for their support which would include a seventy five thousand dollar \$75,000 local match in order to get a Stage 1 Environmental Study of said project started.

Mr. Spillman asked if a proposed bridge which would impact Hwy 30 could possibly be a toll bridge, Mr. Barry concurred. Mr. Spillman made a statement about the previous support that was not given by certain parishes when the loop project came out a few years back, now we are being asked by those same parishes to join in on this highway project which will not even be located in WBR.

Mr. Kershaw stated he is having a hard time understanding how we would have an equal share on this project when we are such a small parish compared to others and made a point that WBR would not even financially gain by contributing to this project, he finished by asking why St. Gabriel was not included in this as it will be going directly through there town.

Parish President Berthelot was recognized and started by agreeing that if a new bridge is going to happen, then LA Hwy 30 will need to be looked at, however he asked to take time on this decision as he is working with a few contacts on details of this project, and added this would directly compete with our proposed LA 1/415 connector project, he added how glad he is to see that there is more support for this project. President Berthelot finished by stating that eventually we would be more interested in supporting this project once we get our own projects in the works, but we can't get bogged down in too many projects at one time, we just need more time to look into this project.

Chairman Spillman moved on to item#8 Public Comment, Ms. Elizabeth Engolio was recognized and explained to the council she will be running for Judge of Division D, 18th Judicial District, in a special election to replace the retired Judge William Dupont. Ms. Engolio briefly went over her many

qualifications for this position and finished by asking the council for their support at the upcoming March 5th, 2016 election.

Chairman Spillman moved on to item #9 Communication with Council Members and/or Elected or Appointed Officials, Mr. Kershaw started by asking to have the Resolution of support for the Cultural District on the agenda for the next council meeting, he also thanked first responders for their assistance with the recent house fire involving his mother in law Evelyn Miller, specifically thanking Rick Boudreaux, Erin Cavalier, Mark Hebert, Blake Patterson, Phillip LaBauve and Josh Falcon, Mr. Kershaw also extended thanks to Randy and Karen Mouch for their support and Melissa Acosta for stepping in and helping out in a time of need.

Mr. Porto mentioned a bad house fire the day after Thanksgiving in his subdivision, he wanted to give accolades to Randal (Corey) Quinn, who quite possibly saved the lives of two people who lived in this house, and Mr. Porto wanted to acknowledge him as an "Everyday Hero".

Mr. Mouch highlighted a few things that he is proud of during his 12 years of serving on the Parish Council, he thanked everyone for the time, relationships and memories that he has experienced over these years, he gave examples of how far this parish has come in this short time, and finished by thanking his wife, mom and dad for their support all these years. Mr. Mouch's comments were followed by a standing ovation from everyone in attendance.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on An Ordinance adopting an Operating Budgets of Revenues and Expenditures for WBR Parish Council for the Fiscal Year Beginning January 1, 2016 and Ending December 31, 2016 For the 2016 Budgets, Capital Road Program, Fire Protection District No. 1 and Five year Capital Expenditure Budget (including the Department of Utilities) as reviewed at the 2016 Budget Meetings of November 3, 2015 & November 4, 2015.

President Berthelot was recognized and presented the council with the Final draft of the 2016 Operating Budgets and Capital Outlay Budgets; reading aloud the letter attached to these minutes, Finance Director Phillip Bourgoyne was recognized and presented a brief overall recap of total revenues and expenditures for all budgets, and reviewed corrections and addition amendments, there were a few follow up questions from the council.

No interested citizens appeared either for or against said budgets and programs. No written protests opposing the budgets and programs were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 32 of 2015 appears at the end of these minutes.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on An Ordinance to amend and re-enact Chapter 62 Personnel, Rules and Regulations, Sec. 62-62 of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana for revisions to Employee Holiday Schedule. President Berthelot was recognized and briefly explained the need to remove All Saints Day from the Holiday schedule and add Lundi Gras which is the day before Mardi Gras to the Holiday Schedule. There were no questions at this time.

No interested citizens appeared either for or against said budgets and programs. No written protests opposing the budgets and programs were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 33 of 2015 appears at the end of these minutes.

There were no items to report under item #11 at this time.

Chairman Spillman moved on to item #12 Resolutions and started with 12a) Public Speaking Policy, Councilman Hughhins was recognized and explained in our code of Ordinances there is no specific meeting policy which spells out rules for speaking during council meetings, he noted this policy was derived from surrounding jurisdictions policies and simply put, "it will help to maintain order during meetings".

A Motion was made by Mr. Hughhins, seconded by Mr. Kershaw to adopt the aforementioned Public Speaking Policy resolution.

Said Resolution 28 of 2015 appears at the end of these minutes.

Item # 12b) Authorize Execution of Letter Agreement with Acadian Ambulance Service Inc. for 2016, there were no questions from the council at this time.

Said Resolution 29 of 2015 appears at the end of these minutes.

Item #12c) Authorize Signing Louisiana Governmental Compliance Questionnaire for Council 2015 Audit Engagement; there were no questions at this time.
Said Resolution 30 of 2015 appears at the end of these minutes.

Item #12d) Authorize Execution of Commitment Letter with Hawthorne, Waymouth & Carroll, LLP for annual audit (2015); there were no questions from the council at this time.
Said Resolution 31 of 2015 appears at the end of these minutes.

Item #12e) Approval & Adoption of Parish Benefits Plan (Cafeteria Plan) for 2016; there were no questions from the council at this time.
Said Resolution 32 of 2015 appears at the end of these minutes.

Item #12f) Authorize Parish President to sign agreement with LADOTD to provide for twenty percent (20%) match for certain items related to the LA. 1/ 415 Connector Project; there were no questions from the council at this time.
Said Resolution 33 of 2015 appears at the end of these minutes.

Item #12g) Authorize Parish President to sign Low Income Home Energy Assistance Program (LIHEAP) Grant; there were no questions from the council at this time.
Said Resolution 34 of 2015 appears at the end of these minutes.

Parish Attorney Lou Delahaye was recognized at this time and read by title into the record the following Public Notice; Notice is Hereby Given that the Parish of West Baton Rouge, State of Louisiana will meet on Thursday, January 14, 2016, at 6:30 p.m., at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, at which time there will be consideration of action regarding the renewal of the levy and collection of an ad valorem tax dedicated to continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish.

Item #14 Introduction of Ordinances, Chairman Spillman read the following ordinance by title into the record:

a) An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Sec. 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Time Out Holdings, Rosedale Rd. Port Allen, La 70767, File # 2015-8 , being 38+ Acres of a 164.6 acre tract Northwest ¼ in Section 13, T7S, R11E, Physically located on Rosedale Rd., rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family 3) Public Hearing Date: January 14, 2016

b) An ordinance to amend Chapter 101 (General Provisions), Section 101-1 (Definitions); Chapter 104 (Zoning), Appendix A (Zoning Districts); and Chapter 106 (Site Planning), Article V (Yard/Setback, Open Space and Common Area Requirements) to provide for further delineation and clarification of industrial zoning district regulations. Public Hearing Date: January 14, 2016

Item #15, Consider Planning & Zoning Minutes, Subdivisions, Plats, Condemnations and/or Variances and matters related thereto, Item #15a) File #2015-020 Final Plat Showing the subdivision of Albert Meche Estate Property, Mr. Kevin Durbin, Public Works Director was recognized and explained to the council Mr. Triche the surveyor for this particular plat on behalf of the Meche family is asking for the plat to be denied, Mr. Durbin further informed the council of the recommended denial by the Planning Commission due to this request.

A motion to deny the Final Plat of Albert Meche Estate Property was made by Mr. Randal Mouch, seconded by Mr. Chris Kershaw.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the votes the motion was adopted.

Item #15b) File #2015-22 Preliminary Plat for Rosedale Acres Subdivision, Mr. Durbin was once again recognized and informed the council of the approval recommendation from the Planning Commission with waivers needed for through streets. Questions from the council on why the waivers were needed and also if the Fire Chief has seen or is in agreement with the layout of said subdivision followed. Mr. Durbin explained the need for said waiver is due to the large canals surrounding said property. Chief Hunts was recognized and verified he had never seen the plat and asked to have the fire hydrants to be in strategic locations for emergency response. Councilman Kershaw asked that we consider adding the Fire Dept. to our checklist when getting approvals on plats, Mr. Durbin concurred with the idea.

A motion was made by Mr. Barry Hughhins to approve the Preliminary Plat for Rosedale Acres Subdivision with a waiver included for the through streets not being installed due to the large canals surrounding the subdivision, seconded by Mr. Phil Porto.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #16 Consider Beer and/or Liquor Permits, item 16a) Flying Foods LLC dba Westside Family Grill located at 4447 LA Hwy 1 South, Port Allen, La 70767. Per Ms. Tullier, said establishment has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

A motion to approve the Beer and/or Liquor Permits requested by aforementioned establishment was made by Mr. Ricky Loupe, seconded by Ms. Charlene Gordon.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was adopted.

The following individuals were reappointed by acclamation based on recommendation of agency represented to the West Baton Rouge Parish Animal Control Complaint Board:

John Tilton, III & Roy Mouch (Parish Representatives);

Ray Rivet (Town of Addis Representative);

Bobby Gaudet (Town of Brusly Representative);

Hugh Riviere (City of Port Allen Representative);

Said 2 year terms will expire 1/11/2018.

The following individuals were appointed by acclamation based on recommendation of agency represented to the West Baton Rouge Parish Animal Control Operations Board:

Phillip Bourgoyne & Jim Fontana, Jr. (Parish Representatives);

David Toups (Town of Addis Representative);

Dr. Laurie LeBlanc (Town of Brusly Representative);

Brandon Brown (City of Port Allen Representative);

Said 2 year terms will expire 1/11/2018.

The following Council Members were reappointed by acclamation to the WBR Community Advancement Advisory Board:

Ms. Charlene Gordon, Mr. Edward Robertson

Said terms will expire 1/13/2020.

The following member was reappointed by acclamation to the WBR Parish Library Board based on recommendation from said board and member's interest: Ms. Gena Roubique, said term will expire 12/31/2020.

Mr. Chris Kershaw was also appointed by acclamation to the WBR Parish Library Board as the Council representative, said term will expire 1/13/2020.

The following members were appointed by acclamation to the WBR Parish Museum Board based on recommendation from said board and WBR Historical Association;

Phil Porto Jr. (Parish Representative) said term will expire 1/11/2019

Thomas Acosta, Evva L. Wilson, and Mark Graffeo said terms will expire 12/31/2018

Ellis Gauthier to replace Ms. Rose Jackson due to resignation, said term will run 1/1/2016 through 12/31/2017.

Correspondence Report from Council Clerk, Michelle Tullier included the following items:

- Next meeting of the Planning & Zoning Commission will be January 5, 2015 at 5:30pm
- PJAL annual conference will be March 3, 4 & 5, 2016 in Shreveport, Louisiana.
- Asked all council to please be here by 6pm, January 14, 2016 for swearing in and pictures before the start of the council meeting.

Chairman Spillman wished everyone a very Merry Christmas and noted the Fire Board meeting would commence in about 5 minutes.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:58pm.



 Gary M. Spillman, Council Chairman



 Michelle Z. Tullier, Council Clerk

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

ORDINANCE 32 OF 2015

As Adopted by the West Baton Rouge Parish Council
At the Regular Meeting of
December 10, 2015

An Ordinance adopting an Operating Budgets of Revenues and Expenditures for WBR Parish Council for the Fiscal Year Beginning January 1, 2016 and Ending December 31, 2016, For the 2016 Budgets, Capital Road Program, Fire Protection District No. 1 and Five year Capital Expenditure Budget (including the Department of Utilities) as reviewed at the 2016 Budget Meetings of November 3, 2015 & November 4, 2015

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, 2016 and ending December 31, 2016 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, 2016 and ending December 31, 2016 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 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 yea or nay on roll call vote.

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

NAYS: 0 (None)

ABSTAIN: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was declared adopted on the 10th day of December, 2015.

ATTEST:


Michelle Tullier, Council Clerk

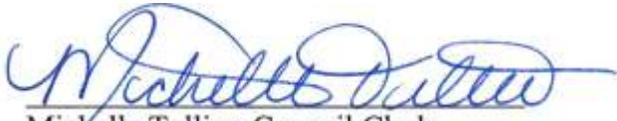
CERTIFICATE

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 10th day of December, 2015.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 11:30 o'clock PM on the 11th day of December, 2015.

IN FAITH WHEREOF witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 11th day of December, 2015.


Michelle Tullier, Council Clerk

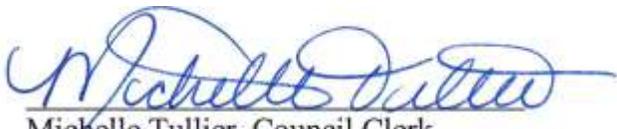
PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 15th day of December, 2015.


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 10:30 o'clock AM on the 15th day of December, 2015.


Michelle Tullier, Council Clerk

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

ORDINANCE 33 OF 2015

As Adopted by the West Baton Rouge Parish Council
At the Regular meeting of
December 10, 2015

An Ordinance to amend and re-enact Chapter 62 Personnel, Rules and Regulations, Article V Benefits, Sec. 62-62 Holidays, of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana for Revisions to Employee Holiday Schedule.

BE IT ORDAINED by the Parish Council of the Parish of West Baton Rouge, in legal session, that Chapter 62, Article V, Sec. 62-62 of the compiled ordinances of West Baton Rouge Parish is hereby amended and reenacted as detailed below:

(NOTE: underlined words are additions and ~~strikethrough words~~ are deletions.) Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.) :

PART II - CODE OF ORDINANCES
Chapter 62 - PERSONNEL RULES AND REGULATIONS
ARTICLE V. – BENEFITS

Sec. 62-62. - Holidays

Full-time and semi-full-time employees of West Baton Rouge Parish shall be paid their regular rates for the following non-working days:

- New Year's Day;
- Martin Luther King Day;
- Lundi Gras Day;
- Mardi Gras Day;
- Good Friday;

Memorial Day;
Independence Day (July 4th);
Labor Day;
~~All Saints Day (November 1st);~~
Veterans Day (November 11th);
Thanksgiving Day (two days);
Christmas Day (two days, see schedule below).

* * *

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 yea or nay on roll call vote.

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

WHEREUPON the ordinance was declared adopted on the 10th day of December, 2015.

ATTEST:


Michelle Tullier, Council Clerk

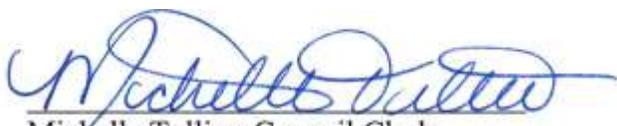
CERTIFICATE

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 10th day of December, 2015.

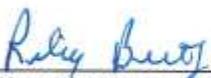
I further certify that the above and foregoing ordinance was submitted to the Parish President at 11:30 o'clock PM on the 11th day of December, 2015.

IN FAITH WHEREOF witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 11th day of December, 2015.


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 15th day of December, 2015.



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 10:30 o'clock AM on the 15th day of December, 2015.



Michelle Tullier, Council Clerk

The following resolution was offered by Mr. Barry Hughhins, seconded by Ms. Charlene Gordon

RESOLUTION 28 OF 2015

A Resolution of the West Baton Rouge Parish Council establishing a policy and procedure for Public Speaking during Parish Council Meetings

WHEREAS, the West Baton Rouge Parish Council wishes to establish a Public Comment Rules policy as detailed herein:

1. Anyone from the public who wants to be heard will be given the opportunity to speak, but only at the appropriate time, which is either during “public comments” or during a “public hearing”. Comment from the public will not be accepted once the “public comment” period has passed, nor after a “public hearing” has been closed.
2. Once the “public comment” period has passed or a “public hearing” has been closed, members of the public will only be allowed to speak in order to answer a question directed to them by one of the Council members. The response must be limited to only an answer to the specific question.
3. Persons wishing to speak must approach the microphone and state their name and address for the record
4. No person shall be allowed to speak for more than three (3) minutes on any one subject, however this time limit may be waived at the discretion of the Council Chair.
5. No person shall be allowed to use foul language or engage in personal attacks. Any person violating this rule may be prohibited from continuing to speak, and may, at the discretion of the Council Chair, be asked to leave the Council Chambers.
6. Speakers are not allowed to engage in exchanges with those of opposing views or others in the audience, and may ask questions of, but are not entitled to “answers” from, members of the Council.
7. The council chair shall have sole discretion in all matters regarding the enforcement of these rules.

WHEREAS, the West Baton Rouge Parish Council finds that it is in the best interest of the Parish, its employees, citizens and taxpayers to establish a Public Comment Rules Policy and procedure.

BE IT RESOLVED, the West Baton Rouge Parish Council does hereby implement this Public Comment Rules Policy, pursuant to Part II Code of Ordinances, Chapter 2 Administration, Sec. 2-6 Public Addresses to the Council.

BE IT FURTHER RESOLVED, this Resolution shall become effective immediately upon adoption by the West Baton Rouge Parish Council.

NOW THEREFORE BE IT FURTHER RESOLVED, to the extent that prior resolutions or acts of this council which conflict with this resolution, those prior resolutions and actions are superseded by this resolution.

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

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

NAYS: 0 (None)

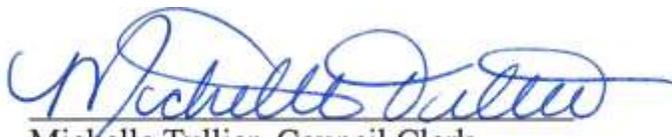
ABSENT: 1 (Ms. Fair)

ABSTAIN: 0 (None)

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

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 10, 2015, at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

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

RESOLUTION 29 OF 2015

A Resolution authorizing the Parish President to sign the letter agreement with Acadian Ambulance Service, Inc. for the period January 1, 2016 - December 31, 2016

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.

THEREFORE BE IT RESOLVED, the West Baton Rouge Parish Council 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, 2016 - December 31, 2016.

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

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

NAYS: 0 (None)

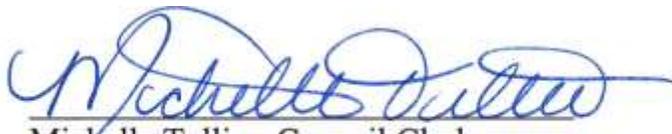
ABSTAIN: 0 (None)

ABSENT: 1 (Ms. Fair)

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

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 10, 2015 at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk

The following resolution was offered by Mr. Ricky Loupe, seconded by Mr. Phil Porto

RESOLUTION 30 OF 2015

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, 2015-December 31, 2015 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, 2015-December 31, 2015 as prepared by the Director-Department of Finance.

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

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

NAYS: 0 (None)

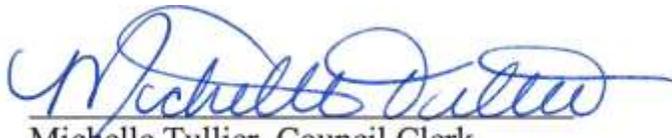
ABSTAIN: 0 (None)

ABSENT: 1 (Ms. Fair)

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

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 10, 2015, at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

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

RESOLUTION 31 OF 2015

A Resolution authorizing the Parish President to sign the commitment letter with Hawthorn, Waymouth & Carroll, LLP for annual audit for the year 2015.

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 2015.

Roll call vote on the resolution was recorded as follows:

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

NAYS: 0 (None)

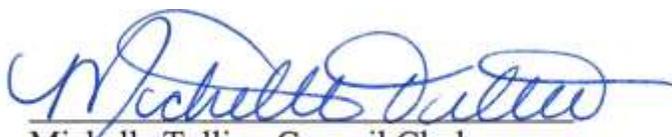
ABSENT: 1 (Ms. Fair)

ABSTAIN: 0 (None)

As a result of the roll call vote the resolution was 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 10, 2015 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Phil Porto .

RESOLUTION 32 OF 2015

Approval and adoption of West Baton Rouge Parish Council Flexible Benefits Plan (Cafeteria Plan) to be effective January 1, 2016

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, 2016, 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 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, 2016 and ending December 31, 2016, 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

NOW THEREFORE 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, which form is hereby approved.

Roll call vote on the resolution was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

ABSTAIN: 0 (None)

As a result of the roll call vote the resolution 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 10, 2015 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

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

RESOLUTION 33 OF 2015

A resolution authorizing the Parish President to enter into an Entity-State Agreement with LaDOTD to provide a 20% match for certain items related to the La. 1/La. 415 Connector

WHEREAS, the Louisiana Department of Transportation and Development “LaDOTD” will provide for the securing of consulting services related to the following items on the preliminary plans for the project commonly known as the La. 1/La. 415 Connector:

Supplement to the Environmental Assessment;
Performing a Vessel Survey;
Performing a Value Engineering Study;

WHEREAS, prior to the final procurement of said consulting services, West Baton Rouge Parish must enter into an agreement with LaDOTD which obligates the Parish to pay 20% of the consulting costs; and

WHEREAS, in order to proceed with said consulting services, LaDOTD requires that the legislative body of the local government authorize its chief executive “the Parish President” to execute agreement titled:

Supplemental Agreement No. 1
State Project No. H.005121
Federal Aid Project No. CBI-6103(501)
LA1/415 Connector/West Baton Rouge Parish

NOW THEREFORE BE IT RESOVED, the West Baton Rouge Parish Council does hereby authorize Parish President Riley L. Berthelot, Jr. to execute on behalf of the Parish of West Baton Rouge, an agreement with the LaDOTD which obligates the parish to pay 20% of the consulting service costs for the above referenced items.

BE IT FURTHER RESOLVED that if any portion or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

ABSTAIN: 0 (None)

As a result of the votes the resolution was 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 10, 2015 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

The following resolution was offered by Ms. Charlene Gordon, seconded by Mr. Randal Mouch

RESOLUTION 34 OF 2015

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

As a result of the roll call vote the resolution was 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 10, 2015, at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk