

MINUTES
WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port Allen
Thursday, November 16, 2023
5:30 PM

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

1. **CALL MEETING TO ORDER & REQUEST ALL ELECTRONIC DEVICES BE SILENCED**

A Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, November 16, 2023 and called to order at 05:30 PM. Council Chairman Carey Denstel asked that all electronic devices be placed on silent.

2. **OPENING PRAYER**

Councilman Atley Walker Jr. led everyone in an opening prayer.

3. **PLEDGE OF ALLEGIANCE**

Chairman Denstel recognized Mr. Gary "Sprout" Spillman who led everyone in the Pledge of Allegiance.

4. **LOG ATTENDANCE**

The following members were recorded as being present: Messrs. Carey Denstel, Brady Hotard, Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Alan Crowe, Craig Bergeron, Gary Joseph.

Also present were, Mr. Phillip Bourgoyne, Director of Finance, Mr. Jason Manola, Executive Assistant, Mr. Kevin Durbin, Director of Public Works, Ms. Kristen Canezaro, Special Legal Counsel and Mrs. Michelle Tullier, Council Clerk.

5. **MINUTES APPROVAL**

A. **Approval of Minutes from the Budget Hearings of October 24th, and 25th, and the Regular Council Meeting of October 26, 2023.**

A motion was made by Councilman Chris Kershaw, seconded by Councilman Alan Crowe to approve Minutes from the Budget Hearings of October 24th, and 25th, and the Regular Council Meeting of October 26, 2023.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

6. **CONSIDER ANY AMENDMENTS TO THE AGENDA**

There were no items to consider at this time.

7. **PARISH PRESIDENT'S REPORT**

Parish President Riley Berthelot was not in attendance. Therefore, Chairman Denstel recognized the Parish President Elect Mr. Jason Manola who covered the following items:
Stumpy Bayou construction workers onsite;
Tiger Bayou recent clearing;
Courthouse leveling update;
Veterans Day Parade and Program;
Recent Household Hazardous Materials Collection Day;
Recent sudden and tragic loss of parish employee Mr. Pleasant "Monroe" Rushing, he is truly missed.

8. **PUBLIC COMMENTS**

Mr. Gary Spillman asked a question in regards to the Intracoastal project end date, and the recent denial for another well in WBR Parish. Mr. Durbin explained the date in Vision West is the completion date of the southbound structure, which is Phase 1. Mr. Jason Manola explained the recent denial of a deep water well by the Groundwater Commission,

and what that means for the Parish, and plans going forward, which included going to a few of the industrial users to try and reduce that usage. Mr. Adrian Genre, Director of Utilities, was recognized and further explained what the plans are going forward since the recent denial. Vice Chairman Crowe asked a few questions in regards to the denial from the Groundwater Commission.

9. **COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

There were no communications to consider at this time.

10. **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

A. **An Ordinance Amending Chapter 104 Zoning To Incorporate Amended Zoning Designation Map (Zoning Plan) Under Section 104-3 Establishment Of Districts, Official Zoning Map For Rezoning Request Of Court Bradford For David P. Rumfola Etals Property. Located At 4826 Rougon Road Port Allen, La 70767. File #2023-20: Request To Rezone Two Proposed 2 +/- Acre Lots Described As: Lots 4 5 & S/150' Of Lot 3 Cont 9.35 Ac Sd Of Prop Of W Speights In Sec 21 T6S R11E 14-7. Master Plan Change. Rezoning From Ag-3 (Agricultural Full Scale) To Ag-2 (Agricultural Moderate Scale). Rezoning From Ag-3 To Ag-2.**

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was recognized and noted that the Planning & Zoning Commission recommended approval of the aforementioned item.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A Motion Was Made By Councilman Craig Bergeron, Seconded By Councilman Chris Kershaw To Approve An Ordinance Amending Chapter 104 Zoning To Incorporate Amended Zoning Designation Map (Zoning Plan) Under Section 104-3 Establishment Of Districts, Official Zoning Map For Rezoning Request Of Court Bradford For David P. Rumfola Etals Property. Located At 4826 Rougon Road Port Allen, La 70767. File #2023-20: Request To Rezone Two Proposed 2 +/- Acre Lots Described As: Lots 4 5 & S/150' Of Lot 3 Cont 9.35 Ac Sd Of Prop Of W Speights In Sec 21 T6S R11E 14-7. Master Plan Change. Rezoning From Ag-3 (Agricultural Full Scale) To Ag-2 (Agricultural Moderate Scale). Rezoning From Ag-3 To Ag-2.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 35 of 2023 can be found at the end of these minutes.

B. **An Ordinance Amending The Compiled Ordinances, Parish Of West Baton Rouge, Louisiana, Amending Chapter 50 (Miscellaneous Licenses and Business Regulations) Article VI (Hotels and Motels), Section 50-130, & Chapter 58 (Offenses and Miscellaneous Provisions), Article V (Hotel and Motels), Sec 58- 130 and 131.**

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Devall, representing the WBR Sheriff's Office was recognized and explained the multiple reasons why the Sheriff's Office approached the parish asking for help with the recent influx of crime at our hotel/motels in the parish.

Mr. Vinal Patel, was recognized and spoke against the aforementioned ordinance for different reasons, such as cost to the hotel and implementation, along with privacy of information questions. Mrs. Tullier read aloud a letter received by Mr. Ash Patel, in regards to his concerns about the aforementioned ordinance, asking for the Council to deny the request.

Chairman Carey Denstel, and Vice Chairman Alan Crowe, spoke briefly on the process taken with this ordinance along with the reasons for the aforementioned ordinance.

Councilman Kershaw questioned the 18hr time period listed on the ordinance.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Councilman Alan Crowe, seconded by Councilman Gary Joseph to approve An Ordinance Amending The Compiled Ordinances, Parish Of West Baton Rouge, Louisiana, Amending Chapter 50 (Miscellaneous Licenses and Business Regulations) Article VI (Hotels and Motels), Section 50-130, & Chapter 58 (Offenses and Miscellaneous Provisions), Article V (Hotel and Motels), Sec 58-130 and 131.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 36 of 2023 can be found at the end of these minutes.

C. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For AG Logistics Property Located at 3790 Rosedale Rd. Port Allen, La 70767. Requesting Special Use in R-SF-2 for Farming.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Councilman Hotard announced that he will be recusing himself per RS Title 42 Sec 1120 from the vote on this item as he has an immediate family member with economic interest.

Mr. Kevin Durbin was recognized and explained the aforementioned item was recommended for denial by the Planning & Zoning Commission.

Mrs. Tullier read aloud a letter from Mr. J.J. Coleman in regards to being against the rezoning of the staging area due to safety concerns.

The following citizens were recognized and commented against the aforementioned item for various reasons including, traffic, school proximity, safety concerns, and expansion request. Jessica Alleman Oneal, Carue Summers, Perry Comeaux, Waylon Brown, Grayson Brewer, Barry Brewer, Eric Washington, and Reid Lejeune.

The following citizens were recognized and commented in support of the aforementioned special use permit for various reasons including this facility taking trucks off the road during daytime hours, safety record since opening. Drew Macy, Heath Morris, Todd Doiron, Mr. Adams, and Travis Hebert.

Councilman Brady Hotard pointed out the recent safety record of this facility, and explained multiple reasons this facility should be able to operate while also considering the upcoming growth of this parish.

Councilman Gordon had multiple questions for Mr. Tod Doiron in regard to expanding the site, and what the plans were. Mr. Doiron explained he needed more room for the existing trailers to maneuver, he also stated that he was not expanding the volume of trailers at the facility.

Councilman Allain was recognized and explained some people have issues with this facility, but if we do not approve this, the trucks will no longer be moving mostly at night, there will be more trucks on the road during the day which will increase the safety issues.

A Motion was made by Councilman Kirk Allain to approve all 8 acres as requested. The Motion died for lack of a second.

Councilman Kershaw had multiple questions for Mr. Doiron in regard to the number of trailers existing, the shack location, and the exact perimeter of the facility.

Chairman Denstel explained that this is a hard decision, and no council member is against the farmers of sugarcane. The location of this facility and the issues that it creates day to day due to the location of it due to the school along with the blind curve that is close to it, Mr. Denstel showed an aerial view of the site and the proximity to this location mentioned, and went on to point out that even though there has not been a bad accident, there have been many near misses in this location, and we must take into consideration the recent subdivisions approved further down Rosedale Rd. which is going to increase the traffic in this location. Chairman Denstel ended by offering to sign a temporary special use in order for the site to be able to operate until they can find another location.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Alan

Crowe to approve with amendment/s An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For AG Logistics Property Located at 3790 Rosedale Rd. Port Allen, La 70767. Requesting Special Use in R-SF-2 for Farming on 8 acres from the north property line of 3850 Rosedale Rd. with a limit of 300 trailers on the total 12.3 acres in the attached drawing with no increases, existing shack to be moved to the North property line of 3850 Rosedale Rd., with the understanding this special use permit shall be revisited in 30 months from the date of adoption.

The vote was recorded as follows:

YEAS: 6 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Alan Crowe, Craig Bergeron)

NAYS: 2 (Carey Denstel, Gary Joseph)

ABSENT: 0 (None)

ABSTAIN: 1 (Brady Hotard)

As a result of the votes, the motion **Passed**.

Ordinance 37 of 2023 can be found at the end of these minutes.

11. **INTRODUCTION OF ORDINANCES**

Mrs. Tullier, Council Clerk read by title the below proposed ordinance/s being introduced and publicized by title, and considered for adoption following a public hearing as specified below, at 5:30 pm in the Council Chambers, located at 880 North Alexander Avenue, Port Allen, La.:

- A. An Ordinance Adopting An Operating Budgets Of Revenues And Expenditures For WBR Parish Council For The Fiscal Year Beginning January 1, 2024 And Ending December 31, 2024, For The 2024 Budgets, Capital Road Program, Fire Protection District No. 1 And Five Year Capital Expenditure Budget (Including The Department Of Utilities) As Reviewed At The 2024 Budget Meetings Of October 24, 2023 & October 25, 2023. Public Hearing Date: December 14, 2023
- B. An Ordinance To Amend And Reenact Sections 28-1 (“Created; Purpose; Boundaries”), 28-4 (“Narrative Description of Subdistrict), and Eliminate 28-3 (“Creation Of Subdistricts; Fixing Boundaries Of Each Subdistrict”) Of Article 1 (“West Baton Rouge Parish Fire Protection District No. 1”), Of Chapter 28 (“Fire Protection And Prevention”), Part II (“Code Of Ordinances”) Of The West Baton Rouge Parish Code Of Ordinances To Eliminate Current Fire Sub-Districts. Public Hearing Date: December 14, 2023
- C. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Shannon Craig. Rezoning .19 (+/-) acres from R-SF-2 (Single Family Residential) to R-2F (Two Family Residence Duplex). Public Hearing Date: January 11, 2024

12. **CONSIDER STATUS REPORT, CHANGE ORDER AND/OR OTHER MATTERS AS REQUIRED ON CURRENT PROJECTS**

There were no items to consider at this time.

13. **RESOLUTIONS**

- A. **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**

There were no questions to consider at this time.

A motion was made by Councilman Kirk Allain, seconded by Councilman Chris Kershaw to approve 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.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 25 of 2023 can be found at the end of these minutes.

B. A Resolution Authorizing The Parish President To Sign The Commitment Letter With Hawthorn, Waymouth & Carroll, LLP For Council Annual Audit And AUP (Agreed Upon Procedures) Audit For The Year 2023.

There were no questions to consider at this time.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Atley Walker to approve A Resolution Authorizing The Parish President To Sign The Commitment Letter With Hawthorn, Waymouth & Carroll, LLP For Council Annual Audit And AUP (Agreed Upon Procedures) Audit For The Year 2023.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 26 of 2023 can be found at the end of these minutes.

C. A Resolution authorizing the Parish President to sign the commitment letter with Provost, Salter, Harper, and Alford, LLC for annual audit of West Baton Rouge Parish Natural Gas and Water Systems for the year 2023.

There were no questions to consider at this time.

A motion was made by Councilman Kenneth Gordon, seconded by Councilman Chris Kershaw to approve A Resolution authorizing the Parish President to sign the commitment letter with Provost, Salter, Harper, and Alford, LLC for annual audit of West Baton Rouge Parish Natural Gas and Water Systems for the year 2023.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 27 of 2023 can be found at the end of these minutes.

D. Approval and Adoption of West Baton Rouge Parish Council Flexible Benefits Plan (Cafeteria Plan) To Be Effective January 1, 2024

There were no questions to consider at this time.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Gary Joseph to approve the Resolution titled Approval and Adoption of West Baton Rouge Parish Council Flexible Benefits Plan (Cafeteria Plan) To Be Effective January 1, 2024.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 28 of 2023 can be found at the end of these minutes.

14. CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO

- A.** File # 2023-13: Preliminary Plat Of Outer Banks Cypress Mill Town Lakes (First & Second Filings) (A Single-Family Residential Development) 1st Filing - Lots 1 Thru 14 & 2nd Filing - Lots 15 Thru 40 (Inclusive), Parcel# 203000000800/ Choctaw Road. Tract C-1, CA-1, P-1 And Tract 3SK-1 Being A Subdivision Of Tract "3SK"

Located In Section 25, 32 & 33, T8S-R11E, Southeastern Land District, West Of The Mississippi River West Baton Rouge Parish, State Of Louisiana, For 3SK Properties, LLC. 2549 Bayou Bengal Court Baton Rouge, La 70810. With Waivers

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was recognized and explained to the Council that the aforementioned item was recommended for approval by the Planning & Zoning Commission.

Mr. Chris Maestri of MR Engineering was recognized and explained that he was here to represent the aforementioned plat if there were any questions.

Mr. Travis Hebert was recognized and asked the Council how they could consider approving this plat if the golf course development was turned down previously for reasons that still exist today.

Mr. Tyler Jarreau was recognized and asked questions about the proposed road behind the tracks, he went on to complain about surveyors coming onto his property multiple times without his permission, noting he has had to get a lawyer to send letters and file police reports regarding this.

Mr. Gary Spillman was recognized and asked if you could own property under the water of the intracoastal canal, and also if these lots were large enough to not have a sewer treatment plant.

No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

There were multiple discussions regarding owning property under a navigable waterway, and where exactly the waterline was. Ms. Canezaro read aloud the state law in reference to a navigable waterway. Further discussion was had with regard to a canal versus a waterway and which one the intracoastal canal is. Mr. Maestri was recognized and explained the process of the development of this waterway and what the right of ways are and what can be done within this right of way. Vice Chair Crowe made a substitute motion to deny based on this plat not meeting the parish code to have a minimum lot size in order to not have a community treatment plant. Mr. Durbin was recognized and stated that this plat did meet the code based on his understanding of the language. There was lengthy discussion based on where the 42 individual sewer treatment plants would drain and how this meets the code.

Mr. Jason Safford was recognized and clarified the size of the lots to the water's edge, noting the lots have approximately 26,000 square ft of property to the waters edge. Vice Chair Crowe rescinded his motion to deny as stated previously.

A Motion Was Made By Councilman Chris Kershaw, Seconded By Councilman Craig Bergeron To Approve With Waiver/s File #2023-13: Preliminary Plat Of Outer Banks Cypress Mill Town Lakes (First & Second Filings) (A Single-Family Residential Development) 1st Filing - Lots 1 Thru 14 & 2nd Filing - Lots 15 Thru 40 (Inclusive), Parcel# 203000000800/ Choctaw Road. Tract C-1, CA-1, P-1 And Tract 3SK-1 Being A Subdivision Of Tract "3SK" Located In Section 25, 32 & 33, T8S-R11E, Southeastern Land District, West Of The Mississippi River West Baton Rouge Parish, State Of Louisiana, For 3sk Properties, LLC. 2549 Bayou Bengal Court Baton Rouge, La 70810. With Waivers for thru streets and block lengths, as presented.

The vote was recorded as follows:

YEAS: 7 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 2 (Carey Denstel, Alan Crowe)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

- B.** File # 2023-20: Preliminary Plat Of Calumet Acres Lots 1 Thru 158, Parcel# 044400000101 / Calumet And Rosedale Rd. Tracts Ca-1, Ca-2, And Tract TP Being A Re- Subdivision Of A Portion Of Tract D Being A Portion Of The Calumet Plantation Located In Section 8, T7S-R12E, Southeastern Land District West Of The Mississippi River West Baton Rouge Parish, Louisiana For Calumet Acres, LLC - With Waivers.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Durbin was again recognized and explained the Planning & Zoning Commission recommended approval of the aforementioned item.

Mr. Michael Thomasie with Duplantis Design Group representing the plat, and offered to answer any questions if they come up.

Mr. Gerald Millard was recognized and noted his concern in regards to the drainage which runs behind his house, asking if this development would help or hurt the drainage which is already an issue when we receive heavy rains. Mr. Thomasie was recognized and explained that the ponds should help with the retention of water and help the flow of that water.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A Motion Was Made By Councilman Alan Crowe, Seconded By Councilman Kenneth Gordon To Approve With Waiver/s File #2023-20: Preliminary Plat Of Calumet Acres Lots 1 Thru 158, Parcel# 044400000101 / Calumet And Rosedale Rd. Tracts Ca-1, Ca-2, And Tract TP Being A Re-Subdivision Of A Portion Of Tract D Being A Portion Of The Calumet Plantation Located In Section 8, T7S-R12E, Southeastern Land District West Of The Mississippi River West Baton Rouge Parish, Louisiana For Calumet Acres, LLC - With Waivers for Through streets and block lengths as presented.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Chairman Denstel thanked Mr. Charles Bondi and Duplantis Design Group for meeting with us and working out issues with this plat.

15. **ALCOHOL PERMITS**

A. **Don's Daiqs PA LLC dba Don's Daiquiris - Located At 4447 Hwy 1 S. Port Allen, La 70767 – Requesting Class A Liquor License.**

There were a few questions for Mr. Dante Harris in regard to the type of establishment this will be.

Mrs. Tullier explained that Don's Daiqs has met all of the requirements of Chapter 6 Alcoholic Beverages of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana.

A motion was made by Councilman Brady Hotard, seconded by Councilman Kenneth Gordon to approve the class A liquor license for Don's Daiqs PA LLC dba Don's Daiquiris - Located At 4447 Hwy 1 S. Port Allen, La 70767.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph, Brady Hotard)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

16. **CORRESPONDENCE REPORT**

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

- Board of Adjustment Meeting Tuesday, December 5, 2023 at 5:00pm;
- Next Planning & Zoning Meeting Tuesday, December 5, 2023 at 5:30pm;
- Next Council Meeting Thursday, December 14, 2023 at 5:30pm.

17. **ADJOURN**

There being no further business, a motion to adjourn was made by Councilman Brady Hotard and was adopted by acclamation at 09:10 PM.


Carey Denstel, Chairman


Michelle Z. Tullier, Council Clerk

ORDINANCE 35 OF 2023

As Introduced by the West Baton Rouge Parish Council

At the Meeting of October 12, 2023

And Adopted on November 16, 2023

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Court Bradford for David P. Rumfola ETALS Property. Rezoning from AG-3 to AG-2.

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment Of Districts, Official Zoning Map For Rezoning Request Of Court Bradford. Property Owned by David P. Rumfola ETALS, Located at 4826 Rougon Road Port Allen, La 70767. **File #2023-20:** Request to rezone two proposed 2 +/- acre lots described as: LOTS 4 5 & S/150' OF LOT 3 CONT 9.35 AC SD OF PROP OF W SPEIGHTS IN SEC 21 T6S R11E 14-7. **Master Plan Change.** Rezoning From AG-3 (Agricultural Full Scale) to AG-2 (Agricultural Moderate Scale).

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this Ordinance shall also serve as a Master Plan Change.

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

THEREFORE BE IT FURTHER RESOLVED 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 RESOLVED 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 applications 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 AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CRAIG BERGERON, WHICH WAS SECONDED BY COUNCIL MEMBER CHRIS KERSHAW. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. BERGERON, KERSHAW, ALLAIN, WALKER, DENSTEL, CROWE, HOTARD, GORDON, JOSEPH)

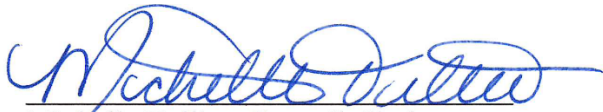
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the **16th Day of November, 2023.**

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 36 OF 2023
As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of October 12, 2023
And Adopted on November 16, 2023

An Ordinance Amending The Compiled Ordinances, Parish Of West Baton Rouge, Louisiana, Amending Chapter 50 (Miscellaneous Licenses and Business Regulations) Article VI (Hotels and Motels), Section 50-130, & Chapter 58 (Offenses and Miscellaneous Provisions), Article V (Hotel and Motels), Sec 58-130 and 131.

WHEREAS, one of the primary functions of local governments is to protect the health, safety and welfare of its people; **AND**

WHEREAS, in exercising its role to carry-out the above, the West Baton Rouge Parish Council utilizes its police powers under the Constitution and laws of the State of Louisiana; **AND**

WHEREAS, such exercise of police power involves from time-to-time creating or amending local laws in order to protect the public.

NOW THERE BE IT ORDAINED by the West Baton Rouge Parish Council, in legal session, An Ordinance Amending The Compiled Ordinances, Parish Of West Baton Rouge, Louisiana, Amending Chapter 50 (Miscellaneous Licenses and Business Regulations) Article VI (Hotels and Motels) Section 50-130, Chapter 58 (Offenses and Miscellaneous Provisions, Article V (Hotel and Motels), Sec 58-130, and 131 of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana, is amended and re-enacted to read as follows:

(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.):

CODE OF ORDINANCES WEST BATON ROUGE, LOUISIANA

* * *

Chapter 50 - MISCELLANEOUS LICENSES AND BUSINESS REGULATIONS

* * *

ARTICLE VI. – HOTELS AND MOTELS

Sec. 50-130. Hotel and motel registration.

- (a) No hotel and motel business establishment shall engage in the business of rental of hotel and motel rooms and facilities without first filing application, initial or renewal, with the West Baton Rouge Parish Council Clerk and obtaining a hotel/motel permit from with the West Baton Rouge Parish Council Clerk to engage in such business.
- (b) Such hotel/motel permit may not be transferred. If a change of owner/operator occurs at an existing hotel/motel, the new owner/operator shall apply for a permit to operate within ten (10) business days of opening with the necessary contact information of the new owner/operator and updated contact information of its’ managers.
- (c) The requirements for the hotel/ motel permit herein provided are requirements separate and apart from and in addition to the license requirements for the parish occupational license tax and the requirement for a certificate of occupancy.
- (d) Any owner or operator required to obtain a hotel/motel permit shall submit an application along with a nonrefundable fee. The application and all supporting documents shall be retained by the with the West Baton Rouge Parish Council Clerk
 - (1) All applications shall include:

- (a) The name of the applicant and trade name, if any, of the business; the name of the corporation and the name and address of its agent for service;
 - (b) The business name, address, and phone number of the hotel/motel, and the emergency contact number phone information for the hotel/motel;
 - (c) The number of rental units in each establishment;
 - (d) Proof of liability insurance, if applicable, including the carrier, policy number, agent's name, address and phone number or a statement of self-insurance in a form acceptable to the city-parish division of risk management;
 - (e) Date of proposed commencement of operation, if initial application.
 - (f) Security measure to be implemented for coverage of all appropriate general areas with minimum blind spots.
 - (i) Security guard: if this method is selected, must include shift hours, areas of patrol and number of guards per shift.
 - (ii) Security system: if this method is selected, must include system type, system install must be operational, system must include a minimum 30 day recording retrievability.
- (2) A nonrefundable fee of one hundred dollars (\$100.00), per existing hotel/motel, shall be paid to the West Baton Rouge Parish Sheriff's Office annually.
- (e) The West Baton Rouge Parish Council Clerk shall issue the hotel/motel a notice of approval or disapproval of the application within sixty (60) days of receipt and review of the completed application and the application fee.
- (f) The hotel/motel permit shall be renewed annually. The fee for renewal shall be the same applicable amount as the application fee.
- (g) Any hotel/motel permit issued by the West Baton Rouge Parish Council Clerk shall be conspicuously displayed in the office or lobby of the hotel/motel establishment.
- (h) Hotels/motels alleged to be in violation of this ordinance shall receive notice to appear before an administrative premise court hearing officer for a parish administrative adjudication hearing pursuant to the process set forth in La. R.S. 13:2575.4.B.
 - (1) Notice of the date and time to appear before the administrative premise court hearing officer will be provided by a written summons from the Sheriff's Office.
 - (2) Appeals from the administrative adjudication hearing are to be heard before the West Baton Rouge Parish Council upon the West Baton Rouge Parish Council Clerk receiving a notice of appeal from the hotel/motel owner or operator seeking such appeal.
- (i) The hotel/motel permit shall be subject to a correction or warning period pending the administrative premise court hearing order prior to any suspension or revocation by the West Baton Rouge Parish Council, following the notice and opportunity to be heard, that the operation of the hotel/motel is such that it is or has negatively impacted the health, safety and/or welfare of its guests or the residents or business of the neighboring community as a result of the following:
 - (1) Hotels/motels whose calls for service per total number of rooms, within a calendar year, equal to a 0.25 ratio are subject to the corrective period.
 - (2) Hotels/motels whose calls for service per total number of rooms, within a calendar year, post a correction or warning period reach a ratio of 0.5 or greater are subject to suspension or revocation.
- (j) Calls for service shall mean any and all calls where law enforcement conducts an investigation resulting in a written law enforcement report or any summons issued to the hotel/motel owner or operator or manager for a violation of a state law, or a parish or city ordinance regarding the premises resulting from officer observation or investigation while on the premises.
 - (1) For this section, any violation of such state law, or parish or city ordinance regarding the premises, violation penalty is subject to its own violation penalty as well as being counted as a call for service toward violation of the hotel/motel permitting ordinance.

- (2) Calls for service shall not be counted when law enforcement receives a call from a hotel/motel owner or operator or manager reporting an incident.
- (k) The hotel/motel permit subject to suspension or revocation shall be heard before the West Baton Rouge Parish Council, following the administrative premise court corrective or warning period completion when the ration of calls reaches a 0.5 ration or greater.
- (1) Notice of the date and time to appear before the West Baton Rouge Parish Council for a suspension or revocation hearing will be provided by certified mail, regular postal service, advertisement in the West Baton Rouge official journal, and a posting of a sign upon the hotel/motel premise.
- (2) Appeals from the West Baton Rouge Parish Council suspension or revocation hearing are to be heard before the West Baton Rouge Parish District Court having jurisdiction over the property. The appeal shall be made by the filing of a suit against the parish, setting forth the reasons why the decision or order of the council is illegal or improper and the issue shall be tried de novo.
- (l) Whenever a hotel/motel permit has been suspended or revoked pursuant to the provisions of this section:
- (1) The owner or operator of the hotel/motel for which the hotel/motel permit was issued shall surrender the permit to the city-parish forthwith; and,
- (2) The hotel/motel owner or operator shall cease operation within seventy-two (72) hours of the issuance of the notice of suspension or revocation of the hotel/motel permit. For purposes of this ordinance, the requirement to "cease operation" means that all rooms available for lodging shall be and remain unoccupied.
- (m) No hotel/motel permit shall be reissued for a minimum of thirty (30) days after the revocation of the permit. The Sheriff's Office and a representative from the planning and development office shall make an inspection of the property and a determination of compliance must be found by the Sheriff's Office and building official prior to reissuance of a permit.
- (n) Any owner or operator of a hotel/motel deemed in violation of the provisions of this ordinance, shall be fined in accordance with the following schedule:
- (1) Hotels/motels maintaining four (4) to fifty (50) rooms available for occupancy shall be fined five hundred dollars (\$500.00) plus any incurred court costs.
- (2) Hotels/motels maintaining fifty-one (51) to one hundred (100) rooms available for occupancy shall be fined seven hundred fifty dollars (\$750.00) plus any incurred court costs.
- (3) Hotels/motels maintaining one hundred one (101) or more rooms available for occupancy shall be fined one thousand dollars (\$1,000.00) plus any incurred court costs.
- Each day on which a hotel or motel operates without a valid hotel/motel permit shall be considered a separate and continuing offense for purposes of this section.
- (o) The imposition of any penalty hereunder shall not preclude the parish or parish council attorney from instituting injunctive, mandamus, or other appropriate action or proceedings to address violations of this section.

* * *

CHAPTER 58 – OFFENSES AND MISCELLANEOUS PROVISIONS

* * *

ARTICLE V – HOTELS AND MOTELS

Sec. 58-131. – Hotel and Motel Rentals

- (a) Every owner, manager or operator of any hotel or motel shall keep a register in which shall be entered the name and address of each guest. The register shall also indicate the day, month, year and hour of arrival of each guest, the number of occupant guest(s) for each room, dwelling unit or space rented, and the number or other identifying symbol of the

location of the room, dwelling unit or space rented or assigned to each guest, the phone number or registered email address of each rental guest, the make, model, year and license plate number of vehicles of occupant guest(s) for each room, dwelling unit or space rented intended to park on the hotel/motel premise, and the date that such guest(s) departs. All such registers shall be maintained for a period of three (3) years from and after the date of entry. No person shall alter, deface or erase such a register so as to make the information recorded therein illegible or unintelligible. Hotel/motel operators shall require every registrant to provide evidence of identity through at least one (1) of the following methods and the number of occupants for each room:

- (1) Pre-approved identification system;
- (2) Credit card or cash payment with government-issued identification which includes the registrant's following information:
 - (a) Full name;
 - (b) Date of birth;
 - (c) Residence address; and,
 - (d) Photograph of the registrant; or
- (3) Contracted guest list provided through an outside business organization.
- (b) No owner, manager, operator, employee or agent of any hotel or motel shall rent or assign any room, dwelling unit or space in said hotel or motel to any person until such time as the person shall have registered as set forth in subsection A of this section.
- (c) No owner, manager, operator, employee or agent of any hotel or motel shall rent any guest room or dwelling unit in such hotel or motel more than once within an eighteen (18) hour period. Under no circumstances shall any room be rented on an hourly basis or for an hourly rate.
- (d) Any person convicted of violating the provisions of this section, shall be fined in accordance with the following schedule:
 - (1) Hotels/motels maintaining four (4) to fifty (50) rooms available for occupancy shall be fined five hundred dollars (\$500.00) plus any incurred court costs.
 - (2) Hotels/motels maintaining fifty-one (51) to one hundred (100) rooms available for occupancy shall be fined seven hundred fifty dollars (\$750.00) plus any incurred court costs.
 - (3) Hotels/motels maintaining one hundred one (101) or more rooms available for occupancy shall be fined one thousand dollars (\$1,000.00) plus any incurred court costs.

* * *

Sec. 58-132 - Letting premises for prostitution or operation of escort services or letting of disorderly place.

Letting premises for prostitution is the granting of the right to use or the leasing of any premises, knowing that they are to be used for the practice of prostitution or operation of escort services, or the continued allowed use of the premises with such knowledge.

Letting a disorderly place is the granting of the right to use any premises knowing that they are to be used as a disorderly place, or allowing the continued use of the premises with such knowledge.

- (a) For this section, escort service means any firm, company, partnership or corporation, or any person engaged as a business, in the provision of escorts to any person for the purpose of providing social companionship to other persons for compensation, remuneration or for anything of value.
- (b) For this section, social companionship means the accompanying of other persons to or about social affairs, as a date or escort, for the purposes of entertainment.
- (c) For this section, operate includes, but is not limited to the advertisement of an escort service.
- (d) Exceptions. The provision of this section does not apply to individuals and businesses providing caretaking to minors and/or the infirm.
- (e) Violation; penalties. It shall be unlawful for any hotel/motel owner or operator or manager to let the premises for prostitution or the operation of an escort service or granting the right to use the premise knowing they are to be used as a disorderly place, or to allow continued use of the premises by such persons with such knowledge.
 - (1) Whoever commits the crime of letting premises for prostitution shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than six (6) months, or both.

- (2) Whoever commits the crime of letting a hotel/motel premise for prostitution, the operation of an escort service or of letting a disorderly place for such purposes to a person under the age of eighteen years shall be fined not more than fifty thousand dollars, imprisoned at hard labor for not less than fifteen years nor more than fifty years, or both.
- (3) Whoever commits the crime of letting a hotel/motel premise for prostitution, the operation of an escort service or of letting a disorderly place for such purposes to a person under the age of fourteen years shall be fined not more than seventy-five thousand dollars, imprisoned at hard labor for not less than twenty-five years nor more than fifty years, or both.

* * *

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective upon signature of the Parish President.

THEREFORE BE IT FURTHER RESOLVED 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 RESOLVED 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 applications 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 AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER ALAN CROWE, WHICH WAS SECONDED BY COUNCIL MEMBER GARY JOSEPH. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 9 (MESSRS. CROWE, JOSEPH, ALLAIN, KERSHAW, WALKER, DENSTEL, HOTARD, GORDON, BERGERON)

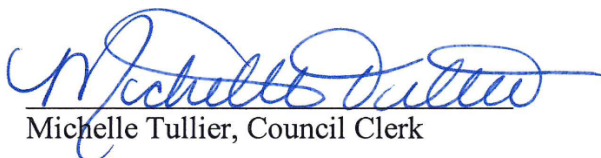
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the **16th day of November, 2023.**

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 37 OF 2023

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of September 28, 2023
And Adopted on November 16, 2023

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For AG Logistics Requesting Special Use in R-SF-2 for Farming.

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana and Chapter 111 Administration and Enforcement, Sec. 111-78 Special Conditional Use Requirements and Procedures is followed to grant the following:

Sec.104-3. Establishment Of Districts, Official Zoning Map and **Sec.111-78.** For Rezoning Request and Special Conditional Use Requirements and Procedures for AG Logistics, LLC. Property Owned by East West Landco LLC. Located at 2790 Rosedale Rd. Port Allen, La 70767. **File #2023-18.** Described By The WBR Assessors Office As: TRACT A-2-B-1 CONT 29.26 AC IN SEC 116, 117, & 118 T7S, R12E, P/O CARRUTH PROP 44-56. Requesting a Special Use in R-SF-2 for Farming on 8 acres from the North property line of 3850 Rosedale Rd. (drawing attached) with a limit of 300 trailers on the total 12.3 acres in the attached drawing with no increases, existing shack to be moved to the North property line of 3850 Rosedale Rd., with the understanding this special use permit shall be revisited in 30 months from the date of adoption.

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

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

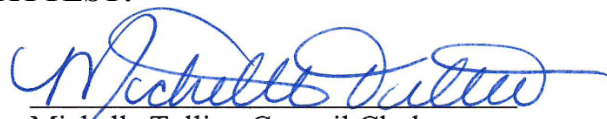
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be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

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER ALAN CROWE. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

- YEAS: 6 (MESSRS. KERSHAW, CROWE, ALLAIN, WALKER, GORDON, BERGERON)**
- NAYS: 2 (MESSRS. DENSTEL, JOSEPH)**
- ABSENT: 0 (NONE)**
- ABSTAIN: 1 (MR. HOTARD)**

WHEREUPON the ordinance was declared adopted on the **16th Day of November, 2023.**

ATTEST:


Michelle Tullier, Council Clerk

RESOLUTION 25 OF 2023

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.

The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member Kirk Allain, Which Was Seconded By Council Member Chris Kershaw.

The resolution having been submitted to a vote, the vote thereon was as follows:

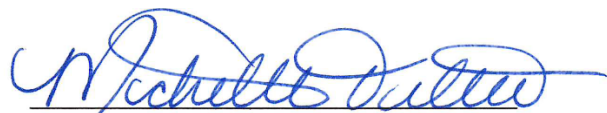
- YEAS: 9 (Messrs. Allain, Kershaw, Walker, Denstel, Crowe, Gordon, Hotard, Bergeron, Joseph)**

NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)

AND the resolution was declared adopted on this 16th day of November, 2023.

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 November 16, 2023 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 26 OF 2023

A Resolution Authorizing The Parish President To Sign The Commitment Letter With Hawthorn, Waymouth & Carroll, LLP For Council Annual Audit And AUP (Agreed Upon Procedures) Audit For The Year 2023.

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 and AUP audit for the year 2023.

The foregoing resolution was considered, and, after public discussion, a motion to approve was made by Council Member Chris Kershaw, which was seconded by Council Member Atley Walker.

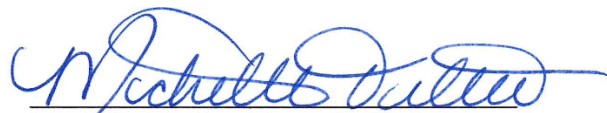
The resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 9 (Messrs. Kershaw, Allain, Walker, Denstel, Crowe, Hotard, Gordon, Bergeron, Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)

AND the resolution was declared adopted on this 16th Day of November, 2023.

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 November 16, 2023 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 27 OF 2023

A Resolution authorizing the Parish President to sign the commitment letter with Provost, Salter, Harper, and Alford, LLC for annual audit of West Baton Rouge Parish Natural Gas and Water Systems for the year 2023.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President to sign the commitment letter with Provost, Salter, Harper, and Alford, LLC., for the Annual Audit and Agreed Upon Procedures (AUP) Audit of the West Baton Rouge Parish Natural Gas and Water Systems for the year 2023.

The foregoing resolution was considered, and, after public discussion, a motion to approve was made by Council Member Kenneth Gordon, which was seconded by Council Member Chris Kershaw.

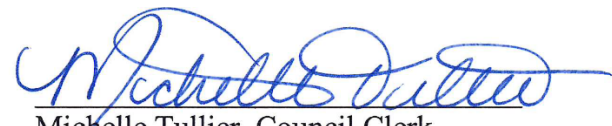
The resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 9 (Messrs. Gordon, Kershaw, Allain, Walker, Denstel, Crowe, Hotard, Bergeron, Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **16th Day of November, 2023.**

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 November 16, 2023 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 28 OF 2023

Approval and Adoption of West Baton Rouge Parish Council Flexible Benefits Plan (Cafeteria Plan) To Be Effective January 1, 2024

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, 2024, 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, 2024 and ending December 31, 2024, 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.

The Foregoing Resolution Was Considered, And After Public Discussion, A Motion To Approve Was Made By Council Member Chris Kershaw, Which Was Seconded By Council Member Gary Joseph.

The resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 9 (Messrs. Kershaw, Joseph, Allain, Walker, Denstel, Crowe, Hotard, Gordon, Bergeron)

NAYS: 0 (None)

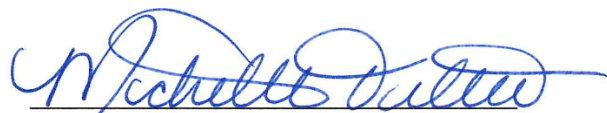
ABSENT: 0 (None)

ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **16th day of November, 2023.**

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 November 16, 2023 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk