

MINUTES
WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port Allen
Thursday, September 9, 2021
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, September 9, 2021 and called to order at 05:30 PM. Council Chairman Kirk Allain 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 Allain recognized Councilman Chris Kershaw who led everyone in the Pledge of Allegiance.

4. **LOG ATTENDANCE**

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

Also present were, Mr. Riley Berthelot Jr, Parish President, Mr. Phillip Bourgoyne, Director of Finance, Mr. Jason Manola, Executive Assistant, Mr. Kevin Durbin, Director of Public Works and Mrs. Mallorie Davis, Recording Secretary.

5. **MINUTES APPROVAL**

A. **Approval of Minutes from August 26, 2021 Meeting**

A motion was made by Chris Kershaw, seconded by Caleb Kleinpeter to approve the Minutes from August 26, 2021 Meeting.

The vote was recorded as follows:

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

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 recognized and covered the following items: Upcoming Election of October 9th has been postponed until November 13th due to hurricane;

Hurricane relief efforts in the parish;

Community Center opened to house lineman, hosted by the parish and not the Red Cross.

Councilman Kleinpeter asked if any response was received from the email request sent to Union Pacific, per President Berthelot we have not received any responses.

Mr. Deano Moran, Homeland Security Director was recognized and spoke about the following items;

Hurricane Ida processes, efforts, etc.;

FEMA visit;

WBR Blue Tarp area;
Noted that WBR was one of the first parishes to get power restored.

8. **PUBLIC COMMENTS**

Mr. Larry Johnson was recognized and complained of abandoned tires on his private property and asked why the parish has never picked them up.

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

A. **Consider the following items for surplus:**

WBR Mosquito Control
Tag# 2631 Guardian 190ES-VF Sprayer Serial #1197
Tag# 2632 Guardian 190ES-VF Sprayer Serial #1016

A motion was made by Caleb Kleinpeter, seconded by Carey Denstel to approve the following items for surplus:

WBR Mosquito Control
Tag# 2631 Guardian 190ES-VF Sprayer Serial #1197
Tag# 2632 Guardian 190ES-VF Sprayer Serial #1016

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Mr. Kevin Durbin was recognized and covered the recent meeting with DOTD on the Intracoastal Bridge Project.

Mr. Jason Manola updated the Council on the debris pickup after Hurricane Ida and shelter situation.

Councilman Walker extended an invite to attend the Family Worship Center this Sunday.

Councilman Kershaw inquired on the tire recycling process, President Berthelot explained the process the parish currently uses.

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

There were no items to consider at this time.

11. **INTRODUCTION OF ORDINANCES**

Mrs. Davis, Recording Secretary 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 the 2021 Council Amendments to the Correctional Facility Expenditures for the Fiscal Year beginning January 1, 2021 and ending December 31, 2021. Public Hearing Date: September 23, 2021
- B. 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. File #2021-15, Located At 4632 Tres Lane Brusly, La 70719, Property as described by the WBR Assessor: Lot A-1-B Cont. 4.801 AC in Section 61 T8S R12E. Rezoning from AG (Agricultural) to R-M (Residential Minor). Public Hearing Date: October 14, 2021

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 of the West Baton Rouge Parish Council in Support of Resuming Federal Offshore Leasing in the Gulf of Mexico**

President Berthelot explained the reasons and need for the following resolution.

A motion was made by Chris Kershaw, seconded by Kenneth Gordon to approve A Resolution of the West Baton Rouge Parish Council in Support of Resuming Federal Offshore Leasing in the Gulf of Mexico.

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Resolution 14 of 2021 can be found at the end of these minutes.

B. **A Resolution of the West Baton Rouge Parish Council Committing Funds for Certain Transportation Alternative Projects (TAP)**

Mr. Kevin Durbin was recognized to represent this resolution and explained the details for this resolution, he also covered all of the requests that were submitted to the TAP.

Councilman Kleinpeter questions the cost of the presented sidewalk projects. Mr. Durbin explained the projects can be scaled back if that is the wishes of the Council. Mr. Durbin suggested to approve the resolution today but at budget time the projects can be scaled back. Council agreed to create a side walk fund in the future.

A motion was made by Caleb Kleinpeter, seconded by Alan Crowe to approve A Resolution of the West Baton Rouge Parish Council Committing Funds for Certain Transportation Alternative Projects (TAP).

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Resolution 15 of 2021 can be found at the end of these minutes.

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

There were no items to consider at this time.

15. **APPOINTMENTS**

A. **WBR Planning & Zoning Commission - Re-appointment of Brady Hotard term ending July 12, 2028.**

A motion was made by Caleb Kleinpeter, seconded by Carey Denstel to approve Re-appointment of Brady Hotard to the Planning & Zoning Commission with a term ending July 12, 2028.

The vote was recorded as follows:

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

NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)
As a result of the votes the motion passed.

16. **CORRESPONDENCE REPORT**

Correspondence Report from Recording Secretary, Mallorie Davis included the following items:

- Next Planning & Zoning Meeting is Tuesday September 21, 2021 at 5:30pm.
- Next Council Meeting is Thursday September 23, 2021 at 5:30pm.

17. **ADJOURN**

There being no further business, a motion to adjourn was made by Councilman Chris Kershaw and was adopted by acclamation at 06:30 PM.

/s/ Kirk Allain

Kirk A. Allain, Council Chairman

/s/ Mallorie Davis

Mallorie Davis, Recording Secretary

RESOLUTION 14 OF 2021

A Resolution In Support Of Resuming Federal Offshore Leasing In The Gulf Of Mexico

WHEREAS, the United States of America Offshore Oil and Gas Program, since its authorization by the Outer Continental Shelf Lands Act (OCSLA), has provided significant energy to help fuel the great economy of America, and

WHEREAS, the United States of America Offshore Oil and Gas Program, has been very effective in helping America achieve energy security and strengthening our National Security, and

WHEREAS, the offshore industry and government have collaborated with groups such as the Coastal Conservation Association to create innovative ways to find beneficial cooperation such as the Rigs-to-Reef program, which benefits the recreational fishing community by repurposing obsolete structures of which nearly 600 reefed platforms in the United States Gulf of Mexico are home to almost seven million fish and other critical marine species, enriching marine life, and

WHEREAS, since its inception the United States of America Offshore Oil and Gas Program is responsible for helping to create hundreds of thousands of jobs with a significant economic impact and has generated hundreds of billions in royalty revenue for the United States Treasury, and

WHEREAS, the United States Congress in 2020 permanently funded the Land and Water Conservation Fund at \$900 million per year with wide bipartisan support. Relying solely on earnings from federal offshore oil and gas leasing, the Land and Water Conservation Fund has funded more than \$4 billion worth of projects since its inception in 1965 for purposes of conservation, recreation, restoration and protection of vital national resources, and

WHEREAS, since 2006, more than \$1 billion, funded exclusively by federal offshore lease revenues, has been disbursed to four Gulf energy-producing states through the Gulf of Mexico Energy Security Act to support coastal conservation and restoration projects; hurricane protection programs; and activities to implement marine coastal or conservation management plans, and

WHEREAS, in the most recent conservation legislation, the Great American Outdoors Act, the United States Congress set aside up to \$1.9 billion a year from federal offshore lease revenues for the next five years to repair facilities and infrastructure in our national parks, forests, wildlife refuges and American Indian Schools, and

WHEREAS, it is important for the funding of these conservation, recreation, restoration and protection efforts that the United States of America Offshore Oil and Gas Program continues, and

WHEREAS, the United States of America Offshore Oil and Gas Program has been managed in such a way that it is recognized as an environmentally advantaged energy producer with approximately half (53%) of the carbon intensity per barrel of other producing regions worldwide, and

WHEREAS, United States of America Offshore Energy represents a significant opportunity to help improve the health of our planet due to its low carbon intensity, and

WHEREAS, President Biden and Department of Interior Secretary Deb Haaland have caused regularly scheduled lease sales for offshore resources, previously authorized by administrations of both political parties, to be canceled resulting in great uncertainty for the economy, the energy, and the environment of America, and

WHEREAS, Terry A. Doughty of the United States District Court recently decided in a suit filed by the States of Louisiana, Alabama, Alaska, Arkansas, Georgia, Mississippi, Missouri, Montana, Nebraska, Oklahoma, Texas, Utah and West Virginia that the Executive Branch does not have the legal right to stop leasing Federal territory for Oil and Gas production without approval from Congress, and

WHEREAS, the future production of these oil and gas resources and consequently the funding of conservation, recreation, restoration and protection and further consequently the denial of environmentally advantaged, low carbon intensity barrels of production as a substitution for higher carbon intensity barrels of production from foreign sources; all will be negatively impacted by the continued cancellation of offshore lease sales.

NOW THEREFORE BE IT RESOLVED that West Baton Rouge Parish Council, meeting on September 9, 2021, petitions President Biden and Secretary Haaland to immediately schedule Lease Sales for the Gulf of Mexico, a historic energy producing province, to assist in producing a larger portfolio of some of the planet’s lowest carbon intensity barrels of oil and to assist in producing a larger portfolio of natural gas which can serve the Liquefied Natural Gas (LNG) worldwide market; all in an effort to restore confidence, generate economic activity, enhance environmental stewardship, create American jobs, and strengthen national and energy security.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to President Biden, Secretary Haaland, members of the United States Congress, the City and Parish governing authorities within the State of Louisiana, the Louisiana Police Jury Association, the Louisiana Municipal Association, and the National Association of Counties.

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.

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 Kenneth Gordon.

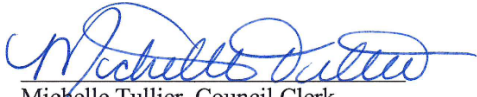
The Resolution Was Submitted To A Vote, The Vote Thereon Was As Follows:

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

As a result of the votes the resolution was adopted this **9th day of September, 2021**.

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 September 9, 2021 at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk

RESOLUTION 15 OF 2021

A Resolution of the West Baton Rouge Parish Council Committing Funds for Certain Transportation Alternative Projects (TAP)

WHEREAS, the Louisiana Department of Transportation and Development “LaDOTD” has notified West Baton Rouge Parish that two projects submitted to them have been selected to be included in the Transportation Alternative Program:

Choctaw Road Sidewalk Project
Court Street Multi-Use Path to Tourist Center Project

WHEREAS, prior to the project being officially awarded LADOTD requires that the legislative body of West Baton Rouge Parish must assume full responsibility for the required local match (20%); for design engineering; for construction administration and testing; for managing and maintaining the project; and for any legal liability incurred as a result of the project

NOW THEREFORE BE IT RESOVED, the West Baton Rouge Parish Council does hereby assume full responsibility for the required local match (20%); for design engineering; for construction administration and testing; for managing and maintaining the project; and for any legal liability incurred as a result of the aforementioned projects.

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.

The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion to Approve Was Made by Council Member Caleb Kleinpeter, Which Was Seconded By Council Member Alan Crowe.

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

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

NAYS: 0 (None)

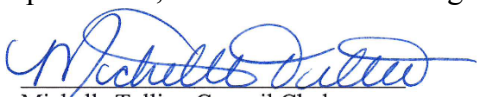
ABSENT: 0 (None)

ABSTAIN:0 (None)

As a result of the votes the resolution was adopted this **9th day of September, 2021**.

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 September 9, 2021 at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk