

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING  
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
MARCH 28, 2019  
5:30PM**

**The Following Minutes Are Summarized For Brevity, For Precise Meeting Information Please Refer To Meeting Audio Or Video.**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, March 28, 2019 and called to order at 5:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Ms. Kailynn Kleinpeter, who led everyone in the Pledge of Allegiance.

**ATTENDANCE**

The following members were recorded as being present:

Messrs. Barry Huggins, Gary Spillman, Edward "Bob" Robertson, Chris "Fish" Kershaw, and Phil Porto, Mses. Charlene Gordon and Naomi Fai.

Absent: Messrs. Ricky Loupe, and Kirk Allain.

Also present were, Mr. Riley Berthelot Jr, Parish President, Mr. Jason Manola, Executive Assistant, Mr. Phillip Bourgoyne, Director of Finance, Mr. Kevin Durbin, Public Works Director and Mrs. Michelle Tullier, Council Clerk.

**MINUTE APPROVAL**

A motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to approve the minutes of the March 14, 2019 regular meeting.

The vote was recorded as follows:

YEAS: 7 (Spillman, Huggins, Robertson, Kershaw, Gordon, Fair, Porto)  
NAYS: 0 (None)  
ABSENT: 2 (Allain, Loupe)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

**CONSIDER ANY AMENDMENTS TO THE AGENDA**

Chairman Spillman explained there was a request from Administration that the following item be amended onto the agenda: A Resolution Of the West Baton Rouge Parish Council In Opposition Of All Proposed Legislation That Transfers The Administration And Collecti0n Of Local Sales & Use Taxes To The Louisiana Department Of Revenue. There were no questions or objections to this request.

A motion was made by Mr. Phil Porto, seconded by Mr. Charlene Gordon to approve amending the agenda to include the aforementioned item.

The vote was recorded as follows:

YEAS: 7 (Spillman, Huggins, Robertson, Kershaw, Gordon, Fair, Porto)  
NAYS: 0 (None)  
ABSENT: 2 (Allain, Loupe)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed and the agenda was therefore amended.

**PARISH PRESIDENT'S REPORT**

Parish President Riley Berthelot was recognized and covered the following items:

Presentation of Fair Housing Month Proclamation;

Presentation of Telecommunication Week Proclamation;

Meeting with Congressman Cedric Richmond in New Orleans April 24<sup>th</sup>;

Early voting site recommendation for south end of Parish;

Meeting to be setup regarding this recommendation, Councilman Kershaw requested being a part of said meeting;

Update on traffic issues;

Meeting with Capital Area delegation;

Mr. Kevin Durbin gave an update on the La1/La415 connector project;

Chairman Spillman requested the Parish President setup a meeting with the Administration, a few Councilmembers and the Governor to discuss ongoing traffic concerns;

Councilman Porto requested a meeting with our local representatives to push the connector construction;

There were a few questions for the Parish President.

### **PUBLIC COMMENTS**

There were no public comments at this time.

### **PRESENTATION OF THE AUTISM AWARENESS PROCLAMATION**

Mrs. Tullier read in to the record the Autism Awareness Proclamation.

### **COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

Mr. Phillip Bourgoyne, was recognized and provided monthly budget to actual numbers for the month of February, and offered to answer any questions. Mrs. Pam Keowen, Director of Utilities was recognized and updated the Council on the status of the south end water project, and there were a few questions regarding the increase in water cost and charges coming. Councilman Huggins explained the reasons the Capital Area Groundwater Commission has decided to raise water fees.

### **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

There were no items to consider at this time.

### **CONSIDER STATUS REPORT, CHANGE ORDERS AND/OR OTHER MATTERS AS REQUIRED ON CURRENT PROJECTS**

#### **Accept/Reject Bid recommendation for 2019 Asphalt Road Rehabilitation**

Mr. Kevin Gravois with PEC was recognized and explained low bidder for the 2019 Asphalt Road Rehabilitation Project No. 11424.01 was Barriere Construction Co., LLC of Baton Rouge, with a total base bid of \$847,713.20. Mr. Gravois also let the Council know this item did come in under the project budget.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to approve awarding the 2019 Asphalt Road Rehabilitation Project No. 11424.01 to Barriere Construction Co., LLC of Baton Rouge.

The vote was as follows:

YEAS: 7 (Kershaw, Porto, Spillman, Huggins, Robertson, Gordon, Fair)

NAYS: 0 (None)

ABSENT: 2 (Allain, Loupe)

As a result of the votes the motion passed.

#### **Accept/Reject Bid recommendation for US 190 Drainage Project**

Mr. Kevin Gravois with PEC was recognized and explained low bidder for the US Highway 190 Drainage Improvement Project No. 11189.01 was Tullier Services, LLC of Plaquemine, with a total base bid of \$222,750.00. Mr. Gravois also let the Council know this item did come in under the project budget.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto to approve awarding the US Highway 190 Drainage Improvement Project No. 11189.01 to Tullier Services, LLC of Plaquemine.

The vote was as follows:

YEAS: 7 (Kershaw, Porto, Spillman, Huggins, Robertson, Gordon, Fair)

NAYS: 0 (None)

ABSENT: 2 (Allain, Loupe)

As a result of the votes the motion passed.

## **Accept/Reject Bid recommendation for Drainage Department. Dump Truck**

Mr. Jason Manola was recognized and explained the low bidder for the Drainage Department dump truck was All Truck of Baton Rouge, with a total bid of \$111,201.00. Mr. Manola also let the Council know this item did come in under the project budget.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to approve awarding the Drainage Department dump truck to All Truck of Baton Rouge.

The vote was as follows:

YEAS: 7 (Kershaw, Porto, Spillman, Huggins, Robertson, Gordon, Fair)

NAYS: 0 (None)

ABSENT: 2 (Allain, Loupe)

As a result of the votes the motion passed.

Mr. Manola gave a brief presentation of a few ongoing projects, specifically the new animal control building, new William & Lee building, the Sid Richardson Road extension project and installation of the new Acadian Ambulance Trailer.

## **RESOLUTIONS**

### **A Resolution Of the West Baton Rouge Parish Council In Opposition Of All Proposed Legislation That Transfers The Administration And Collecti0n Of Local Sales & Use Taxes To The Louisiana Department Of Revenue**

A motion was made to approve the Resolution Of the West Baton Rouge Parish Council In Opposition Of All Proposed Legislation That Transfers The Administration And Collecti0n Of Local Sales & Use Taxes To The Louisiana Department Of Revenue by Mr. Barry Huggins, seconded by Ms. Charlene Gordon.

Mrs. Melanie David, Department of Revenue Director was recognized and answered a few questions regarding the proposed legislation and explained what it would mean for the Parish.

The vote was as follows:

YEAS: 7 (Kershaw, Porto, Spillman, Huggins, Robertson, Gordon, Fair)

NAYS: 0 (None)

ABSENT: 2 (Allain, Loupe)

As a result of the votes the motion passed.

Ms. Teresa Harlan with Families Helping Families was recognized, and apologized for being late, as she was stuck in traffic trying to get here. Ms. Harlan spoke briefly about what the program does for kids with autism in the community and what it means to all of the families affected by autism, in closing she thanked the parish for the continuing support and invited everyone to join them at the 10th Annual Active for Autism 5K run/walk on Saturday, April 27, 2018 at Pennington Biomedical Research Center.

## **INTRODUCTION OF ORDINANCES**

There were no items to be introduced.

## **CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO**

There were no items to consider.

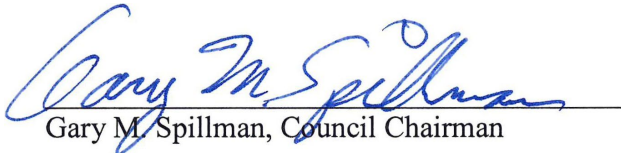
## **CORRESPONDENCE REPORT**

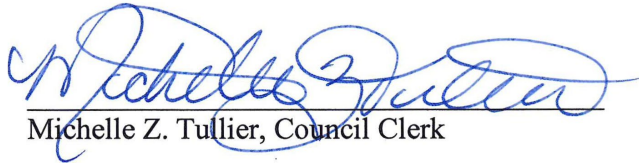
Correspondence Report from Council Clerk, Mrs. Michelle Tullier included the following items:

- Next Planning & Zoning Meeting is Tuesday, April 2<sup>nd</sup> at 5:30pm.
- Next Quarterly Fire Board Meeting is Thursday, April 11<sup>th</sup> at 5:15pm.
- Next Council Meeting is Thursday, April 11<sup>th</sup> at 5:30pm.

## **ADJOURN**

There being no further business, a motion to adjourn was made by Mr. Chris Kershaw and was adopted by acclamation at 6:43pm.

  
Gary M. Spillman, Council Chairman

  
Michelle Z. Tullier, Council Clerk



**Parish of West Baton Rouge**

In the Name and By the Authority of the People of the

**Parish of West Baton Rouge**

**PROCLAMATION**

**WHEREAS,** the strength of our nation flows from the promise of individual equality and freedom of choice; and

**WHEREAS,** the 51<sup>st</sup> Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans - individually and collectively- to rededicate themselves to the principle of freedom from housing discrimination whenever it exists; and this law guarantees for each citizen the critical, personal element of freely choosing a home; and

**WHEREAS,** a fair housing law has been passed by the State of Louisiana; and implementation of that law requires the positive commitment, involvement and support of all our citizens; and

**WHEREAS,** the department and agencies of the State of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

**WHEREAS,**

barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all:

**NOW,  
THEREFORE,**

I, Riley L. Berthelot, Jr., President of West Baton Rouge Parish, Louisiana, with the full support of the West Baton Rouge Parish Council, do hereby proclaim the month of April 2019, as:

**FAIR HOUSING MONTH**



in West Baton Rouge Parish, Louisiana and do hereby encourage all citizens to abide by the letter and spirit of the Fair Housing Law, and ask the citizens of West Baton Rouge Parish to join in reaffirming the obligation and commitment to fair housing opportunities for all.



In Witness Whereof, I have hereunto set my hand officially and caused to be affixed the Great Seal of the Parish of West Baton Rouge, in the City of Port Allen, Louisiana, on this 28th Day of March 2019

*Riley L. Berthelot, Jr.*  
President of West Baton Rouge  
*W. J. Berthelot, Jr.*  
Clerk/Secretary



## Parish of West Baton Rouge

In the Name and By the Authority of the People of the

Parish of West Baton Rouge

### Proclamation

#### National Telecommunicators' Week

**Whereas**, emergencies can occur at any time that require police, fire or emergency medical services; and

**Whereas**, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

**Whereas**, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the West Baton Rouge Parish Emergency Communications Center; and

**Whereas**, public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services and are the first, of the first responders; and

**Whereas**, public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

**Whereas**, the Public Safety Telecommunicators of West Baton Rouge Parish have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

**Whereas**, each Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year.


**Now therefore I, Riley L. Berthelot, Jr.**, President of the Parish of West Baton Rouge do hereby proclaim that West Baton Rouge Parish declares the week of

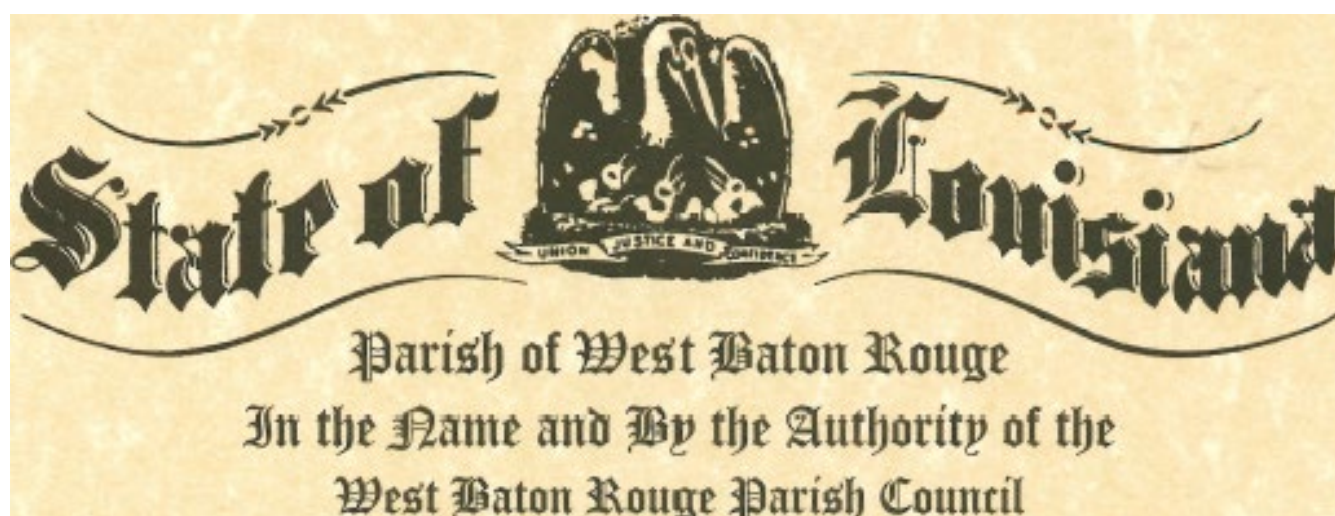
## April 15<sup>th</sup> - 19<sup>th</sup> 2019 as National Telecommunicators Week

in honor of the men and women whose diligence and professionalism keep our parish and citizens safe.



In Witness Whereof, I have hereunto set my hand officially and caused to be affixed the Great Seal of the Parish of West Baton Rouge, in the City of Port Allen, Louisiana, on this 28th Day of March 2019

  
Riley Berthelot, Jr., Parish President



### PROCLAMATION

**WHEREAS**, autism is a lifelong developmental difference, associated with significant alteration of an individual's ability to learn in the same way as others, which may include differences in social behaviors and communication; and

**WHEREAS**, autism, also known as autism spectrum disorder, affects people regardless of race, religion, socio-economic status or geography; and

**WHEREAS**, the incidence of autism in the United States is approximately 1 in 59 according to the Centers for Disease Control and Prevention; and

**WHEREAS**, evidence suggests autism is the result of neurological anomalies affecting the functioning of the brain and few members of the general public understand this complex syndrome; and

**WHEREAS**, persons with autism can be helped to reach their greatest potential, and accurate, early diagnosis and the resulting appropriate education and interventions, as well as community acceptance and accommodations, are vital to the future growth and development of the individual; and

**WHEREAS**, autism is a complex set of differences that requires increased research to one day better understand it; and

**WHEREAS**, the greater recognition and understanding of autism can ensure that, individuals with autism are accurately diagnosed and appropriately treated throughout their lives.

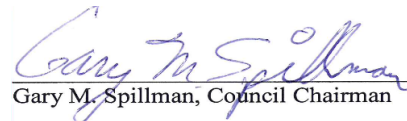
NOW THEREFORE, We, The West Baton Rouge Parish Council, along with Parish President Riley E. Berthelot Jr., do hereby proclaim the month of April 2019, as:

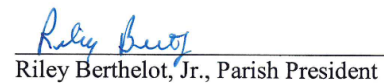
## AUTISM AWARENESS MONTH

in West Baton Rouge Parish, and we encourage all citizens to participate in the Families Helping Families of Greater Baton Rouge, 10<sup>th</sup> Annual Active for Autism 5K Run/Walk Fun Fest, to help bring awareness of and acceptance for individuals diagnosed with Autism Spectrum Disorder. The event will be held on Saturday, April 27, 2019 from 8:00 Am to 11:30 Am at the Pennington Biomedical Research Center.



In Witness Whereof, I have hereunto set my hand officially and caused to be affixed the Great Seal of the Parish of West Baton Rouge, in the City of Port Allen, Louisiana, on this 28<sup>th</sup> Day of March 2019.

  
Gary M. Spillman, Council Chairman

  
Riley Berthelot, Jr., Parish President

## RESOLUTION 5 OF 2019

### A Resolution Of The West Baton Rouge Parish Council In Opposition Of All Proposed Legislation That Transfers The Administration And Collection Of Local Sales & Use Taxes To The Louisiana Department Of Revenue.

**WHEREAS**, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes;

**WHEREAS**, there are several constitutional amendments and bills introduced in the 2019 Regular Legislative Session that would transfer collection responsibility of local sales and use tax levies to the state Department of Revenue; and

**WHEREAS**, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

**WHEREAS**, the state of Louisiana's budget issues do not offer prospects for the Department of Revenue to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs and training of its employees on the specific application or local sales and use tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

**WHEREAS**, many local taxing authorities have issued bonded indebtedness guaranteed by the passage locally adopted sales and use tax levies, collection of said levies the direct responsibility of local governments, and which transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

**WHEREAS**, the central local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary of Revenue being an appointee of the Governor of the state, uncertainty exist as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of such critical local tax administration,

**NOW THEREFORE**, be it resolved that the West Baton Rouge Parish Council of West Baton Rouge Parish as a local taxing authority and /or governing body, that each member of the legislative



delegation for the Parish of West Baton Rouge is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes to the Louisiana Department of Revenue; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent forthwith to said legislators so that they will be made aware of our position on this matter.

**The Foregoing Resolution Was Considered, And After Public Discussion, A Motion To Approve Was Made By Council Member Barry Huggins, Which Was Seconded By Council Member Charlene Gordon.**

The Resolution Having Been Submitted To A Vote, The Vote Thereon Was As Follows:

YEAS: 7 (Huggins, Gordon, Kershaw, Fair, Spillman, Porto, Robertson)

NAYS: 0 (None)


ABSENT: 2 (Allain, Loupe)

ABSTAIN: 0 (None)

**AND** the resolution was declared adopted on this **28<sup>th</sup> Day of March, 2019**.

#### **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 March 28, 2019, at which meeting a majority of the members were present and voting.

  
Michelle Tullier, Council Clerk